

Analysis of the free movement of labour under Article 45 TFEU based on ECJ Decisions

Assoc. Prof. Dr. Endri Papajorgji

Dean of the Faculty of Law at Tirana Business University College, Tirana, Albania

Msc. Greta Alikaj

Albanian Ministry of Tourism and Environment

Abstract

The free movement of labour benefits the individuals who choose to work elsewhere in the EU as well as the societies which receive them. It enables the former to exercise their right to free movement and to improve their personal and professional situation, and the latter to fill job vacancies and skills shortages.¹ Article 45 of TFEU guarantees the free movement of workers within the common market. This includes (according to paragraph 2) the abolition of any discrimination of nationality, based on different treatment in terms of employment, remuneration and other employment conditions (prohibition of discrimination). Article 45 (3) of TFEU entails the right to workers to:

- to accept offers of employment actually made;
- to move freely within the territory of Member States for this purpose;
- to stay in a Member State for the purpose of employment in accordance with the provisions governing the employment of nationals of that State laid down by law, regulation or administrative action;
- to remain in the territory of a Member State after having been employed in that State, subject to conditions which shall be embodied in regulations to be drawn up by the Commission;

Main objective of this article is the analysis of this article based on the latest ECJ Decisions.

Keywords: freedom of movement, Labour, ECJ, Decisions, EU.

Full Text: [PDF](#)



This work is licensed under [Creative Commons Attribution 3.0 License](#).

European Journal of Economics, Law and Social Sciences ISSN 2519-1284 (print) ISSN

2510-0429 (online)

Copyright © IIPCCCL-International Institute for Private, Commercial and Competition law