



*Employers entrusted to deliver
Sustainability Growth Innovation*

Position Paper

SGI Europe Amendments to the
Minimum Wage proposal

General comments

As stated by SGI Europe already in our response to the Commission's open consultation on the minimum wage proposal in the end of last year, SGI Europe agrees with the overall objectives of achieving adequate wages across the EU, making work pay, fighting poverty, and strengthening the role of social partners and social dialogue, in line with national industrial relations systems. A lot of work is done, in particular in the European semester.

SGI Europe also responded to the first and second stage social partners' consultation and clearly expressed a preference for a social partner negotiated solution to be implemented via a council recommendation, instead of the now presented proposal for a directive.

SGI Europe members had discussions and assessment of the proposal. There are some different views and assessments on the content in the directive proposal itself, but our members agree overall that the directive will likely influence wage setting and the wage level. We still have some questions around the proposal, that we think need some further clarification. SGI Europe would recommend a proposal that creates clarity and better "interpretability".

The first and central question for us is the viability of *the legal base* for the proposal and also what a directive would mean for the future, for other legislative acts to come and how the ECJ independently will interpret the directive in the future:

The legal base is article 153.1 b) working conditions according to the Commission.

However, the provisions in the proposal is actually a mix between minimum wage setting – individual labour rights for ex in article 11, and collective labour law/ rights for ex in article 3 and 4. For issues in article 153.1. f) about representation and collective defence of the interests of workers and employers, including co-determination, unanimity is required according to article 153.2b) para 3 and not qualified majority as for working conditions. This latter article should have been used as regards the provisions in the proposal on promotion of collective bargaining.

What does the alleged legal base, mean in relation to article 153.5? What implications could a directive on minimum wages, seen as working conditions, have for future proposals on other issues in article 153.5, not only for wages but also for ex regarding the exemption from EU competence of the right to strike and the right of association? Could the right to strike or right of association in the future be interpreted as working conditions or something else in article 153, but not as an exemption according to article 153.5? With the Laval case and the proposed withdrawn Monti regulation in mind, these are important questions.

We also ask ourselves about the compatibility between the purpose of the directive, the derogation in article 1.3 and the provisions in the EU Charter on workers which respect the dignity of workers and non-discrimination, if interpreted by the ECJ.

SGI Europe has awaited the legal analysis from the Council and is now closely following the continued work in the Council, the European Parliament and the Commission as well as the debate and analysis amongst academics with interest.

SGI Europe also has some questions regarding the content in the proposal and proposals for amendments:

A majority of the provisions in the directive applies to all MS.

Regarding article 1 and the subject matter we ask ourselves how the different parts of the article relate to each other, and fit together, in practice and how the ECJ will interpret it? There seems to be discrepancies between the different parts in the article and keeping in mind that a directive is binding to its result.

We suggest some clarifications in our amendment to article 1.

Does the directive create an individual right to go to court? See for ex article 11 – applicable for all member states.

How will the detailed provisions in practice affect the social dialogue, the social partners' autonomy and the social partners' incentives to negotiate and conclude collective agreements? Or the will to be member of a trade union or employer organization?

We also have some reflections regarding the timing of the proposal, the directive's longer term impact on the structure of the labour market and the possible economic effects of the directive.

These are some of the questions and concerns that SGI Europe members still have regarding the directive proposal.

We look forward to an ongoing dialogue with the EU-institutions on how we can address the challenges that the Commission have outlined in the proposal.

Enclosed you will find our proposals for amendments to the articles 1-6 and 9 and their corresponding recitals.

Proposed amendments

Amendment 1 – Article 1 – Subject matter

European Commission	Proposed amendment
1. With a view to improving working and living conditions in the Union, this Directive establishes a framework for: (a) setting adequate levels of minimum wages; (b) access of workers to minimum wage protection, in the form of wages set out by collective agreements or in the form of a statutory minimum wage where it exists. This Directive shall be without prejudice to the full respect of the autonomy of social partners, as well as their right to negotiate and conclude collective agreements. 2. This Directive shall be without prejudice to the choice of the Member States to set statutory minimum wages or promote access to minimum wage protection provided by collective agreements. 3. Nothing in this Directive shall be construed as imposing an obligation on the Member States where wage setting is ensured exclusively via collective agreements to introduce a statutory minimum wage nor to make the collective agreements universally applicable.	1. With a view to improving working and living conditions in the Union, this Directive establishes a framework for: (a) setting adequate levels of minimum wages; (b) access of workers to minimum wage protection, in the form of wages set out by collective agreements or in the form of a statutory minimum wage where it exists. This Directive, fully recognising the autonomy and the competence of the Social Partners, shall be without prejudice to the full respect of the autonomy of the social partners, as well as of their right to maintain, negotiate, and, conclude and enforce collective agreements. 2. This Directive shall be without prejudice to the choice of the Member States to set statutory minimum wages or promote access to minimum wage protection provided by collective agreements. 3. Nothing in this Directive shall be construed as imposing an obligation on the Member States where wage setting is ensure exclusively primarily via collective agreements to introduce a statutory minimum wage nor to make the collective agreements universally applicable.
Explanation	
Art. 1, subpar. 1 indicates the aims of the Directive, establishing a framework for setting an adequate level of minimum wage to improve working and living conditions in the Union at national level. In this context, it is crucial to guarantee the respect of the autonomy of Member States and the competence of the Social Partners. Indeed, even if these principles are emphasised by the Commission in different parts of the Proposal (Recital 16 or Explanatory Memorandum), but they are not explicitly established in the Directive provisions. Only, in the art. 1, subpar.1, II period, the concept of the autonomy of the social partners is mentioned, but it seems very limited, as it is only related to the collective agreement negotiation. In fact, the above statement foresees: <i>“this Directive shall be without prejudice to the full respect of the autonomy of social partners, as well as their right to negotiate and conclude the collective agreement”</i>. It is very important to insert a provision that recognizes the autonomy and the competence of social partners. To fully reflect the role, work and autonomy of the social partners and their negotiations and collective agreements the words <i>maintain</i>, negotiate, conclude and <i>enforce</i> collective agreements, should be added, using the same wordings as in article 14 of the transparent and predictable working conditions directive. Art. 1, subpar. 3. This provision foresees that the Directive does not impose on Member States, where the wage setting is ensured <u>exclusively</u> by collective bargaining, neither to introduce a statutory minimum wage nor to make the collective agreements universally applicable.	

The word “exclusively” is very ambiguous because its meaning is not clear. In fact, if exclusively means 100%, this provision cannot be applied to any Member States, because no Member State has the total collective bargaining coverage. In fact, even if there are Member States with a very high percentage of collective agreement coverage in all sectors of the labour, no of them do not reach 100%. So, to achieve the objective of this provision not to impose obligation on some Member States, we have to replace this word with another term more adequate to the Member State situations (primarily).

Amendment 2 – Recital 17

European Commission	Proposed amendment
This Directive should apply to workers who have an employment contract or employment relationship as defined by the law, collective agreements or practice in force in each Member State, with consideration to the criteria established by the Court of Justice of the European Union for determining the status of a worker. Provided that they fulfil those criteria, domestic workers, on-demand workers, intermittent workers, voucher based-workers, bogus self-employed, platform workers, trainees and apprentices could fall within the scope of this Directive. Genuinely self-employed persons do not fall within the scope of this Directive since they do not fulfil those criteria. The abuse of the status of self-employed persons, as defined in national law, either at national level or in cross-border situations, is a form of falsely declared work that is frequently associated with undeclared work. Bogus self-employment occurs when a person is declared to be self-employed while fulfilling the conditions characteristic of an employment relationship, in order to avoid certain legal or fiscal obligations. Such persons should fall within the scope of this Directive. The determination of the existence of an employment relationship should be guided by the facts relating to the actual performance of the work and not by the parties' description of the relationship.	This Directive should apply to workers who have an employment contract or employment relationship as defined by the law, collective agreements or practice in force in each Member State, with consideration to the criteria established by the Court of Justice of the European Union for determining the status of a worker. The national definitions prevail and it is always a case by case determination, depending on the specific circumstances in the individual case. Provided that they fulfil those criteria, domestic workers, on-demand workers, intermittent workers, voucher based-workers, bogus self-employed, platform workers, trainees and apprentices could fall within the scope of this Directive. Genuinely self-employed persons do not fall within the scope of this Directive since they do not fulfil those criteria. The abuse of the status of self-employed persons, as defined in national law, either at national level or in cross-border situations, is a form of falsely declared work that is frequently associated with undeclared work. Bogus self-employment occurs when a person is declared to be self-employed while fulfilling the conditions characteristic of an employment relationship, in order to avoid certain legal or fiscal obligations. Such persons should fall within the scope of this Directive. The determination of the existence of an employment relationship should be guided by the facts relating to the actual performance of the work and not by the parties' description of the relationship.
Explanation	
The proposed amendment is self-explanatory and clarifying.	

Amendment 3 – Article 2 - Scope

European Commission	Proposed amendment
This Directive applies to workers in the Union who have an employment contract or employment relationship as defined by law, collective agreements or practice in force in each Member	This Directive applies to workers in the Union who have an employment contract or employment relationship as defined by law, collective agreements or practice in force in each Member

State, with consideration to the case-law of the Court of Justice of the European Union.	State. with consideration to the case-law of the Court of Justice of the European Union.
Explanation	
The case law of the Court of Justice of the European Union should always be considered. Therefore it is not necessary to quote it in the text of the article.	

Amendment 4 – Article 3 – Definitions

European Commission	Proposed amendment
For the purposes of this Directive, the following definitions apply: (1) 'minimum wage' means the minimum remuneration that an employer is required to pay to workers for the work performed during a given period, calculated on the basis of time or output; (2) 'statutory minimum wage' means a minimum wage set by law, or other binding legal provisions; (3) 'collective bargaining' means all negotiations which take place between an employer, a group of employers or one or more employers' organisations, on the one hand, and one or more workers' organisations, on the other, for determining working conditions and terms of employment; and/or regulating relations between employers and workers; and/or regulating relations between employers or their organisations and a worker organisation or worker organisations; (4) 'collective agreement' means all agreements in writing regarding working conditions and terms of employment concluded by the social partners as an outcome of collective bargaining; (5) 'collective bargaining coverage' means the share of workers at national level to whom a collective agreement applies;	For the purposes of this Directive, the following definitions apply: (1) 'minimum wage' means the minimum remuneration that an employer is required to pay to workers for the work performed during a given period, calculated on the basis of time or output; (2) 'statutory minimum wage' means a minimum wage set by law, or other binding legal provisions; (3) 'collective bargaining' means all negotiations which take place between an employer, a group of employers or one or more employers' organisations, on the one hand, and one or more workers' organisations, on the other, for determining working conditions and terms of employment; and/or regulating relations between employers and workers; and/or regulating relations between employers or their organisations and a worker organisation or worker organisations; (4) 'collective agreement' means all agreements in writing regarding working conditions and terms of employment concluded by the social partners as an outcome of collective bargaining; (5) 'collective bargaining coverage' means the share of workers at national level to whom a collective agreement applies;
Explanation	
There is a clear risk that these definitions would affect the respect for the social partners independence and the right to negotiate and conclude collective agreements, contrary to the wording of the last paragraph of Article 1 (1) and paragraph 3. National definitions should prevail. EU-definitions risk to interfere with national definitions on these terms. Thus it is not appropriate to introduce definitions regarding minimum wages, statutory minimum wages, collective bargaining, collective agreements and the coverage of collective bargaining as proposed in Article 3. The aforementioned proposed European definitions would risk changing the corresponding current national definitions of these concepts, which play an important role in labour law and collective bargaining. In these respects, e.g. collective agreement negotiations and collective agreements are mainly defined at national level. The proposed definitions are unclear and lead to a number of legal issues, and can be expected to be disputable. SGI Europe believes that this would not work in practice to have definitions of this in national laws and another in European law. According to current principles of the primacy of EU law, European definitions would take precedence.	

Amendment 5 – Article 4 – Promotion of collective bargaining on wage setting

European Commission	Proposed amendment
Promotion of collective bargaining on wage setting 1. With the aim to increase the collective bargaining coverage Member States shall take, in consultation with the social partners, at least the following measures: (a) promote the building and strengthening of the capacity of the social partners to engage in collective bargaining on wage setting at sector or cross-industry level; (b) encourage constructive, meaningful and informed negotiations on wages among social partners; 2. Member States where collective bargaining coverage is less than 70% of the workers defined within the meaning of Article 2 shall in addition provide for a framework of enabling conditions for collective bargaining, either by law after consultation of the social partners or by agreement with them, and shall establish an action plan to promote collective bargaining. The action plan shall be made public and shall be notified to the European Commission.	Promotion of collective bargaining on wage setting 1. With the aim to increase the collective bargaining coverage Member States shall take, in consultation with the social partners and in accordance with national traditions, at least the following measures: (a) promote the building and strengthening of the capacity of the social partners and promote their joint actions, to engage in collective bargaining on wage setting at sector or cross-industry level; (b) encourage constructive, meaningful and informed negotiations, including on wages among social partners; 2. Member States may in addition have a framework supporting the recognition of sectoral and cross industry social partners and their role. The Member States may have a framework of enabling conditions for collective bargaining, either by law after consultation of the social partners or by agreement with them. This framework shall include capacity building measures and joint actions. 2. Member States where collective bargaining coverage is less than 70% of the workers defined within the meaning of Article 2 shall in addition provide for a framework of enabling conditions for collective bargaining, either by law after consultation of the social partners or by agreement with them, and shall establish an action plan to promote collective bargaining. The action plan shall be made public and shall be notified to the European Commission. Social dialogue's development shall be monitored by the European semester process. All the above Member States' initiatives shall respect the fundamental freedom of workers and employees and the autonomy of social partners.
Explanation	
SGI Europe supports the idea of promoting social dialogue and collective bargaining. With the view to improve further the text of the proposal, suggests some re-drafting of the first point of the article 4 to highlight the need for the national traditions to be taken into consideration and be respected and also the added-value of the joint actions of the social partners. SGI Europe would like also to remind, that there is a difference between <i>promoting</i> collective bargaining coverage, as stating in the title of the article, and <i>increasing</i> collective bargaining coverage. The term <i>promoting</i> should be retained in the article wording. It should also be underlined that the state also has a responsibility to assist social partners in capacity building which may result in a wider coverage of collective bargaining. Member states have an	

important role to play as to encourage and assist capacity building through which collective bargaining may be facilitated, rather than through direct intervention. Collective bargaining cannot be imposed, but promoted and practiced by the social partners.

Secondly, point 2 is amended in order to underline the need of favourable frameworks and of recognition of social partners and of their role.

Special supporting measures for capacity building and joint actions of the social partners shall be envisaged.

Of course, Member States' initiatives included in this article must respect the fundamental freedom of workers and employees and the autonomy of social partners as well as national traditions and it has to be reminded. Equally important is to respect the provisions of ILO Convention 87 on the freedom of unionisation.

In the light of the above, the coverage of 70 % is not the only indicator for how strong the social dialogue is and should be removed and replaced by a possibility to have a favourable framework in Member States. Therefore, SGI Europe advocates for abandoning the numerical target proposal and focusing the attention on creating and developing of enabling conditions and supportive network. Below some more arguments are presented on why setting a target of 70% for collective bargaining coverage is not recommendable as:

- Collective representation is a choice by employees and employers as provided by the Freedom of Association. It is not something which can be achieved through coercion or 'action plans'. Each member state has its own industrial relations culture which is also reflected in the extent of trade union and employers' organisation membership in different countries, ranging in more than 70% in some Nordic countries to less than 15% in France.
- Union and employers' organisation membership and collective bargaining coverage cannot be imposed. In some Member States – e.g., Malta, where trade union membership is in the region of 55% of the labour force, trade unions are pushing for mandatory trade union membership for all employees. This is being strongly opposed by employer bodies, as membership in a union, including an employer association, should be an individual choice by employee or company.
- The variations in union membership, and hence, collective bargaining, in different member states, is partly attributable to the different roles of trade unions. For example, in some countries with a high trade union density, unions manage the Ghent system, where unions are responsible for paying unemployment benefits.
- Member States also have different collective bargaining structures. In some cases, unions and employers negotiate at national and sectoral levels. In other countries, like Malta, Bulgaria, and others, collective bargaining occurs almost exclusively at enterprise level. This affects the coverage level of employees by collective bargaining.
- Collective bargaining coverage and the setting of minimum wages are two separate issues. In general, collective agreements, particularly those negotiated at enterprise level, do not establish minimum wages, but set remuneration levels at a rate above an established minimum.

Amendment 6 – Recital 19

European Commission	Proposed amendment
In a context of declining collective bargaining coverage, it is essential that the Member States promote collective bargaining to enhance workers' access to minimum wage protection provided by collective agreements. Member States with a high collective bargaining coverage tend to have a low share of low-wage workers and high minimum wages. Member States with a small share of low	In a context of declining collective bargaining coverage, it is essential that the Member States promote collective bargaining, including to enhance workers' access to minimum wage protection provided by collective agreements. Member States with a high collective bargaining coverage tend to have a low share of low-wage workers and high minimum wages. Member States with a small share

wage earners have a collective bargaining coverage rate above 70%. Similarly, the majority of the Member States with high levels of minimum wages relative to the median wage have a collective bargaining coverage above 70%. While all Member States should be encouraged to promote collective bargaining, those who do not reach this level of coverage should, in consultation and/or agreement with the social partners, provide for or, where it already exists, strengthen a framework of facilitative procedures and institutional arrangements enabling the conditions for collective bargaining. Such framework should be established by law or by tripartite agreement..	of low wage earners have a collective bargaining coverage rate above 70%. Similarly, the majority of the Member States with high levels of minimum wages relative to the median wage have a collective bargaining coverage above 70%. While All Member States should be encouraged to promote collective bargaining, those who do not reach this level of coverage should, in consultation and/or agreement with the social partners, provide for or, where it already exists, strengthen a framework of facilitative procedures and institutional arrangements enabling the conditions for collective bargaining. Such framework should be established by law or by tripartite agreement..
Explanation	
See explanation under our proposed amendment of article 4 above	

Amendment 7 – Article 5 - Adequacy

European Commission	Proposed amendment
1. Member States with statutory minimum wages shall take the necessary measures to ensure that the setting and updating of statutory minimum wages are guided by criteria set to promote adequacy with the aim to achieve decent working and living conditions, social cohesion and upward convergence. Member States shall define those criteria in accordance with their national practices, either in relevant national legislation, in decisions of the competent bodies or in tripartite agreements. The criteria shall be defined in a stable and clear way. 2. The national criteria referred to in paragraph 1 shall include at least the following elements: (a) the purchasing power of statutory minimum wages, taking into account the cost of living and the contribution of taxes and social benefits; (b) the general level of gross wages and their distribution; (c) the growth rate of gross wages; (d) labour productivity developments. 3. Member States shall use indicative reference values to guide their assessment of adequacy of statutory minimum wages in relation to the general level of gross wages, such as those commonly used at international level. 4. Member States shall take the necessary measures to ensure the regular and timely updates of statutory minimum wages in order to preserve their adequacy.	1. Member States with statutory minimum wages shall take the necessary measures to ensure that the setting and updating of statutory minimum wages are guided by criteria set to promote adequacy with the aim to achieve decent working and living conditions, social cohesion and upward convergence. Member States shall define those criteria in accordance with their national practices, either in relevant national legislation, in decisions of the competent bodies or in tripartite agreements. The criteria shall be defined in a stable and clear way. 2. The national criteria referred to in paragraph 1 shall include at least the following elements, with their relevance and relative weight decided by Member States according to their national and socio-economic conditions: (a) the purchasing power of statutory minimum wages, taking into account the cost of living and the contribution of taxes and social benefits; (b) the general level of gross wages and their distribution; (c) the growth rate of gross wages; (d) labour productivity developments. 3. Member States shall use indicative reference values to guide their assessment of adequacy of statutory minimum wages in relation to the general level of gross wages, such as those commonly used at international level. 4. Member States shall take the necessary measures to ensure the regular and timely updates

5. Member States shall establish consultative bodies to advise the competent authorities on issues related to statutory minimum wages.	of statutory minimum wages in order to preserve their for the promotion of their adequacy. 5. Member States shall promote the establishment of consultative bodies, with the participation of social partners in the Member States , to advise the competent authorities on issues related to statutory minimum wages.
Explanation	
With regard to adequacy it is clear that any reference values should not be binding. Indicators should be representative to the national context and take into account the socio-economic realities of Member States (such as productivity and employment).	

Amendment 8 – Recital 22

European Commission	Proposed amendment
To promote adequacy of minimum wages for all groups of workers, variations and deductions from statutory minimum wages should be limited to a minimum, while ensuring that social partners are duly consulted in their definition. Some deductions to statutory minimum wages may be justified by a legitimate aim, including overstated amounts paid or deductions ordered by a judicial authority. Others, such as deductions related to the equipment necessary to perform a job or deductions of allowances in kind, such as accommodation, may be unjustified or disproportionate.	To promote adequacy of minimum wages for all groups of workers, variations and deductions from statutory minimum wages should be limited to a minimum, while ensuring that social partners are duly consulted in their definition. Some deductions to statutory minimum wages may be justified by a legitimate aim, including overstated amounts paid or deductions ordered by a judicial authority. Others, such as deductions related to the equipment necessary to perform a job or deductions of allowances in kind, such as accommodation, may be unjustified or disproportionate.
Explanation	
Article 6 proposed to be deleted according to amendment of article 6 below. Consequently, also recital 22 should be deleted.	

Amendment 9 – Article 6 – Variations and deductions

European Commission	Proposed amendment
Variations and deductions 1. Member States may allow different rates of statutory minimum wage for specific groups of workers. Member States shall keep these variations to a minimum, and ensure that any variation is non-discriminatory, proportionate, limited in time if relevant, and objectively and reasonably justified by a legitimate aim. 2. Member States may allow deductions by law that reduce the remuneration paid to workers to a level below that of the statutory minimum wage. Member States shall ensure that these deductions from statutory minimum wages are necessary, objectively justified and proportionate.	Variations and deductions 1. Member States may allow different rates of statutory minimum wage for specific groups of workers. Member States shall keep these variations to a minimum, and ensure that any variation is non-discriminatory, proportionate, limited in time if relevant, and objectively and reasonably justified by a legitimate aim. 2. Member States may allow deductions by law that reduce the remuneration paid to workers to a level below that of the statutory minimum wage. Member States shall ensure that these deductions from statutory minimum wages are necessary, objectively justified and proportionate.
Explanation	

The formulation of article 6 and some elements in it interfere directly with wage determination by setting limits beyond general principles and exceeds therefore the competence of EU according to article 153.5 of TFEU.

Amendment 10 – Recital 24

European Commission	Proposed amendment
The effective implementation of minimum wage protection set out by legal provisions or provided by collective agreements is essential in the performance of public procurement and concession contracts. Non-respect of collective agreements providing for minimum wage protection in a given sector may indeed occur in the execution of such contracts or in the sub-contracting chain thereafter, resulting in workers being paid less than the wage level agreed in the sectoral collective agreements. To prevent such situations, economic operators have to apply to their workers the wages set by collective agreements for the relevant sector and geographical area in order to abide by applicable obligations in the field of labour law, in accordance with Articles 18(2) and 71(1) of Directive 2014/24/EU of the European Parliament and the Council on public procurement, Articles 36(2) and 88(1) of Directive 2014/25/EU of the European Parliament and the Council on procurement by entities operating in the water, energy, transport and postal services sectors and Articles 30(3) and 42(1) of Directive	The effective implementation of minimum wage protection set out by legal provisions or provided by collective agreements is essential in the performance of public procurement and concession contracts. Non-respect of collective agreements or minimum wage set out by legal provision providing for minimum wage protection in a given sector may indeed occur in the execution of public procurement such contracts or in the sub-contracting chain thereafter, resulting in workers being paid less than the wage level agreed in the sectoral collective agreements. In order to promote compliance with collective agreements or statutory minimum wages, it is important that economic actors pay attention to compliance with applicable obligations To prevent such situations, economic operators have to apply to their workers the wages set by collective agreements for the relevant sector and geographical area in order to abide by applicable obligations in the field of labour law, in accordance with Articles 18(2) and 71(1) of Directive 2014/24/EU of the European Parliament and the Council on public procurement, Articles 36(2) and 88(1) of Directive 2014/25/EU of the European Parliament and the Council on procurement by entities operating in the water, energy, transport and postal services sectors and Articles 30(3) and 42(1) of Directive
Explanation	
Public procurement is regulated by the mentioned directives. It is important that the directive does not introduce new wording that casts doubt on the interpretation of the procurement rules, it will not be in line with the better regulation agenda.	

Amendment 11 – Article 9 – Public procurement

European Commission	Proposed amendment
In accordance with Directive 2014/24/EU, Directive 2014/25/EU and Directive 2014/23/EU, Member States shall take appropriate measures to ensure that in the performance of public procurement or concession contracts economic operators comply with the wages set out by collective agreements for	In accordance with Directive 2014/24/EU, Directive 2014/25/EU and Directive 2014/23/EU, Member States shall take appropriate measures to ensure that in the performance of public procurement or concession contracts economic operators comply with applicable obligations in the fields of environmental, social and labour law

the relevant sector and geographical area and with the statutory minimum wages where they exist.	established by Union law, national law, collective agreements the wages set out by collective agreements for the relevant sector and geographical area and with the statutory minimum wages where they exist.
Explanation	
Public procurement is regulated via the Public Procurement Directives - as the article also refers to, therefore the article should also reflect the wording that already exists in the Public Procurement Directive 2014/24/EU This ensures effective legislation where rules on public procurement are to be found in the procurement directives and not spread over several new directives. If the terms of tender need to be change it need to be done a revision of the public procurement directives.	