

FIEC is the European Construction Industry Federation, representing via its 32 National Member Federations in 28 countries (25 EU, Norway, Ukraine & Turkey) construction enterprises of all sizes, i.e. small and medium-sized enterprises as well as “global players”, carrying out all forms of building and civil engineering activities.



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Covid-19 pandemic

FIEC calls for preserving the free movement of services and workers in construction during the COVID-19 crisis

FIEC firmly supports measures which aim at ensuring the **free movement of goods** across the Internal Market in the context of the Covid-19 crisis. For construction companies, especially the delivery of protective equipment is essential to meet health and safety requirements at construction sites. Of equal importance is the delivery of construction products because the lack of these materials already resulted in the closure of construction sites. Therefore, FIEC welcomes the recent *Communication from the Commission on the implementation of the Green Lanes under the Guidelines for border management measures to protect health and ensure the availability of goods and essential services*. It is now upon the Member States to enable goods to circulate as freely as possible.

In a similar vein, FIEC welcomes the European Commission's *Guidelines concerning the exercise of the free movement of workers*.

In the following, we would like to point to construction specific problems related to the **free movement of services and workers**, fundamental to supply chains in the European construction sector. Without compromising the health and safety for the employees and keeping the sanitary emergency in mind, FIEC would like to draw the attention to the fact that, in those countries where such activities are not forbidden, construction companies are currently reporting difficulties regarding the cross-border provision of their services and major disruptions of their supply chains due to very different restrictions and/or requirements introduced by each Member State.

Examples:

- In the absence of harmonised guidelines or sanitary protocols it is extremely difficult to get the needed information for companies providing their services in another Member State.
- Construction companies, whether general or sub-contractors, are reluctant/unable to provide their services in another Member State because of the risk of remaining blocked there due to sudden new national restriction measures in that Member State. There is notably a risk of being put in quarantine for a certain period after returning to the home Member State or upon entering into the host Member State. As a result of such measures, work on construction sites comes to a complete standstill.
- Eastern European workers are either directly employed by Western European construction companies or engaged as subcontractors. Usually, these workers stay in the host Member State for a few weeks and return to their families for the weekend. Soon, most workers will go back to their home Member State for the Easter holidays. Current quarantine requirements in some Central and Eastern European Member States, according to which these people can only return to the host Member State after a certain period, will result in a massive labour shortage for construction companies and considerable income losses for the concerned workers.
- Due to the closure of hotels in some countries, workers can't be hosted anymore and have to return to their home country with the project being uncompleted.

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Construction is a labour intensive industry with a high share of cross-border workers. Therefore, mobility of workers is essential for the sectors' supply chains. Similarly, the provision of cross-border construction services is key for the completion of projects and the survival of companies.

Whilst recognising that the **health and safety of all employees on construction sites throughout the EU must remain the main priority**, it also of crucial importance to ensure, wherever it is possible, the continuation of construction activities, as long as they fulfill the mandatory sanitary and health requirements for the concerned workers, in order to maintain the works on critical construction projects and to limit as much as possible major economic disruptions. The construction industry represents 9% of the EU-28 GDP and 6.4% of the EU-28 total employment. Therefore, continued activity in construction is critical to dampen the effect of the economic crisis and to facilitate a quick recovery. In this respect, FIEC would like to stress that public support programs should also focus on maintaining companies' equity and that in order to preserve the value chains, limitations introduced at national level must be proportionate.

- **Therefore, FIEC asks the European Commission and the Member States to bear in mind the critical importance of the free movement of services and workers for the construction sector in its further crisis management and continuously monitor and update its guidelines.**
- **Construction, which provides some of the critical services, is still permitted in the large majority of EU Member States with some even asking the sector to uphold its activities upon the condition that health and safety requirements are met. In line with the Guidelines on the free movement of workers, Member States should allow frontier and posted workers to continue crossing borders to their workplace if work in the sector concerned is still allowed in the host Member State.**
- **In particular, and in the style of the European Commission's guidelines regarding transport workers, FIEC calls for waiving travel restrictions and mandatory quarantine for construction workers not displaying any symptoms, in particular for those working on critical infrastructure projects.**
- **Moreover, FIEC recommends the European Commission to postpone the entry into force of the Directive (EU) 2018/957 concerning the posting of workers.**