

Regulation (EU) No 492/2011 of the European Parliament and
of the Council of 5 April 2011 on freedom of movement for
workers within the Union (codification) (Text with EEA relevance)

CHAPTER I

EMPLOYMENT, EQUAL TREATMENT AND WORKERS' FAMILIES

SECTION 2

Employment and equality of treatment

Article 7

1 A worker who is a national of a Member State may not, in the territory of another Member State, be treated differently from national workers by reason of his nationality in respect of any conditions of employment and work, in particular as regards remuneration, dismissal, and, should he become unemployed, reinstatement or re-employment.

2 He shall enjoy the same social and tax advantages as national workers.

3 He shall also, by virtue of the same right and under the same conditions as national workers, have access to training in vocational schools and retraining centres.

4 Any clause of a collective or individual agreement or of any other collective regulation concerning eligibility for employment, remuneration and other conditions of work or dismissal shall be null and void in so far as it lays down or authorises discriminatory conditions in respect of workers who are nationals of the other Member States.

Modifications etc. (not altering text)

C1 Arts. 2-10 restricted (31.12.2020) by [Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020](#) (c. 20), s. 9(1), **Sch. 1 para. 4(2)** (with s. 4(2)); S.I. 2020/1279, reg. 4(c)

Article 8

A worker who is a national of a Member State and who is employed in the territory of another Member State shall enjoy equality of treatment as regards membership of trade unions and the exercise of rights attaching thereto, including the right to vote and to be eligible for the administration or management posts of a trade union. He may be excluded from taking part in the management of bodies governed by public law and from holding an office governed by public law. Furthermore, he shall have the right of eligibility for workers' representative bodies in the undertaking.

The first paragraph of this Article shall not affect laws or regulations in certain Member States which grant more extensive rights to workers coming from the other Member States.

Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 492/2011 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Modifications etc. (not altering text)

- C1 Arts. 2-10 restricted (31.12.2020) by [Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(c. 20\)](#), s. 9(1), **Sch. 1 para. 4(2)** (with s. 4(2)); S.I. 2020/1279, reg. 4(c)

Article 9

1 A worker who is a national of a Member State and who is employed in the territory of another Member State shall enjoy all the rights and benefits accorded to national workers in matters of housing, including ownership of the housing he needs.

2 A worker referred to in paragraph 1 may, with the same right as nationals, put his name down on the housing lists in the region in which he is employed, where such lists exist, and shall enjoy the resultant benefits and priorities.

If his family has remained in the country whence he came, they shall be considered for this purpose as residing in the said region, where national workers benefit from a similar presumption.

Modifications etc. (not altering text)

- C1 Arts. 2-10 restricted (31.12.2020) by [Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(c. 20\)](#), s. 9(1), **Sch. 1 para. 4(2)** (with s. 4(2)); S.I. 2020/1279, reg. 4(c)

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 492/2011 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 7(2A) inserted by [S.I. 2022/1240 reg. 4\(2\)\(a\)](#)