

## Abstract

The aim of this thesis is to present the phenomenon of posting workers within the EU in the context of the freedom to provide services. The author introduces the *de lege lata* legal framework in a complex and chronological manner, taking into consideration the motives and political pressure behind key modifications. Accordingly, the thesis examines relevant Treaty provisions, case law and its evolution, key secondary acts, as well as the relation of such sources to legal acts which address posting workers in an indirect manner. The author focuses on the analysis of existing key provisions, their practical impact and insufficiencies. However, she also approaches the topic from the *de lege ferenda* perspective by presenting the ongoing revision of the current legal framework and by considering other potential changes which could improve the regulation of posted workers in the future.

Furthermore, the thesis demonstrates the complexity of posting workers by drawing attention to the colliding interests of involved member states and parties, showing the sensitivity of the subject. This underlines the fact that the phenomenon cannot be separated from its political context and is condemned to a constant balancing of two colliding interests – the freedom to provide services and social protection of posted workers. Posting workers is one of the aspects of the internal market which continues to divide member states with different social and economic backgrounds and in regard to which member states seem to be unwilling to find common ground. It testifies to the fact that despite the aim to suppress all obstacles on the internal market, barriers to the freedom of movement persist.

Even though the thesis primarily presents the phenomenon from the legal perspective, it also draws attention to some practical aspects. The author presents the most frequent types of circumventions as well as other practical challenges. She also explains the increasing role of posting workers based on relevant data.