The rights of a posted driver

MIPACT
Mobility ImPACT on Transport Workers

Directive 2020/1057 | Regulation 2020/1054 | Regulation 2020/1055

During the posting, the employer must guarantee his workers the same employment conditions in force in the country of destination with regard to:

- Minimum rest and maximum work periods
- Remuneration defined in national legislation or applicable agreements
- Health and Safety at Work
- Protective measures for pregnant women, new mothers and children under 18 years of age
- Equal treatment between men and women
- Accommodation conditions for workers in the host country
- Benefits or reimbursement of travel, accommodation and maintenance expenses.

If these working conditions are more favorable for workers in the country of origin than in the country of destination, the employer must maintain them during the posting period.

- Remuneration: Drivers must receive the salary of the State in which they are considered posted
- Rest and driving times are regulated:
  - The registration of "other work": Loading and unloading activities; helps passengers getting on and off the vehicle; cleaning and maintenance; administrative procedures in customs; and waiting periods in loading and unloading;
  - "Availability": The periods in which the driver accompanies his vehicle on a ferry or train and the waiting periods at borders due to driving prohibitions.
  - "Driving breaks" when driving is done as a team, with the 45-minute break being at the discretion of the driver who is not driving the vehicle.
  - The "weekly rest" in the international transport of goods , establishing the possibility of taking reduced breaks provided that every 4 consecutive weeks you take, at least, 4 periods of normal weekly rest (45 hours in accommodation) of which 2, at least, They must be normal.
  - The "driver return" so that every four weeks the driver can return to his base of operations to enjoy his weekly rest.

Member States must make known in a accessible and transparent manner to transport companies from other Member States information on remuneration that applies to drivers in their country.

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