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An “East-West Split” about the Posting of Workers? Questioning the Representation of Socio-Economic Interests in the European Parliament

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Abstract

Our paper addresses the representation of territorialized and conflicting interests by the Members of the European Parliament (MEPs) through a case study on the posting of workers. Public debates on the reforms to the legal framework for this controversial practice have been steadily increasing since the EU’s eastward enlargement. Focusing on parliamentary questions, our mixed-methods research design analyses why and how MEPs take position on this highly divisive issue, beyond their nationality and a so-called opposition between Eastern and Western EU member states. MEPs’ implication depends both on the impact that the posting of workers has on employment in their home country and on their own political career, including whether they hold national or local electoral mandates. These factors also determine which political roles are performed by MEPs (moral entrepreneur, policy maker, interest groups broker), as the textual analysis of their questions in Parliament highlights. These results emphasize the influence of parliamentary socialization on the positions taken in the debates about social Europe, but also the significance of the territorial dimension of parliamentary representation.

Keywords

Posting of workers, European Parliament, interest groups, eastward enlargement, political roles, constituency

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Introduction

The dual context of eastward enlargement and economic slowdown in Western countries largely shapes the political debates on the challenges of building a “social Europe” (Crespy & Menz, 2015; Graziano & Hartlapp, 2019). This is especially the case for the posting of workers, at the core of the negotiations on labour markets and social systems europeanisation. This controversial practice, whereby a company based in a European Union (EU) member state sends employees to carry out a service in another member state, has been framed by the Posted Workers Directive (PWD) since 1996². Nevertheless, the European Commission (EC) has initiated major revisions of this legal framework in the early 2010s, with a dual objective of promoting the transnational provision of services while also guaranteeing respect for the rights of workers (Zahn, 2017). As for the Services Directive (Crespy, 2010) or the European Pillar of Social Rights (Vesan & Corti, 2019), the reforms of the posting of workers’ legal framework generate eurosceptical and antiliberal discourses by national elected officials (Michon & Weill, 2021), but also by European ones. Many members of the European Parliament (MEPs) take more or less critical positions on these reforms, defending national or even regional socio-economic interests, in particular through the submission of parliamentary questions to the EC. This article examines what determines these positions, beyond MEP’s nationality and a so-called opposition between Eastern and Western EU member states.

The posting of workers is not a new phenomenon, but it has been steadily increasing since the mid-2000s and the EU’s Eastern enlargements. In 2018, there were nearly 3 million workers, compared to less than 500,000 in 2004. Germany, France and Belgium are the three Member States that attract the most posted workers, majorly from Central and Eastern European countries (CEECs) such as Poland or Slovenia (De Wispelaere & Pacolet, 2018). European social policies are still politically impeded by the diversity of national welfare states (Scharpf, 2002). If posted workers fill needs in case of scarce manpower or rare skills, the firms involved also benefit from differentials in wages and social contributions (Wagner, 2018). This exposes employers to allegations of social dumping, which is encouraged by the governments of the labour-importing eastern and southern European countries. This increases competition within the common market, by grounding it in the national territories, and raises much criticism from political and trade union representatives in Western and Northern Member States. The

² Directive 96/71/EC of the European Parliament and of the Council.

European Parliament (EP) has become an echo chamber (Neumayer, 2015), notably for criticism of EU regulations, accused of spurring a race to the bottom in wages and social protection (Lindstrom, 2010). Besides social dumping, importing countries' MEPs denounce legal ambiguities favouring fraud, such as bogus subcontracting, or the non-respect of posted workers' rights, by transnational temporary work agencies (Novitz & Andrijasevic, 2020). As regards exporting countries' representatives, they are less focused on the respect of posted workers' rights than on national firms' competitiveness, especially in the construction industry (Wagner, 2018) and the road transport sector (Riesco-Sanz et al., 2019).

Through this case study, we emphasize other driving factors in European parliamentary debates on social Europe, such as partisan affiliation or political career paths at local, national and European levels. We highlights the logic of appropriation by MEPs of a European social policy issue, and thus contribute to the study of parliamentary roles. Indeed, we develop an alternative to the classical hypothesis on parliamentary roles based on personal psychological aspirations (Searing, 1994): MEPs endorse various roles according to the features of their constituency and their political career paths. Whatever their home country, European representatives are generally seeking for re-election, but also sometimes for a national or local mandate, and thus intend not to cut themselves off from their electoral base. To do so, parliamentary questions are one way for them to represent their country, and more precisely their constituency at a European level. These questions are more or less developed, ideologically fraught or focused on technical details, and they often echo the positions of specific interest groups. Taking into account the features of the constituency and the political career paths of MEPs, this article analyses what determines the submission of these questions as well as their content.

The article is organized as follows. The first section presents our research question and main hypothesis. A second section provides an overview of the successive reforms of the European legal framework for the posting of workers. We then look back on our mixed-methods research design, focusing on parliamentary questions. Two empirical sections follow and examine what disposes MEPs to submit questions on the posting of workers, and what they say about it. To conclude, we discuss our findings and their implications for future research.

Representing socio-economic interests in the European parliament

Our paper seeks to analyse the representation of territorialized and sometimes conflicting socio-economic interests in the debates on social Europe through the case of the posting of workers. In doing so, it is related to three fields in European studies of political representation: the

territorial dimension of parliamentary work, the channels by which of socio-economic interest groups are represented and the theory of parliamentary roles. Various works in these fields feed into the formulation of our three main hypotheses.

Scholars have highlighted how parliamentary work is constituency-oriented, with the goal of re-election (Cain et al., 1987). Some national MPs thus take on the role of “local super-elected officials”, multiplying positions in favour of their constituency, notably by drafting parliamentary questions (Rozenberg & Martin, 2011). The representation of territorialized interests remains rarely studied about the EP, which can be linked to the nationalized ballot in European elections (Brack & Costa, 2019). Our first set of hypotheses thus relates to the territorial dimension of MEPs’ involvement: it depends on posted workers’ impact on employment in their country of origin (H1). The majority of MEPs from the main importing countries want the directive to be revised, unlike those from the exporting countries. The former may consider the posting of workers as unfair competition, while the latter see it as an outlet for employing their nationals. The underlying hypothesis is that MEPs who most frequently express discontent with the EC’s proposals tend to come from exporting countries (H1a). Another sub-hypothesis is that when they take a stance on this issue, regardless of their country of origin, those whose career is mostly a local one take on the role of representatives of their constituency, with a view to a national or local (re)election (H1b).

A second set of assumptions is fuelled by research on interest groups and more particularly on legislative lobbying “in context”, involving the alignment between parties and interest groups (Kluver et al., 2015). The latter put pressure on European political groups with which they have structural relationships (Marshall, 2015; Beyers et al., 2015; Rasmussen, 2015; Kluger Dionigi, 2017). The debates on the revision of the PWD clearly belong to “a smaller set of cases where many lobbyists are active and where conflicts among lobbyists reflect party political competition” (Beyers et al., 2015, p. 548). The social partners were divided, as evidenced by their position papers. On the one hand, part of the employers’ representatives were against it. They presented the PWD revision draft as an impediment to the single market, likely to hamper the competitive position of foreign service providers, overall growth and job creation and, more generally, EU integration. On the other hand, the European Trade Union Confederation (ETUC) is rather in favour of the EC’s proposals for equal treatment for all employees (ETUC, 2 March 2016). With regard to this opposition between business and employees’ interests, our second hypothesis is that MEPs’ positions depend on their political group (H2). The conservative and liberal MEPs are more involved than those of left-wing parties. MEPs against the revision can

submit more questions in order to express the employers' associations' reluctance. All the more so as these associations are more active than trade unions, which are generally less involved in the liberalization process of the labour market. Besides, the posting of workers contributes to the segmentation among employees' representatives by reinforcing national hierarchies (Seeliger & Wagner 2018). Nevertheless, the division between interest groups is more complex. Some representatives of small and medium-sized firms, generally from Western Europe, are not opposed to the revision. Our second sub-assumption is therefore that PWD undermines the internal cohesion of political groups that is usually observed (Hix, Noury & Roland, 2005). It divides Liberal-Conservative and Nationalist MEPs between Eastern and Western Member States representatives.

Lastly, parliamentary studies are enlightening in analysing how these national and sectoral interests are represented. Based on Searing's work (1994), several typologies of "parliamentary roles" cover all MEPs (Navarro, 2012) or focus on first-timers (Bale & Taggart, 2006), eurosceptics (Brack, 2012) or British MEPs during their last tenure in the EP in Euro-Mediterranean Affairs (Völkel, 2019). Most of studies agree to distinguish the "public orator" from the "specialist" of a policy area, or the "broker" of a population or an interest group. Our study challenges this theory of parliamentary roles by studying their endorsement logics. For while these works on parliamentary roles value the autonomy of the MEPs, others link parliamentary practices and political career (Daniel, 2015; Van Geffen, 2016). Thus, our last set of hypotheses relates to the differentiation of parliamentary roles according to the MEPs' political trajectory (H3). These assumptions are based on research on careers and parliamentary socialization at the EP (Beauvallet & Michon, 2010): the more time MEPs spend in Brussels, the more they tend to specialize and to develop specific Eurocratic skills (Georgakakis, Rowell, 2013). This specialization is particularly strong within parliamentary committees (McElroy, 2006), where they develop a detailed knowledge of the issues at stake in related policy areas. H3 is therefore articulated to two sub-hypotheses. The "first-timers" (Bale & Taggart, 2006), who are often better established in their home country by exercising a local mandate, tend to advocate territorialized socio-economic interests, while strongly politicizing their discourse (H3a). Conversely, more experienced MEPs, especially the members of committees relating to the posting of workers issues (EMPL, TRAN and IMCO), take on the role of specialists in intra-European mobility, are more detached from localized interests, and draw on more technical arguments (H3b).

Reforms of the European legal framework for the posting of workers

Beyond voting reforms of the legal framework governing posted workers, MEPs contributed to amend their content through interventions in parliamentary debates. Since 1996, a directive has stipulated that the workers must benefit from a “hard core” of measures from the host country’s labour law (96/71/EC). However, the room for trade union action and the fight against fraud by national administrations remained limited, notably due to the very liberal case law of the European Court of Justice (Rocca, 2015), which has drawn political opposition in the EP (Lindstrom, 2010). However, it was only in May 2014 that the posting of workers’ legal framework was strengthened at a European and national level, under the impetus of the Directorate-General for Employment, Social Affairs and Inclusion of the EC. An implementing directive was voted in order to clarify the possibilities for control, sanctions and cooperation between national administrations (2014/67/EU). In view of the continuing controversy within the European institutions and among the Member States, the EC nonetheless concluded that this directive was unsuitable. In February 2016, the EC proposed a new draft, mainly aimed at reducing the maximum duration of posting and extending the “hard core” to all rules on workers’ remuneration. A European Labour Authority (ELA), officially established in June 2019, should also promote cooperation between national administrations.

The PWD revision’s draft immediately became a controversial issue. While the importing countries’ governments globally favour the EC’s proposal, the governments of the exporting countries are less favourable. Eleven national parliaments, mainly from CEECs, delivered reasoned opinions and triggered the so-called “yellow-card” procedure, but their subsidiarity concerns were rejected by the EC, allowing the legislative process to continue despite deep divisions between East and West Member States (Lindstrom, 2018). The subject also divides management and the workforce, both between and within trade unions and employers’ associations alike (Seeliger & Wagner, 2018). Representatives of some of the most impacted sectors, such as international road transport, are very reluctant towards the PWD (Riesco-Sanz et al., 2019). As we will see, these tensions are refracted within the EP.

However, at the time of the text’s presentation in March 2016, its leaders had created favourable conditions for its’ legislative process. On the one hand, the Conference of Committee Chairs decided to assign the text to the Employment and Social Affairs Committee (EMPL), deemed to be less liberal and more supportive of workers’ rights than the Internal Market Committee (IMCO). On the other hand, choosing a duo of rapporteurs from the main political groups (European People’s Party and Socialists & Democrats), a common practice for proposals

dividing Member States (Yordanova, 2011), testifies to the will to reach a compromise. Elisabeth Morin-Chartier is French and the first Quaestor of the EP since 2014. She joined the EP in 2007 following a political career at the regional level in France. Known as a moderate within the EPP, she is heavily involved in the EMPL committee and has contributed to several reports during the 7th term. Vice-Chair of the EMPL committee and a frequent shadow rapporteur, Agnes Jongerius (S&D) is an expert on employment issues, as a former trade union leader in the Netherlands. Based on internal recognition linked to parliamentary investment, longevity and expertise (Yordanova, 2011), the choice of rapporteurs also reflects a renewal of the key players compared to those involved in the making of the implementing directive. Indeed, they come from two EU founding countries and not from the CEECs, whose representatives were largely opposed to a revision.

Following negotiations in the Council and the EP, the PWD was adopted in the EMPL committee (60% in favour) and then in the hemicycle (64%), before being officially enacted in June 2018. The PWD introduces the principle of “the same pay for the same work in the same place” and must be transposed into national law before July 2020, except for the road transport sector. Regarding this tricky issue, a “mobility package” was finally adopted in plenary session in July 2020 after long negotiations fuelled by road transport industry representatives. Strong opposition was voiced in the hemicycle. The “East-West split” evoked by Morin-Chartier before the vote overlaps with an opposition between those who link the PWD with a “major step forward” (Balas, S&D) or even with “a social Europe on the way” (Delli, Greens) and those who condemn protectionist measures adding “administrative burdens” to existing measures and “limiting competitiveness” (McIntyre, ECR). However, we take a broader look at what positions are taken in the parliamentary arena, and by whom, by examining the written questions submitted to the EC.

A mixed-methods research design focusing on parliamentary questions

Our mixed-methods research design is part of an ongoing survey on the transformation of the legal framework of the posting of workers in the EU. The findings in this paper are based on qualitative and quantitative methods for analysing different types of materials, but especially parliamentary questions. Indeed, many MEPs make a stand on the posting of workers reforms by submitting written questions. This control mechanism is not the most powerful one, but scholars have shown that parliamentary questions are not to be neglected (Brack & Costa,

2019). Submitting written questions is an increasing practice at the EP³, as it is neither really limited nor controlled by the party: each member, political group or committee member can table a maximum of 20 questions over a continuous period of three months. These questions have similar functions to those in national parliaments (Rozenberg & Martin, 2011). First, they are a monitoring tool, which can be used, as a “fire alarm” mechanism to alert the EC about potential improper implementation of EU law in their own Member States (Jensen et al., 2013). Second, they are a relevant instrument in the hands of parliamentarians in order to represent electoral interests in their constituency (Brack & Costa, 2019), increasing their reputation and visibility (Sozzi, 2016): Finally, they are an intermediation tool with voters, but also with various interest groups (Raunio, 1996).

A first database gathers all the MEPs’ written questions addressing the posting of workers during the 8th parliamentary term (2014-2019) (N=203). Data were collected automatically from the EP website and then sorted by hand. The database contains information on the questions (content, date), as well as on their authors (identity, country of election, political group and committee in the EP).

A second database gathers data on all MEPs of the 8th term (included incoming MEPs during the term) (N=851). Constituted from the information available on the EP website and in biographical dictionaries, this database enables to situate those who asked parliamentary questions (N=161 i.e. 19% of the 8th term’s MEPs). Three sets of indicators allow to characterize them: on the profiles of MEPs (nationality, age, previous political experience at the national and local level); on parliamentary activities (political group, longevity in the EP, committee as member, number of reports, interventions in the Chamber, questions asked, etc.); on the countries of election (share of posted workers in the active population, standard of living).

Our analysis proceeds in two steps. First, we try to explain why some MEPs are more likely to take a stand on the posting of workers during the 8th legislative term, using a logit model. The dependent variable is whether or not asking a question on posted workers, and the five independent variables are country of election, previous local mandate (both corresponding to H1), political group (H2), EP seniority and committee member (H3). We gather several MEPs countries of election according to various indicators (longevity in the EU, standard of living, balance of the posting of workers): Germany and Austria, United Kingdom and Ireland,

³ A total of 48,207 written questions during the 8th parliamentary term (EP).

Benelux (Belgium, Netherlands and Luxembourg), Scandinavian countries (Sweden, Finland and Denmark), Southern Europe (Portugal, Spain, Italy, Greece, Cyprus and Malta), and CEECs (Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia). Holding a local mandate before entering the EP and seniority in this assembly are two dummy variables (previous local mandate or not; first mandate at the EP or not). Regarding political groups, we gather two Eurosceptic and nationalist ones: Europe of Nations and Freedom Group and Europe of Freedom and Direct Democracy. Committee membership includes four modalities: we isolate the three most involved committees in the posting of workers reforms: EMPL (Employment and Social Affairs), IMCO (Internal Market and Consumer Protection), and TRAN (Transport and Tourism).

Secondly, we go through a textual analysis of MEPs' questions addressing the posting of workers. If the European parliamentary questions are often patchy and unfocused, especially on economic governance (Kluger Dionigi, 2020), text mining tools enable to identify discursive structures and their dynamics. Thus, we continue works analysing words as data to study national (de Galembert et al., 2013; Grimmer, 2013) and European legislative speeches (Kaiser, 2021; Crespy, 2015; Proksch & Slapin, 2010). Iramuteq software measures repetitions, co-occurrences and similarities among the terms used by MEPs, in order to emphasize the lexical worlds (Reinert, 1990). Textual analysis results are then linked to the data on MEPs for explaining their discourses' rationales.

We thus combine an inductive analysis, taking advantage of a computer program, and *a posteriori* interpretation of its results, based on a qualitative analysis of both the corpus of parliamentary questions and their production conditions. In addition to the quantitative data, interviews were carried out with some of the MEPs and their assistants, among the most involved in our case study (N=7). The position papers of interest groups (mainly employers' and employees' associations) on the EC's proposal for the revision of the rules on posting (N=27) were also examined, as well as the transcript of the parliamentary debates on the vote of the May 2018 revision. Combining database processing with qualitative analysis thus enables us to embody the statistical clusters and to make sense of the correlations that are highlighted.

Who takes part in the debate about posted workers?

The first step is to characterize MEPs who are careful on the posting of workers. In order to test our hypothesis, we constructed logistical regression models (table 1). The situation of reference

is a MEP from Germany or Austria, a member of the S&D group, as well as of another committee than those directly concerned with the posting workers (EMPL, TRAN and IMCO), who is serving his first term and without any previous local mandate. Compared to this situation of reference, MEPs from Benelux and CEECs countries, those with previous local mandates and who are serving more than one term at the EP, those from the ALDE, ECR, EPP and nationalists groups and the members of EMPL, TRAN and IMCO committees have more chances of asking questions about the posting of workers.

The model points out the unequal insertion in the debate about the posted workers, according to the country of election, which is also illustrated by a map of the distribution of parliamentary questions (figure 1). Hypothesis H1 is verified: MEPs' interest in posting depends on its impact on national employment. MEPs from CEECS countries, especially Poland are the most active in the debate on the implementing directive or the revision draft and mostly disagree with the EC proposals (H1a). Half of the MEPs who submit questions to the EC come from countries exporting posted workers: one third from CEECS, and more than a quarter from the Visegrad group (Poland, Czech Republic, Slovakia and Hungary). According to the logit model, CEECs MEPs are over twice as likely to submit a question dealing with the posting of workers during the 8th term as German or Austrian ones. Nevertheless, the posting of workers is also a salient issue for MEPs from France and the Benelux countries, especially Belgium. These countries, whose governments stand for the revision of the directive, are among those where the posted workers are an important part of the labour force. There, the posting of workers has become a national but also a local issue, about which MEPs are regularly challenged. As a matter of fact, our sub-hypothesis on the greater involvement of the MEPs who do not disinvest their political territory, with a view to their (re)-election, be it European, national or local (H1b) is verified. *Ceteris paribus*, the MEPs holding elected office at a regional or local level are more likely to submit questions ($p < 0.05$).

The hypothesis of the MEPs' differentiated activity according to their political group (H2) is also confirmed. MEPs from the ALDE, ECR and EPP groups are more involved than those of left-wing parties. According to the model, the former are over twice as likely to ask questions addressing the posting of workers than S&D MEPs. The odds ratio is 1.6 as regards EPP MEPs. Several conservative and liberal MEPs bring the positions of employers' association into the parliamentary debate. Major European and cross-sectoral interest groups, such as Business Europe and Eurochambres, also aim at influencing the revision draft's content, toward a limitation of the strengthening of national administrations prerogatives'. However, the

alignment of right-wing parties and business interests is not perfect, because of varying positions among national business interest groups on the directive revision. On the one hand, representatives of small and medium-sized firms in importing countries are rather in favour of the PWD. On the other hand, employers' associations in the CEECs, especially in the road transport sector, are fiercely opposed to it. Thus, the cohesion of business organisations is undermined, as well as that of the liberal and conservative parliamentary groups. Indeed, "patterns of alignment and mobilization are then not only explained by characteristics of the mobilized interest groups, but also shaped by the institutional context" (Beyers et al., 2015, p. 537). In our case study, a minority of ALDE, EPP and ECR MEPs from the "new" Member States express their disagreement with a draft revision that is carried out by a Belgian Commissioner for Employment and Social Affairs, even if she also belongs to the European parliamentary right.

A significant proportion of these MEPS tend to have specialized on issues about intra-EU worker's mobility throughout their parliamentary socialization (H3). They are not particularly first-timers ($p < 0.01$) (H3a); nor "absentees" (Brack, 2012) or "dilletantes" (Navarro, 2012), being more active than the average MEP in most of the other parliamentary practices that are subject to quantification (opinions, motions for resolutions, written declarations, etc.) (table 2). They take position on the posting of workers because they are, more broadly, among the most active MEPs, but also because they probably know this subject better than others. Indeed, submitting a question dealing with the posting of workers is, above all, strongly and significantly linked ($p < 0.01$) with belonging to the committees that take up the issues of intra-European workers' mobility (H3b). Members of the EMPL, TRAN or IMCO are respectively over 13.5 and 4 times as likely to ask questions than other MEPs.

What is said about the posting of workers?

What do the MEPs say about the posting of workers and what frames their discourses? Processing our corpus of parliamentary questions and data on their authors helps to answer these interrogations. We first highlight the most frequent terms in the MEPs' questions, before distinguishing three lexical fields, which correspond to as many different parliamentary roles. We can therefore address the logics that determine their endorsement by testing our hypotheses on the territorial dimension (H1) of MEPs' claims, the links between their political group and interest groups (H2) and the influence of the policy specialization due to their parliamentary socialization (H3).

The MEPs' vocabulary

The parliamentary questions addressing the posting of workers during the 8th parliamentary term (n=203) are 38,276 words long. Their length varies between 46 and 290 words (188.6 on average), depending on whether their content is restricted to a specific aspect of the posting of workers or extends to other related issues. The MEPs' vocabulary thus includes 3,747 different terms, reduced to 2,859 by lemmatisation - i.e. by substituting a singular for a plural, a conjugated verb for an infinitive or several words for their common root. "Stop words" (506) - i.e. the most common words in English language - but also those with less than three occurrences (1553) are then excluded from statistical analysis. We thus take into account 978 active forms, among which, the most frequent are identified (table 3).

Given the way the corpus was defined, some words come up in all the questions, or even several times within the same one. This is the case of terms derived from "work" and "post", as well as those referring to the EC - i.e. the institution to which the questions are addressed - and their main issue - i.e. the implementation or revision of a "directive". Most of the questions also contain an economic lexicon, relating to the "market", "companies" and of "services provision", but also to "social security", "employment" and "wage", especially "the minimum" wage. Words characterising the MEPs' spatial scale of reference are also frequent, but terms derived from Europe are more systematic than those opposing the "national" and the "foreign". However, MEPs commonly refer to their country of origin, in particular France and Germany, whose national regulations are often criticised by CEECs MEPs. A legal lexicon is also used to denounce "abuses" or "frauds" relying on European legislation or jurisprudence. Besides, MEPs suggest "proposals" or "measures" to "regulate" 'unfair competition', impacted by "social dumping". Finally, several terms refer to professional sectors. Although road transport is less impacted economically than other industrial branches and the media coverage is more focused on construction, the application of the posted workers' status to lorry drivers appears to be a salient issue. The intensification of "cabotage"⁴ finds parallel with the lobbying of sectoral interest groups (Riesco-Sanz et al., 2019), to which explicit references are made in parliamentary questions.

Three parliamentary roles

⁴ The fact that a road haulier established in one State temporarily carries out transport operations for hire in another State.

Three lexical worlds emerge from the textual analysis, corresponding to as many political roles related to the MEPs features. A hierarchical top-down classification enables us to group the lemmatised forms included in the questions according to their repetitions and proximities (Reinert, 1990). In light of the hypotheses derived from the qualitative analysis of the corpus and the interviews, we have decided to divide the questions into three classes. All the vocabulary is then projected on a factorial plane (figure 2) and is distributed on two axes that represent the total inertia of the corpus mass (56.9% for the abscissa axis and 43.1% for the ordinate axis). Lexical forms are coloured according to the class of questions in which they appear more often and their size is proportional to the significance of this association (chi2 test). This factorial plan shows the polarization of the discourses about the posting of workers. Besides, placing the lexical forms in their context, i.e. parliamentary questions, makes it possible to interpret statistical clustering. The three lexical worlds distinguish the most salient issues that are expressed, but also various parliamentary roles. Then, the MEPs' features that are significantly associated with lexical worlds are included in the analysis in order to highlight the factors that differentiate the political roles (table 4). These factors refer to the MEPs' home country and their local political anchoring, i.e. to the territorial dimension of their positions about posted workers (H1). The way MEPs are brokering various interest groups claims is also linked with their political group (H2). Besides, committee membership and the number of legislative terms are taken into account as indicators of parliamentary socialization (H3).

Examining the largest class of questions, we distinguish a first parliamentary role of *moral entrepreneur*. Contributing to the awareness of issues and following them through to the legislative process, MEPs who undertake such “moral crusades” are probably convinced of the legitimacy of their “mission” (Becker, 1963). But they also act in their own interest by denouncing a rival group and promoting the recognition of their legitimacy in the European political field. This first class of questions concentrates terms denouncing pernicious effects of the increasing posting of workers, and through that issue, of the expansion of the common market: “social dumping”, “abuse” and “fraud”, particularly with regard to social security contributions. In its most radical form, this discourse is quite similar to that of the “public orator” choosing to delegitimize the EU from the inside (Brack, 2012). Questions by nationalist MEPs are fraught with euroscepticism, while left-wing MEPs tend to show their opposition to economic liberalism. In both cases, their argumentation emphasizes ideological inclinations rather than expertise on employment or specific professional sectors. Indeed, their authors are rarely members of the corresponding committees and they are not among the most experienced,

often serving a first term. This role of moral entrepreneur corresponds to a large majority of French or Benelux MEPs. Many of them are also local representatives who perform their local political anchoring through the denunciation of frauds and consequences of the increasing posting of workers in their home country. The French far right MP Sophie Montel fears a destabilization of national employment in the most affected sectors: “young French people seeking to be trained in one of the construction professions [...] do become the first victims” (E-007458-14). However, policy orientations of these moral entrepreneurs are contrasted: GUE/NGL MEPs express more general claims in favour of a European minimum wage or the harmonisation of national labour laws. Nationalists prefer narrower approaches: failing to obtain the abolition of the posted workers status, they advocate for the strengthening of national administrations’ prerogatives to control their flux. In any case, their discourse is politicized, which is opposed to the technicisation observed in the next classes of questions.

A second role of *policy maker* emerges through the analysis of the smallest class of questions. These MEPs intend to participate in defining the precise content of the reforms (De Galembert et al., 2013) and make “efforts to put imprint on the day-to-day decision-making process” by appearing as “specialist” in the parliamentary arena (Navarro, 2012). These questions concentrate the most specific terms of the PWD. The principle of “equal pay for equal work at the same place” is specifically addressed. Policy makers often designate the institutions involved in the legislative process and refer to European law. Less critical of the perverse effects of the posting of workers than moral entrepreneurs, these MEPs are more concerned with contributing to the reforms. They mainly ask the EC for details on its’ revision plans and on the means which would be available to national administrations. This discourse is less prone to national determinations, although it mainly brings together German and Austrian MEPs, whose national representatives occupy a brokering position in intergovernmental negotiations (Graziano & Haartlap, 2019). Rather than the scarcity of locally elected positions, the key political feature here is the belonging to the majority group (EPP). The German MEP Sven Schulze (EPP), for instance, expresses various concerns about the enforceability of the principle of equal remuneration with regard to national collective agreements in different professional sectors (E-003043-16) or about the renewal of the posted workers’ employability period (E-003808-18). Policy makers also have a longer European experience than moral entrepreneurs, and many of them belong to the EMPL Committee. Its’ members express the worries of European employers’ associations, such as Business Europe. As a vice-president (2014-2017), the Polish MEP Danuta Jazłowiecka has been “receiving numerous inquiries from

entrepreneurs concerning the interpretation and implementation of the revised Directive” (E-001557-17). But the EPP MEPs are not the only ones to voice the claims of the European social partners within the EMPL committee, whose left-wing members tend to express labour unions’ claims (Rasmussen, 2015), relying on ETUC positions to defend workers’ rights and the prevention of discrimination.

The third class of questions reveals another political role, consisting in supporting national economic interests. These MEPs support opinions provided “turnkey” by the employers’ associations, especially from the road transport sector. The positions they defend differ from those of moral entrepreneurs, but their critique of the EC proposal is also sharper and more focused on specific professional sectors than those of the policy makers. If business interest groups are generally aligned with the European parliamentary right, our case study shows a more nuanced situation. On the one hand, EPP MEPs from mostly importing countries converge with the European and cross-sector business lobbies to “present moderate views, as this puts them in a position to become involved in policy-making bargains” (Beyers et al., 2015, 548). On the other hand, ECR and ALDE MEPs voice strong oppositions from sectoral and national or even local employers’ associations. Indeed, this third type of discourse on posted work is both strongly associated with the CEECs and the previous exercise of a local mandate. In this context, MEPs may have been solicited by lobbies representatives from sectors that are particularly crucial to the local economy. Parliamentarians playing the role of interest groups support also largely belong to the TRAN and IMCO committees, concentrating leading defenders of the freedom to provide services, *a fortiori* when it benefits companies in these MEPs’ constituency. Indeed, ALDE MEPs present the road transport sector as emblematic of “protectionist barriers”. The Croatian Ivan Jakovic (ALDE) denounces the introduction of a minimum wage in Germany and its application to cabotage (E- E-001382-15 and E-000020-15). The Polish Tomasz Poreba (ALDE) attacks “Macron’s Law”⁵, which requires posted workers’ companies to comply with the French minimum wage and to establish a representative in France. He even asks the EC to intervene “against Germany and France in connection with their blatant violations of the principles of the single market and the freedom to provide services” (E-004647-16). Conservative c ECR MEPs from CEECs also insist on “administrative burdens”, and the loss of competitiveness for their national firms. Such a liberal stance is akin to the pragmatism of Eurosceptics who participate in legislative work on specific

⁵ Law n°2015-990, August 6, 2015.

issues to defend their national interests (Brack, 2012). Denouncing “unjustified costs” as the compulsory “retro-fitting of trucks with the new smart tachograph as a control instrument for detachment and cabotage” also reveals a deep knowledge of the road transport issues, which is fuelled by local and sectoral lobbies. This discourse relates to the ideal type of the “intermediary” who “acts as a spokesperson, advocate or ambassador for a population or a territory” (Navarro, 2012, p. 191), whose socioeconomic interests are thus represented.

Conclusion

Debates on the posting of workers enlivened the EP during the 8th term, reflecting strong tensions between East and West member states. Despite the adoption of the principle of “equal pay for equal work at the same place”, the strengthening of national administrations’ competences and the increased regulation of competition between European road transport operators, the implementation of these reforms remains uncertain. Our case study thus illustrates the persistent resistances among national actors to market-correcting policies (Scharpf, 2002), as well as among European political representatives. The MEPs’ commitment to support or oppose the reforms promoted by the EC varies according to their impact on the employment and firms’ competitiveness in their home countries. The most politically rooted MEPs are also the most involved. However, their parliamentary socialization must also be taken into account, in the line of research on the influence of internal dynamics within the EP (Whitaker, 2014). Indeed, the most active MEPs belong to the conservative and liberal groups, which mainly represent employers’ interests, and they specialize on the workers’ mobility within specific parliamentary committees. Parliamentary discourses are both diversified and strongly determined. The textual analysis on parliamentary questions distinguishes three political roles linked to the MEPs’ profiles. The role of moral entrepreneur, who denounces the pernicious effects of the posting of workers and shows an opposition to liberalism tends to be played by importing countries’ MEPs. They demonstrate their local anchorage, but their parliamentary socialization is often underdeveloped. By contrast, policy makers show a more practical and technical involvement in the legislative process. More experienced in the EP’s functioning, they largely belong to the majority group and develop specific skills within the EMPL committee. Finally, liberal and conservative MEPs, mostly from CEECs, defend sectorial and national interests in the name of freedom to provide services. Focused on transport issues, they contribute to making this sector a stumbling block for reforms.

Tensions over the posting of workers reflect broader issues surrounding intra-European labour mobility. The adoption of a new directive theoretically strengthens its regulation, following the creation of the European Pillar on Social Rights and related parliamentary tensions (Vesan, Corti, 2019). However, questions remain about the EC's apparent shift away from liberal market building (Crespy & Menz, 2015). Resistance or mistrust from representatives of last Member States cast doubt on their transposition into national law and lower prospects for harmonization of social legislation. Questions also remain about the effectiveness of the posted workers' social rights, as regards remuneration or social benefits. Despite the adoption of the PWD, the creation of the ELA and the strengthening of national administrations' control capacities, there are still many grey areas, in particular when transnational temporary work agencies involving third country nationals (Novitz & Andrijasevic, 2020). Besides, the intra-European mobility of workers could be durably impacted by the Covid 19 pandemic. Currently, national measures taken to perpetuate the posting of workers in periods of confinement between Germany and Romania, as well as French governmental declarations on limiting the posting of workers in industries with high unemployment were immediately debated within the EP.

Our paper has larger implications for the study the representation of interests (not only socio-economic interests) within the European political field, and more precisely of their territorial dimension. Taking into account oppositions between trade unions and employers' associations is not enough to explain the alignment of MEPs and interest groups as regards market-correcting policies. Attention must also be paid not only to the political context (Völkel, 2019), but also to the specific nature of sectoral issues and the intermediation logic between regional, national and European levels. Our findings also have larger implications for studying European parliamentary roles by linking data on MEPs' political careers, within or outside the EP, with the content of their legislative speeches or written questions. The study of parliamentary roles can also be developed by focusing on the representation of interests as a major dimension of parliamentary work. MEPs perform these political roles for their colleagues in the hemicycle, but also for their voters and institutional support in their constituency. A last implication concern studies on cohesion and defection in political group. Indeed, cohesion is usually observed at the EP (Hix, Noury & Roland, 2005), but our results on strong divisions among ADLE or EPP groups demonstrate the need to identify new patterns of MEP defection.

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7980 words

Table 1: Results from a Logistic Regression Model Analysing ‘Asks a question on the posting of workers’

		Coefficient	Odds ratio	Standard error
Country of election	Germany or Austria	Ref		
	Benelux	0.837**	2.310	0.422
	CEECS	0.756**	2.130	0.333
	France	-0.513	1.670	0.4
	Scandinavia	-0.415	1.515	0.461
	South of the UE	-0.173	1.189	0.355
	UK and Ireland	-0.749	0.473	0.497
Previous local mandate	No	Ref		
	Yes	0.488**	1.628	0.203
Political group	<i>S&D (Socialists and Democrats)</i>	Ref		
	<i>ALDE (Alliance of Liberals and Democrats for Europe)</i>	0.734**	2.084	0.357
	ECR (European Conservatives and Reformists)	0.790**	2.203	0.368
	<i>EPP (European People's Party)</i>	0.495*	1.640	0.279
	Greens/EFA (Greens and the European Free Alliance)	-0.129	1.137	0.472
	GUE-NGL (The Left group)	-0.58	1.785	0.433
	Nationalist	0.977**	2.657	0.387
Longevity at the EP	1 term	Ref		
	More than one term	0.629***	1.876	0.209
Committee	Others	Ref		
	EMPL	2.593***	13.374	0.305
	IMCO	1.693***	5.434	0.34
	TRAN	1.492***	4.444	0.327
Intercept		-3.389***		0.405
Pseudo R		0.163		
N		851		

Reading: * $p < 0,10$, ** $p < 0,05$, *** $p < 0,01$.

Table 2: Parliamentary Practices of MEPs asking or not a question on the posting of workers

Average	Question	No question
Parliamentary Questions	105,5	56,3
Oral Questions	9,75	7,1
Interventions in plenary	353,5	226,7
Motions for resolutions	72,38	55,52
Individual motions for resolutions	11,78	2,32
Written statements	5,55	3,08
Reports as Rapporteur	1,77	1,86
Reports as shadow rapporteur	12,98	8,11
Opinion as rapporteur	2,01	1,41
Opinion as shadow rapporteur	10,69	6,53

Scope: All MEPs of the 8th term

Source: Base MEPs 8th term

Reading: MEPs that asked at least one question on secondment proposed an average of 105.5 parliamentary questions on the term.

Table 3: 50 most frequent active forms among the questions dealing with the posting of workers during the 8th parliamentary term

work	706	provision	166	sector	106	security	68	issue	51
commission	573	transport	162	minimum	95	dumping	68	equal	51
europe	489	service	162	company	94	national	67	case	51
post	479	proposal	144	rule	93	employment	67	period	50
directive	364	law	134	road	93	employee	63	article	50
state	272	french	130	labour	87	revision	62	system	49
union	239	german	119	legislation	78	provide	60	foreign	49
member	214	pay	118	regulation	75	international	59	measure	49
social	179	wage	114	driver	75	principle	54	right	48
country	168	market	111	apply	72	employer	52	competition	48

Source : base questions (N=203).

Table 4: Lexical forms and MEPs' features significantly associated with political roles performed through parliamentary questions on the posting of workers (2014-2019)

Moral enterprise (35,8%)		Policy making (31,6%)		Interest groups support (32,1%)	
<i>Most significant forms</i>					
social	64,2%	remuneration	88,2%	transport	77,2%
dumping	63,54%	revision	70,6%	driver	86,5%
security	58,3%	propose	67,7%	international	81,86%
labour	45,7%	article	63,3%	road	78,9%
abuse	86,7%	equal	72,2%	burden	83,3%
<i>Country of election</i>					
France	64,4%	Germany	44,4%	CEECs	50,7%
Benelux	66,7%	CEECS	41,1%		
South Europe	61,9%				
<i>Local term</i>					
yes	41,1%	no	41,0%		
<i>Political group</i>					
Nationalist	60,9%	EPP	51,1%	ECR	55,0%
S&D	61,6%			ALDE	43,8%
<i>Committee</i>					
		EMPL	51,8%	TRAN	58,8%
				IMCO	52,2%
<i>Number of terms</i>					
1 st term	43,4%	2 nd term or more	39,0%	2 nd term or more	40,7%

Source: basis of MEPs' questions addressing the posting of workers during the 8th term (N=203)

Reading: 64,2% of all occurrences of the word "competition" and its declinations appear in the first class of questions.

Figure 1: Parliamentary questions on the posting of workers in EU Member States

Distribution of parliamentary questions on posted work by EU Member State (2014-2019)



