



Posted Worker Compliance

Identify and Prevent Posted Worker Compliance Risk Before Travel Occurs

A “Posted Worker” is an employee who is sent by their employer to carry out work in another EU member state on a temporary basis. To protect the rights of posted and local workers, the EU law defines a set of mandatory rules, known as the Posted Workers Directive to ensure posted workers are treated equally to local workers regarding rates of pay, work periods, rest periods, holiday and leave entitlements as well as equal protection rights and health and safety standards. The underlying challenge is the Directive does not mandate how each country implements the corresponding provisions into their national laws, which means there are significant variations in how the rules and processes are enforced by each country throughout the EU.

The Directive applies to employees temporarily working abroad, this means assignees and business travellers may fall under Posted Worker legislation depending on each individual countries interpretation of how the regulations are imposed. The wide range of use cases include:

- Intra-company transfers
- Workers travelling to client sites
- Workers hired out by temporary employment agencies

The screenshot shows a user interface for managing posted worker compliance. At the top, there are navigation tabs: People, Places, Insights, and Payroll. A map of Europe highlights the route from Madrid, Spain to Berlin, Germany. Below the map, the worker's name is listed as Valentina Romero, with the trip details: Madrid, ESP → Berlin, DEU (Active). The trip duration is 14 days, starting on 10 Feb 2022 at 10:43 and ending on 24 Feb 2022 at 00:35. The 'Details' section includes: Trip Leg Status (Confirmed Booking), Submitted to Provider (15 Oct 2021), Parent Trip Reference (N/A), Trip Leg Reference (AE101020111), Trip Purpose (Business), and Assessment Performed By (EY). The 'Activities' section lists: Location (Employer's Site), Category (Inspection or Quality Control), and Type (Machinery). A description states: 'Valentina will be providing services to our client in another EU member state to carry out this work.' Below this, a checklist of compliance requirements is shown: Immigration (Completed - Cleared to Travel), Income Tax (Completed - Cleared to Travel), Social Security (Documentation Required To Travel), Posted Worker (Documentation Required To Travel), and Corporate Tax (Completed - Cleared to Travel). The 'Posted Worker' section is expanded, showing an 'Internal Review' by Ralph Ball (In progress), a 'Provider Assessment' with status 'Documentation required' and external reference TOP123125, and a 'Result Summary' stating 'Posted worker notification required'. The reason for the result is 'PWN is required based on the duration and the activities undertaken in another EU member state.' The dashboard is powered by TOPIA.



EU Posted Worker Directive Revisions

The 2020 revision of the Posted Workers Directive has triggered the introduction of a new set of compliance requirements for employers across the EU. With travel across Europe returning at scale, Posted Worker compliance is back under the spotlight and companies need to ensure they are compliant with the updated landscape.

The changes to the directive will impose strict practical requirements on employers such as the need to track and provide pre-travel notifications of posted workers to the relevant authorities and retain employment documents, with strict penalties imposed for non-compliance.

How Topia Compass Can Help

Avoid risk and ensure travelers are following the regulatory requirements of the Posted Worker Directive with the Topia Compass Pre-Travel Assessment module.

Monitor your global employee footprint - Advanced reporting and live dashboards to monitor your employee footprint at country-level, track the status of travel and view all trip risk-assessments in a single platform.

Proactively analyze travel bookings to identify risk before trips occur - By integrating with your travel booking provider, Topia Compass automatically determines when upcoming travel crosses configured risk thresholds and initiates downstream services. Travel can be approved or denied based on level of risk.

Access extensive country-specific compliance logic - Integrates seamlessly with leading legal, compliance, and tax services globally. Monitors home and host country regulations to ensure compliance across the rapidly evolving EU rules and regulations.

Streamline assessment, approval, and local filing workflows - Ensure both home and destination country assessments and approval workflows are initiated and adhere to the local online and offline A1 filings and PWD registration requirements.

Implications of Non-Compliance

- Negligence in filing a posted worker notification including a late, incorrect or incomplete filing could lead to costly fines of €10,000 per employee, this will differ from country-to-country.
- Repeat offenses could go to as much as €500,000 per employee.
- Some countries are enforcing stricter penalties which include banning companies from operating in the country.



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Contacts: EMEA: +44 20 7661 1878
North America: +1 (415) 465-8484
<https://www.topia.com/contact>

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