

Ms. Ana Mendes Godinho  
Mr. Hubertus Heil

Dear Presidency and former Presidency

On 28 October 2020, the Commission presented proposal for a Directive on adequate minimum wages in the European Union.

The German Presidency has, albeit extraordinarily difficult times during the COVID-19 pandemic, managed to lead the work in the Council with efficiency and excellence. With regard to the minimum wage dossier, it has been much appreciated that the fundamental question concerning legality has been taken seriously and addressed early by the Presidency. Member States are now awaiting the written opinion of the Council Legal Service on the compatibility of the Commission proposal with the Treaties. We consider that the opinion of the Legal Service will be important to the Member States in their analysis of the proposed directive. The opinion will also be of interest for other parties, in particular the social partners. Normally written opinions of the Legal Service are only available upon request to others. If it is decided to make the opinion of the Legal Service public on this dossier we believe that it would also be helpful in order for Member States to explain and anchor their analyses.

The proposal has the intention to respect our wage formation systems and the autonomy of the social partners. Although the proposed directive is presented as a framework with different solutions for different labour market models, we will need clarifications of the text to proceed with our analysis. We feel that a recommendation is a better legal instrument, which provides the flexibility for Member States to achieve the objectives of the proposal. Whatever form, any EU action needs of course to respect the boundaries of the Treaties.

Finally, we would like to share our view on the implementation of the European pillar of social rights that should respect national competences and the principle of subsidiarity under the current EU Treaties. It must be secured that long existing, well-functioning and balanced national social systems can continue working with their respective different policy mixes.

We thank you all for the work so far and we wish to ensure you of our willingness to closely collaborate on this important dossier.

Sincerely yours,

*Austria*



**Martin Kocher**  
Minister for Labour, Family and Youth

*Denmark*



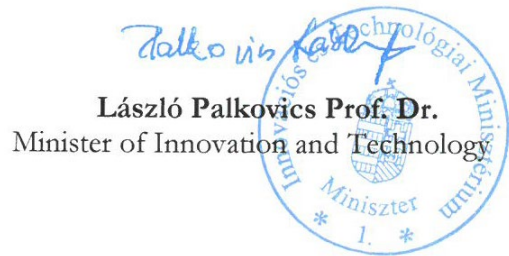
**Peter Hummelgaard**  
Minister for Employment and Equal Opportunities

*Estonia*



**Tanel Kiik**  
Minister of Health and Labour

*Hungary*



**László Palkovics Prof. Dr.**  
Minister of Innovation and Technology

*Ireland*



**Leo Varadkar**  
Minister for Enterprise, Trade and Employment

*Malta*



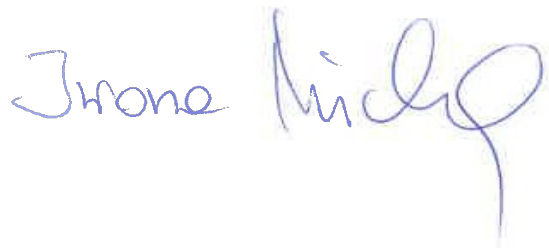
**Carmelo Abela**  
Minister within the Office of the Prime Minister

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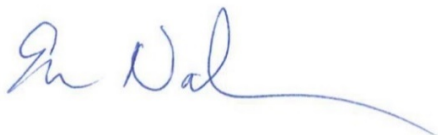
**Wouter Koolmees**  
Minister of Social Affairs and Employment

*Poland*



**Iwona Michałek**  
Secretary of State at the Ministry of Economic Development, Labour and Technology

*Sweden*



**Eva Nordmark**  
Minister for Employment