

CENTRAL AND EASTERN EUROPE

Employment law

Fact Sheet | 2022



Global mobility has been becoming an important topic within the employment policy of many employers over the last 10 years. The importance of this topic led to the passing of serious amendments in the EU legislature regarding posting of workers, effective as of July 30, 2020. Unfortunately, with the COVID-19 pandemic causing a preliminary slowdown in workers' mobility, the new legislation has not been a priority for employers.

We are pleased that the pandemic seems to be over after more than two years and global mobility is increasing rapidly. We at bnt attorneys in CEE are aware of our clients' acute information need. Our labour law team has prepared a comprehensive analysis of the conditions for posting of workers in Czechia, Poland, Lithuania, Latvia, Estonia, Belarus, Slovakia, Hungary, Romania and Bulgaria.

We hope this overview helps with your business decisions and we are ready to answer any of your questions.

Yours sincerely,
Zuzana Chudáčková and Éva Ratatics



Zuzana Chudáčková
Partner
Co-Head of Employment
Practice Group



Éva Ratatics
Partner
Co-Head of Employment
Practice Group

› Bulgaria

Directive 96/71/EC revised by 2018/957/EU has been implemented in Bulgaria on 22 January 2021 by Government Regulation on the Conditions and Procedures for Posting Employees under the Provision of Services.

OBLIGATION	EXTENT
EXTENT OF RIGHTS: posting under 12 months	Bulgarian legislation shall apply for: (1) maximum duration of working week and working day, minimum duration of daily, inter-daily and weekly rest, public holidays in Bulgaria; (2) basic salary and additional remuneration; (3) conditions for overtime/night work and their pay; (4) minimum amount of paid annual leave; (5) health and safety at work; (6) special protection of minors, pregnant women, nursing mothers and persons with reduced working capacity; (7) non-discrimination; (8) conditions for housing, when it is provided by employer or temporary work agency; (9) travel, subsistence and lodging allowances in the amounts according to the Ordinance on Domestic Postings or the Ordinance on Official Postings and Specialization Abroad, when employee performs part of his/her work outside the locality to which he/she was initially posted or sent;
EXTENT OF RIGHTS: posting over 12 months	(6) after the twelfth month, the employee shall also be entitled to the minimum conditions of work laid down in Bulgarian legislation for employees performing the same or similar work in respect of: (1) certain severance payments under the Labour Code; (2) free meals and/or supplements; (3) periodic medical examinations; (4) free work and uniform clothing; (5) social, welfare and cultural services.
EXEMPTIONS from remuneration	In case of installation and/or commissioning of supplied equipment, where this is integral part of a supply contract, carried out by a qualified employee of supplier posted for up to 8 calendar days, conditions (2), (3) and (4) to posting shorter than 12 months do not apply.

Directive 2014/67/EU has been implemented in Bulgaria Labour Code (DV 105/2016) and § 12 of the above Government Regulation.

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	To GIT: an electronic form (to be filled in over an online platform) , which shall contain details of: (1) the employer; (2) the seconded or dispatched employee; (3) the duration, beginning and end of the secondment or posting; (4) the address of the workplace or addresses; the local person receiving the seconded or posted employee; TO LOCAL EMPLOYER paper or electronic copies of: employment contract or other document certifying existence of an employment relationship under legislation of sending country; documents certifying time worked, containing data on beginning, end and duration of working time; documents on wages paid or copies of equivalent documents, accompanied by a translation into Bulgarian. The local person shall keep the documents at place where work is performed by employee for duration of posting.
NOTIFICATION (the entity responsible for receiving the reports)	Local entity to whom to employee is posted
VERIFICATION (responsible subject to verify documents)	Executive Agency "General Labour Inspectorate" (GIT)
CONTACT PERSON	to be pointed out in the electronic form
REASONS & ENTITY to be notify in the case of notification to extension over 18 month	Reasoned notification to the Executive Agency "General Labour Inspectorate" (GIT) to be submitted before the expiry of the 12th month by electronic means through the electronic platform

› Czech Republic

Directive 96/71/EC revised by 2018/957/EU has been implemented in Czech Republic on 30 July 2020 Act No. 285/2020 Sb., amending Act No. 262/2006 Sb., the Labour Code, as amended, and certain other related acts.

OBLIGATION	EXTENT
<p>EXTENT OF RIGHTS: posting under 12 (18) months</p>	<p>Act No. 285/2020 Sb., amending Act No. 262/2006 Sb., the Labour Code, as amended, and certain other related acts.</p> <p>Czech legislation will apply in the following extent to the posted worker</p> <ul style="list-style-type: none"> • maximum working hours and minimum rest periods; • the minimum annual leave entitlement (min. 20 days) or pro rata; • the minimum wage, the relevant minimum level of guaranteed pay, the components of pay; • health and safety at work, • the working conditions of pregnant workers, workers who are breastfeeding, workers up to the end of the ninth month after childbirth and juvenile workers; • equal treatment of male and female workers and non-discrimination, • working conditions in agency work, • the conditions of accommodation where the employer provides it to the employee; • reimbursement of travel expenses in connection with the performance of work, with the provision that the regular place of work shall be deemed to be the usual place of work in the territory of the Czech Republic. <p>This legislation does not apply if the rights arising from the legislation of the Member State of the European Union from which the employee was posted to perform work in the context of the transnational provision of services are more favourable to the employee. Advantageousness is assessed for each right arising from the employment relationship separately.</p>
<p>EXTENT OF RIGHTS: posting over 12 (18)</p>	<p>If the posting of an employee exceeds 12 months, in addition to the above-mentioned conditions, regulations on the performance of work in an employment relationship under the Labour Code apply to the posted worker, with the exception of the regulations on the establishment, change and termination of the employment relationship.</p>
<p>EXEMPTIONS from remuneration</p>	<p>In connection to the minimum annual leave entitlement (min. 20 days) or pro rata, this regulation is only applicable if the posting lasts more than 30 days. Same rule applies to the minimum wage entitlement, the relevant minimum level of guaranteed pay and the components of pay. These rights are only applicable if the posting lasts more than 30 days.</p>

Directive 2014/67/EU has been implemented in Czech Republic by Act No. 93/2017 Sb., amending Act No. 435/2004 Sb., on Employment, as amended, Act No. 251/2005 Sb., on Labour Inspection, as amended, and Act No. 262/2006 Sb., on the Labour Code, as amended

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	<p>The employer posting workers to the Czech Republic is obliged to keep records of these persons containing the following data: identification data of the worker; the address in the country of residence and the address for delivery of consignments; the passport number and the name of the issuing authority; the type of work, the place of performance of the work and the period for which the employment should be performed; the sex of these natural persons, the date of commencement and the date of termination of work or posting to the territory of the Czech Republic.</p> <p>Obligation to have a copy of the employment contract translated into Czech at the workplace also applies. The employer posting his employee to the Czech Republic is obliged to have copies of documents proving the existence of an employment relationship at the workplace, and the documents used to fulfil this obligation must be translated into Czech (official translation is not required, but the translation must correspond to the original and must be understandable, documents in the Slovak language are also accepted).</p>
NOTIFICATION (the entity responsible for receiving the reports)	<p>The employer is obliged to inform the relevant regional branch of the Labour Office in writing no later than on the day the posted employee starts work.</p>
VERIFICATION (responsible subject to verify documents)	<p>State Office of Labour Inspection (Státní úřad inspekce práce) and Inspectorates of the Czech Republic monitor compliance with the legislation governing the legal status of workers posted for transnational service provision.</p>
CONTACT PERSON	<p>The employer of a respective posted worker or other appointed contact person shall be listed in the notification to the respective Labour Office.</p>
REASONS & ENTITY to be notified in the case of notification to extension over 18 month	<p>The employer must notify respective regional branch of the Labour Office.</p>

› Estonia

Directive 96/71/EC revised by 2018/957/EU passed in Estonia on 17.03.2004 Riigikogu, entered into force 01.05.2004 by Working Conditions of Employees Posted to Estonia Act. Amended 17.06.2020, entered into force 30.07.2020. Latest amendment 22.11.2021.

OBLIGATION	EXTENT
EXTENT OF RIGHTS: posting under 12 (18) months	Applicable amended working conditions: 1) wage and compensation for overtime work; 2) compensation for costs related to business trips; 3) Employers shall ensure that a posted employee in the road transport sector is subject to the minimum wage applicable in Estonia. Regardless of the choice of the law to be applied to an employment contract, the application of the working conditions listed in § 5 of this Act in accordance with Estonian law, other legislation and extended collective agreements provided for in § 42 (1) of the Collective Agreements Act must be guaranteed for a posted employee.
EXTENT OF RIGHTS: posting over 12 (18)	<ol style="list-style-type: none"> 1. the employer is required to ensure the employee the working conditions applicable in Estonia. Exceptions in § 53 (1) ELTTS (Working Conditions of Employees Posted to Estonia Act). 2. A reasoned notice filed by the employer with the Labour Inspectorate, the period may be extended to 18 months. Also be filed by a contracting entity or contracting authority or person. 3. If the employer replaces a posted employee with another posted employee performing the same duties at the same place, the durations of their postings shall be added up. 4. To determine a situation change, the nature of the service provided, work performed and address of workplace of performance has to be taken into consideration. 5. A user undertaking shall inform an employer of working conditions applicable to employees posted long-term.
EXEMPTIONS from posting	This Act does not apply to crew members of merchant navy undertakings. Some in Act listed provisions are not applied to the road transport sector.
EXEMPTIONS from remuneration	<p>Wage and compensation for overtime work and duration of annual holiday - shall not be applied in the case of an up to eight-day posting if the posted employee is a skilled worker whose duty is the initial assembly or first installation of goods necessary for taking the ordered goods into use, if such work is an integral part of a subscription contract.</p> <p>Wage and compensation for overtime work exception shall not be applied in case of § 5 (5) ELTTS.</p>

Directive 2014/67/EU passed in Estonia on 17.03.2004 Riigikogu, entered into force 01.05.2004 by Working Conditions of Employees Posted to Estonia Act. Amended 17.06.2020, entered into force 30.07.2020. Latest amendment 22.11.2021

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	Employment contract, an attestation, a working time schedule, a payslip or another document on the basis of which it is possible to prove compliance with the working conditions applicable to posted employees. Documents shall be handed over to the Labour Inspectorate immediately or can be requested by him within three years after the end of employment. The Labour Inspectorate shall disclose the data listed in this Act to the Tax and Customs Board for ensuring performance of duties imposed by tax laws.
NOTIFICATION (the entity responsible for receiving the reports)	Labour Inspectorate
VERIFICATION (responsible subject to verify documents)	The employer of a posted employee shall provide the Labour Inspectorate with the data concerning the posting
CONTACT PERSON	The employer; the person responsible for the provision of data
REASONS & ENTITY to be notify in the case of notification to extension over 18 month	This situation is regulated by other acts. But in this case, the worker is no longer a posted worker within the meaning of the legislation in question.

› Hungary

Directive 96/71/EC revised by 2018/957/EU has been implemented in Hungary on 30 July 2020 by sections No. 295 and 299 of Act I of 2012 on the Labour Code.

OBLIGATION	EXTENT
EXTENT OF RIGHTS: posting under 12 (18) months	hard core terms: a. maximum working time and minimum rest periods; b. minimum duration of annual paid leave; c. the amount of remuneration considered standard for the place of employment; d. the conditions for temporary agency work; e. occupational safety; f. the conditions of employment of pregnant women or women who have recently given birth, and of young people; g. the principle of equal treatment; h. the conditions for the accommodation the employer provides to the employees; i. the allowances or reimbursement of expenditure to cover travel, board and lodging expenses of posted workers
EXTENT OF RIGHTS: posting over 12 (18)	Full compliance with the Hungarian Labour Code, except with Chapter VII (Performance of Employment Contracts); Chapter X (Cessation and Termination of Employment Relationships); Section No. 228 (Non-Competition Agreement) and provisions applicable to supplementary occupational retirement pension schemes.
EXEMPTIONS from posting	merchant navy enterprises' seagoing personnel
EXEMPTIONS from remuneration	If the integral part of the posting activity is the initial assembly or first installation of goods, and if the posting does not exceed 8 days, the Hungarian rules regarding minimum paid annual leave and minimum rates of pay do not apply.

Directive 2014/67/EU has been implemented in Hungary on 18 June 2016 by the Labour Code, by Act XCIII of 1993 on Labour Safety, Act CXXXV on Employment Benefits and by the Government Decree No. 115/2021.

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	The following documents must be available during the posting and 3 years after its end at the place where the work is carried out: the employment contract or equivalent other document; the time sheet; the proof of payment of the wages on paper or in electronic format.
NOTIFICATION (the entity responsible for receiving the reports)	Innovációs és Technológiai Minisztérium Foglalkoztatás-felügyeleti Irányítási Főosztály
VERIFICATION (responsible subject to verify documents)	The receiving employer is responsible for having the documents listed above.
CONTACT PERSON	Anyone appointed by the posting employer - if not residing in Hungary, he/she should be available in a reasonable time for the authority.
REASONS & ENTITY to be notify in the case of notification to extension over 18 month	Innovációs és Technológiai Minisztérium Foglalkoztatás-felügyeleti Irányítási Főosztály; Nemzeti Egészségbiztosítási Alapkezelő, concrete reasons are not listed.

> Latvia

Directive 96/71/EC revised by 2018/957/EU has been implemented in Latvia on 5 January 2020 by Labour Law (Darba likums), Sections 14, 14.1, 14.2.

OBLIGATION	EXTENT
EXTENT OF RIGHTS: posting under 12 (18) months	<p>"hard core terms" are: 1) maximum working time and minimum rest periods; 2) minimum duration of annual paid leave; 3) remuneration, including supplements for work associated with special risk, overtime work, night work, work on a public holiday, additional work; not including contributions to supplementary pension capital made by the employer; 4) provisions regarding securing a workforce, especially with the intermediation of work placement service provider; 5) safety, health protection and hygiene at work; 6) protection measures for persons under 18 years of age, for pregnant women and women during the period following childbirth, as well as the working and employment provisions of such persons; 7) equal treatment of men and women, as well as prohibition of discrimination in any other form; 8) provisions for the accommodation of such employees who are outside their permanent workplace if such service is provided by the employer; 9) reimbursement of the expenses of the employee in relation to an official trip or work trip in Latvia, including the disbursement of a daily allowance for an official trip.</p>
EXTENT OF RIGHTS: posting over 12 (18)	<p>If the actual duration of the posting of the employee exceeds 12 months, then also other working conditions and employment provisions provided for by the laws and regulations of Latvia and the general agreement apply in addition to Section 14.1(1) of Labour law, except for the provisions for the entering into and termination of the employment contract, including restriction on competition after termination of the employment relationship and contributions to supplementary pension capital made by the employer. Same applicable to posted employees to perform work in Latvia if the actual durations of the posting exceeds 18 months.</p>
EXEMPTIONS from posting	<p>Provisions of the Labour Law regarding posting of an employee shall not apply to the ship's crews of merchant fleet undertakings.</p>
EXEMPTIONS from remuneration	<p>An employer who posts an employee to perform work in another EU Member State or EEA state, irrespective of the law applicable to the employment contract and employment relationship, has the obligation to ensure for such posted employee such employment provisions and working conditions that correspond to the laws and regulations of the respective country or collective agreements which have been recognised as generally binding.</p>

Directive 2014/67/EU has been implemented in Latvia by Sections 14, 14.1, 14.2 of the Labour Law; Recommendations for joint action on the posting of workers (Government Regulation Nr. 1, in force since 27.05.2016); Section 274 and 275 of Law on Administrative Liability (in force since 01.07.2020); State Labour Inspectorate Law (in force since 10.07.2008).

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	Employer during the period of posting ensures storage of the employment contract entered into, the calculation of the remuneration, and documents certifying the disbursement of remuneration, as well as the documents accounting working time with the contact person and to present such documents to the supervisory and control authorities, and also, if necessary, to ensure their translation into the official language. An employer of another EU Member State or EEA State who posts an employee to perform work in Latvia has the obligation to, prior to posting the employee, electronically inform the State Labour Inspectorate of such employee in the official language. If required, employer presents also other documents, such as certification that the posted employee who is a third-country national legally works for the employer in the EU Member State or the EEA State; 2) the information on the Certificate of Social Security Legislation Applicable to the Recipient of the Certificate (Certificate A1).
NOTIFICATION (the entity responsible for receiving the reports)	State Labour Inspectorate (Valsts darba inspekcija)
VERIFICATION (responsible subject to verify documents)	An employer of another EU Member State or EEA State who posts an employee to perform work in Latvia has the obligation to, prior to posting the employee, electronically inform the State Labour Inspectorate of such employee in the official language
CONTACT PERSON	Anyone appointed by the posting employer who is authorized to represent the employer. In the case of entering into a collective agreement, the obligation to designate a representative is not mandatory and that person may be a person other than a previously designated by the posting employer (in the case of not a collective agreement), and this person does not have to be in Latvia, however, it has to be available on a reasonable and justified request.
REASONS & ENTITY to be notify in the case of notification to extension over 18 month	The exact reasons are not listed; however, a notification to the Labour Inspectorate must be supported by arguments

› Lithuania

Directive 96/71/EC revised by 2018/957/EU has been implemented in Lithuania on 30 July 2020 by Section 108 and 109 of the Labour Code.

OBLIGATION	EXTENT
<p>EXTENT OF RIGHTS: posting under 12 (18) months</p>	<ol style="list-style-type: none"> 1. the duration of maximum working time and minimum rest periods; 2. the duration of minimum paid annual leave; 3. wages, including increased pay for overtime, night work, rest and public holidays; 4. the working conditions of temporary agency workers (if applicable); 5. safety and health of workers; 6. the safety at work of persons under the age of eighteen and of pregnant workers and workers who have recently given birth or are breastfeeding; 7. the prohibition of discrimination at work; 8. the conditions for accommodation of workers when provided by the employer for workers not in a permanent workplace; 9. reimbursement of additional costs (transport, travel and other expenses) incurred by workers travelling to and from their main place of work within the territory of the Republic of Lithuania, as well as reimbursement of additional costs (transport, travel, accommodation and other expenses) incurred by workers travelling within the territory of the Republic of Lithuania and abroad (in the case of travel outside the cases referred to in paragraph 1 of this Article); 10. A staff member who is going to another country for a period of more than thirty days shall, before leaving on a mission, be provided with the documents referred to in Article 44(1) and (2) of this Code, which shall additionally specify: <ol style="list-style-type: none"> 1) the duration of the secondment; 2) the currency in which the salary will be paid during the secondment; 3) cash and in-kind allowances for work in another State, if applicable; 4) the conditions of return to the State of permanent employment, if applicable.
<p>EXTENT OF RIGHTS: posting over 12 (18)</p>	<p>Applicable are all provisions of the Labour Code and of other normative acts of the Republic of Lithuania regulating labour relations, including national (interbranch), territorial and branch (production, service, professional) collective agreements or their individual provisions, except for the norms concerning the conditions of concluding and terminating the contract of employment and the conditions of non-competition agreements.</p>
<p>EXEMPTIONS from posting</p>	<p>merchant ship crews; partial exemptions for drivers of road vehicles engaged in the international carriage of goods and/or passengers by road</p>
<p>EXEMPTIONS from remuneration</p>	<p>If the initial assembly and/or initial installation of the product is carried out by qualified personnel and/or technicians of the undertaking supplying the product, where this is provided for in the contract for the supply of the goods and is necessary for the use of the product supplied, and if the posting does not exceed 8 days, the Lithuanian rules regarding annual leave, wages and overtime pay do not apply.</p>

Directive 2014/67/EU has been implemented in Lithuania on 30 July 2020 by Section 108 (4) of the Labour Code

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	Employers must be in possession of the documents relating to the posted worker throughout the period of secondment and make them available to the competent authorities without delay upon request.
NOTIFICATION (the entity responsible for receiving the reports)	Valstybinė darbo inspekcija
VERIFICATION (responsible subject to verify documents)	Employer posting employees to Lithuania
CONTACT PERSON	The legal representative of the employer.
REASONS & ENTITY to be notify in the case of notification to extension over 18 month	Extension by reasoned notification. No specific reasons provided by the law - after 18 months all terms and conditions of labour law must be applied.

Poland

Directive 96/71/EC revised by 2018/957/EU has been implemented in Poland by Law on the posting of workers in the framework of the provision of services dated 10 June 2016 (consolidated text dated 2 June 2021)

OBLIGATION	EXTENT
<p>EXTENT OF RIGHTS: posting under 12 (18) months</p>	<p>Applicable are the following employment conditions, which can not be less favourable than those arising from the Polish Labour Code (and other provisions of the labour law):</p> <ol style="list-style-type: none"> 1) standards and duration of working time and periods of daily and weekly rest (working time: 8h daily, 40h weekly, rest: 11h daily, 35h weekly) 2) the length of annual leave (20 or 26 days) 3) remuneration for work (the minimum in 2022 year is PLN 3010, i.e. approx. EUR 665) 5) health and safety at work 6) protection of female employees during pregnancy and maternity leave 7) employment of juveniles and performance of work or other gainful activity by a child 8) the principle of equal treatment and prohibition of discrimination in employment, 10) charges to cover the costs related to a business trip from the place of work in the territory of Poland, to which the employee has been posted, to another place of work in the territory of Poland or outside the territory of Poland.
<p>EXTENT OF RIGHTS: posting over 12 (18)</p>	<p>The employer delegating the employee to the territory of Poland shall ensure to such employee, apart from the terms and conditions of employment (specified above), also other terms and conditions of employment no less favourable than those arising from the provisions of the Labour Code and other provisions regulating the rights and obligations of employees (i.e. all other relevant labour law provisions).</p> <p>The above rules for the application of all terms and conditions of employment do not include:</p> <ol style="list-style-type: none"> 1. the principles and procedure for: <ol style="list-style-type: none"> a. conclusion and termination of employment contracts, b. application of non-competition clauses; 2. employee pension schemes and employee capital plans.
<p>EXEMPTIONS from posting</p>	<p>The provisions of the Act shall not apply to:</p> <ol style="list-style-type: none"> 1. merchant navy enterprises with respect to crews of merchant marine vessels; 2. international transport, excluding cabotage transport.
<p>EXEMPTIONS from remuneration</p>	<p>The terms and conditions of employment regarding the length of annual leave and remuneration shall not apply to an employee delegated to the territory of Poland if, in accordance with his qualifications, he performs at a given position - for a period not exceeding 8 days per year, starting from the date of commencement of work at the given position - preliminary assembly or installation works provided for in the agreement concluded by the employer delegating the employee to the territory of Poland with an entity conducting business activity in this territory, the performance of which is necessary for the use of the supplied products.</p> <p>The above exception shall not apply to the employee if the employee performs at a given position works connected with construction works or maintenance of a construction object, in particular:</p> <ol style="list-style-type: none"> 1) excavations; 2) ground works 3) assembly and disassembly of prefabricated elements; 4. fitting out or installation 5. renovation 6. dismantling 7. demolition 8. maintenance; 9. painting and cleaning. <p>That means that if an employee is conducting the works listed from 1-9 above, the provisions regarding remuneration must be applied.</p>

Directive 2014/67/EU has been implemented in Poland by Law on the posting of workers in the framework of the provision of services dated 10 June 2016 (consolidated text dated 2 June 2021)

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	The employer delegating an employee to the territory of Poland shall be obliged, during the period of delegation, to store in the territory of Poland in paper or electronic form: <ol style="list-style-type: none"> 1. a copy of the employment contract or any other equivalent document certifying the terms and conditions of employment under the established employment relationship; 2. documentation regarding the working time in the scope of commencement and termination of work and the number of hours worked on a given day or its copy; 3. documents specifying the amount of remuneration on the basis of which remuneration components are easily identifiable in accordance with the applicable law, together with the amount of deductions made in accordance with the applicable law and evidence of payment of remuneration to the employee or a copy thereof.
NOTIFICATION (the entity responsible for receiving the reports)	National Labour Inspectorate (Państwowa Inspekcja Pracy)
VERIFICATION (responsible subject to verify documents)	National Labour Inspectorate (Państwowa Inspekcja Pracy)
CONTACT PERSON	An employer who posts an employee in the territory of the Republic of Poland shall appoint a person authorised to act as an intermediary in contacts with the National Labour Inspectorate and to send and receive documents or notifications, who shall reside in the territory of the Republic of Poland during the period of posting.
REASONS & ENTITY to be notify in the case of notification to extension over 18 month	No reasons provided by the law - after 18 months all terms and conditions of labour law must be applied.

› Romania

Directive 96/71/EC revised by 2018/957/EU has been implemented in Romania by Law 16/2017 on the posting of employees in the framework of the transnational provision of services (as amended by Law 172/2020 amending and supplementing Law No 16/2017 on the posting of employees for the provision of transnational services)

OBLIGATION	EXTENT
EXTENT OF RIGHTS: posting under 12 (18) months	<p>The following working conditions provided for by the Romanian legislation apply:</p> <ul style="list-style-type: none"> • the maximum working time duration and the minimum rest period; • minimum paid annual leave; • the remuneration applicable in Romania, including overtime remuneration; • conditions for the secondment of employees by temporary employment agencies; • occupational health, safety and hygiene requirements; • protective measures applicable to working conditions for pregnant women or women who have recently given birth, for children and young people; • equality of treatment between men and women and other non-discrimination provisions. • conditions relating to the accommodation of employees, where such conditions are offered by the employer to employees sent to perform work on a temporary basis at a place of work other than their normal place of work; • allowances or reimbursement of transport, accommodation and meal expenses for employees who are obliged for professional reasons to travel to and from their normal place of work in Romania or when they are temporarily sent by their employer from their normal place of work in Romania to another place of work. (applicable only to transport, accommodation and meal expenses incurred by employees posted in Romania when they are obliged to travel to and from their normal place of work or when they are temporarily posted by their employer from their normal place of work to another place of work in Romania)
EXTENT OF RIGHTS: posting over 12 (18)	<p>all terms and conditions of employment applicable under the Romanian law apply. Moreover, in case the duration of posting exceeds 12 months, the posting entities may not interfere with:</p> <ul style="list-style-type: none"> • the conditions for conclusion and termination of the individual employment agreement, including non-competition clauses; • contributions provided for by Law no. 1/2020 on occupational pensions.
EXEMPTIONS from posting	<p>merchant navy personnel; partial exemptions apply to road transport drivers.</p>
EXEMPTIONS from remuneration	<p>the minimum paid annual leave and remuneration applicable in Romania, including overtime pay (except for occupational pension contributions) shall not apply in the case of initial assembly and/or initial installation work on an asset, activities which form an integral part of a contract for the supply of goods, are necessary for the placing in service of the asset supplied and are performed by qualified and/or specialised employees of the supplying undertaking, if the duration of the posting is 8 days or less.</p> <p>Such exception does not apply to construction activities relating to the construction, repair, maintenance, alteration or demolition of buildings.</p>

> Romania

Directive 2014/67/EU has been implemented in Romania on 8/13/2020 by Law 172/2020 amending and supplementing Law No 16/2017 on the posting of employees for the provision of transnational services

OBLIGATION	EXTENT
<p>DOCUMENTS (documents to be submitted on site)</p>	<ul style="list-style-type: none"> • the employment contract or equivalent document, and where necessary additional information concerning the duration of employment, the currency in which the salary is paid, the benefits in kind or in cash which the employee receives during the transnational posting, the conditions governing the repatriation of the employee; • the salary and proof of payment; • the duration of working time and the timesheet; • translation into Romanian of the above documents. <p>The above documents must be kept during the period of posting and for a period of 3 years after posting.</p> <p>Additionally:</p> <ol style="list-style-type: none"> a. documents proving the total amount of the remuneration applicable in the territory of Romania to which the employee will be entitled during the period of posting, with a separate indication of the specific posting allowance; b. documents proving the expenses incurred during the posting and the arrangements for their payment or reimbursement, i.e. the arrangements for transport, accommodation or meals, as appropriate. c. documents on the basis of which the constituent elements of the remuneration of workers posted to Romania can be identified, in accordance with the national law of the Member State of establishment.
<p>NOTIFICATION (the entity responsible for receiving the reports)</p>	<p>Labour Inspectorate</p>
<p>VERIFICATION (responsible subject to verify documents)</p>	<p>undertakings posting employees to Romania</p>
<p>CONTACT PERSON</p>	<p>The legal representative of the undertaking posting employees in Romania. Likewise, undertakings which have no legal representative on the Romanian territory may appoint one of the employees posted on the Romanian territory as a contact person in relation to the labour authorities.</p>
<p>REASONS & ENTITY to be notify in the case of notification to extension over 18 month</p>	<p>No concrete reasons are provided by the law</p>

> Slovakia

Directive 96/71/EC revised by 2018/957/EU has been implemented in Slovakia on 30 July 2020 by labour code 311/2001 Coll.

OBLIGATION	EXTENT
EXTENT OF RIGHTS: posting under 12 (18) months	"Slovak legislation will apply in the following extent to the posted worker, if the Slovak law is more favourable to the posted worker than the originating law (every right will be assessed individually) <ul style="list-style-type: none"> • maximum working hours and minimum rest periods; • the minimum annual leave entitlement (min. 20 days) or pro rata; • the minimum wage (min. 646,- EUR monthly or 3,713 EUR per hour), the relevant minimum level of guaranteed pay, the components of pay; • health and safety at work, • the working conditions of pregnant workers, workers who are breastfeeding, workers up to the end of the ninth month after childbirth and juvenile workers; • equal treatment of male and female workers and non-discrimination, • working conditions in agency work, • the conditions of accommodation where the employer provides it to the employee; • reimbursement of travel expenses in connection with the performance of work, with the proviso that the regular place of work shall be deemed to be the usual place of work in the territory of the Slovak Republic."
EXTENT OF RIGHTS: posting over 12 (18)	In the case of a long-term posting, the entire labour law of the Slovak Republic (including the aforementioned rights of the employee), i.e. not only the hard core of the terms and conditions of employment, will apply to the employment relationship of the posted employee. The only exceptions will be the provisions on the creation, start, termination, dissolution and provisions on the exercise of other remunerative activities and restrictions on remunerative activities after the end of the employment relationship. These will remain governed by the law of the host employer (i.e. an employer from another EU country).
EXEMPTIONS from posting	labour code and other acts except of establishment and termination conditions
EXEMPTIONS from remuneration	business trips without activity, assembly, repairs = 8 days within 12 months

Directive 2014/67/EU has been implemented in Slovakia on 18 June 2016 by Act 351/2015 Coll.

OBLIGATION	EXTENT
DOCUMENTS (documents to be submitted on site)	The following documents must be available during the posting: employment contract or equivalent other document, the time sheet and the proof of paid wages.
NOTIFICATION (the entity responsible for receiving the reports)	National Labour Inspectorate
VERIFICATION (responsible subject to verify documents)	domestic employer
CONTACT PERSON	The employer of a respective posted worker shall provide the The National Labour Inspectorate with information concerning the posting.
REASONS & ENTITY to be notified in the case of notification to extension over 18 month	National Labour Inspectorate, concrete reasons are not listed.