



## General Info for posting our Workers to EU/EEA Countries

Our Ref: 0012/Posting/Eu

### The Posting of workers (under Directive 96/71/EC)

This page contains information on the regulations that apply when an employee is posted by his or her employer to work in EU member countries for a limited period of time.

Regulations concerning posted workers are found in each country legislation for posted workers.

The regulations implements the EU directive 96/71/EC concerning the posting of workers in the framework of the provision of services.

- [Regulations concerning posted workers in your country.](#)
- [General Working Conditions \(salary scale, National Holidays, vacation, working hours, etc\)](#)
- [Working Environment Act as per each Country Policy](#)
- [EU directive 96/71/EC \(EU\)](#)

### When do the regulations on posted workers apply?

The regulations apply both when a EU/EEA company posts employees to another EU/EEA country, and when foreign companies post workers to your country to provide services there, provided that the worker is employed by the posting firm for the duration.

Posting - in this ex. to Norway - occurs when an establishment:

- posts an employee to Norway for their own account and under their own management in accordance with an agreement concluded between the establishment and the user of the service in Norway or
- posts an employee to Norway to a place of business or establishment that belongs to the same group or
- in the capacity of temporary employment undertaking or other establishment that makes employees available, post an employee to an establishment in Norway.
- [Follows the rules of Working Enciroment ACT of, in this example, Norway](#)

### Which regulations apply for foreign workers posted to EU/EEA?

The regulations of the Working Environment Act concerning occupational safety and health applies to all employment in these countries, posted workers included: The regulations apply even if the worker is employed by a foreign company, is working in this country on an assignment to provide services, and the stay is temporary.

The following regulations apply for workers posted to EU/EEA country, regardless of which country the posting is taking place from:

- [The Working Environment Act](#)
- [The Annual Holidays act](#)
- [The General Employment Act](#)
- [Any Gender Equality Act](#)
- [Any Syndicate Act \(if applicable\)](#)

The regulations cited above are the most relevant. Other regulations may also be of relevance, but their applicability may depend on whether the employment is primarily connected to EU/EEA country.

## **Wages**

There are no statutes regarding minimum wages, in all activities, in EU/EEA countries. Posted workers can therefore work in these countries for the same wages they receive in their home country. However, if the area of employment is regulated by the general application of wage agreements, this agreement will apply regarding wages and working conditions. Such an agreement may be in Civil construction activities, and other areas which your company should advise to us.

## **Exceptions**

Neither the listed regulations regarding working conditions, nor the terms of a general wage agreement, apply if the posted worker has better terms in her/his own country, either by tariff or by law.

There are also exceptions from the regulations regarding payed vacations and overtime pay if the posting period for a skilled or specialized worker doesn't exceed a number of days and:

- the work carried out involves initial assembly or installation subject to a contract for the supply of goods, and
- the work is necessary for taking the goods supplied into use.

These exceptions does not apply to workers within the building trades, posted to work on the construction, repair, maintenance, reconstruction or tearing down of buildings

## **The role of the Labour Inspection**

The Labour Inspection provides information on the laws and regulations regarding posted workers - foreign employees posted to your Country. The Directorate of Labour Inspection functions as a liaison office, working with other liaison offices in the EU/EEA countries on information and development of the regulations given to protect rights of posted workers.

Please Contact your country's Labour Inspection Finance & Tax Authorities for further instructions, or contact us to provide you as many information we collected about your country's regulations.

Looking forward to create a strong and close professional partnerships.

Sincerely yours,

Royal Intel Ltd

**Gemenetzidis Chris**

Project Manager



Note: Above information may not be entirely accurate, and applicable at all posting cases. All EU/EEA based companies should check the currently applicable law and procedures, for any amendments or changes.