

# Posted workers and the return to business travel in Europe

September 2022

The EY logo consists of the letters 'EY' in a bold, white, sans-serif font. A yellow diagonal bar is positioned above the 'Y'.

Building a better  
working world

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# Return to travel

1

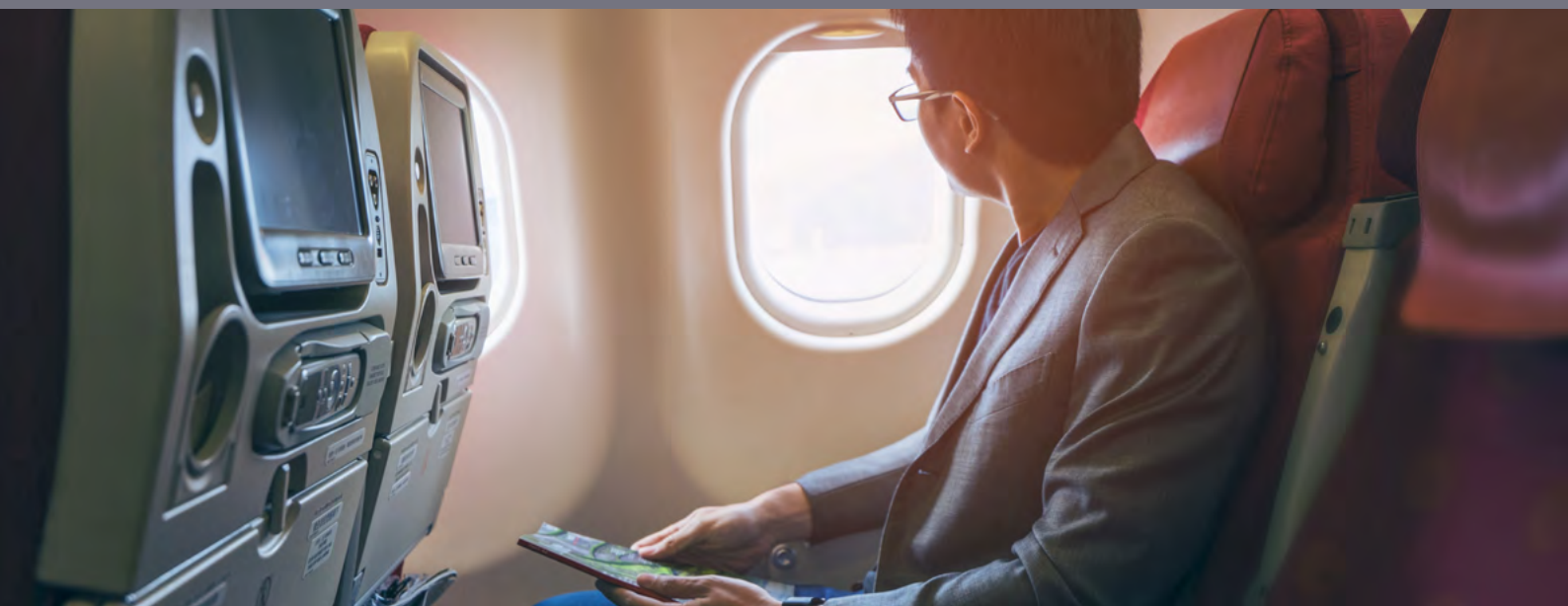
Borders may not have shifted, but a post-pandemic, post-Brexit European Union continues to change at a **fast pace** with local interpretations of European Union directives creating a **complex landscape** to navigate. Simultaneously, digitalization is on the increase for organizations and government bodies alike, meaning that a digital footprint of compliance or non compliance can be traced and sanctioned.

2

As organizations return to travel, so too is it a return to a new world of increased rules and requirements. **Employers** have the **responsibility** toward their posted employees and clients to abide by varying local country legislation, at the same time seeking **minimum disruption to operations**. On top of this, **employee satisfaction** and **user experience** needs to be delivered timely in an already-burdensome business travel process.

3

Paired with the right technology and process, the burden can be alleviated to the extent, where your people are traveling **compliantly, safely and efficiently**.



## 1

# What are the new rules for employers?

- ▶ The posted workers directives set requirements and conditions for employers when sending their employees to a Member State of the **European Union**\* for a limited time period to perform a service. The posted workers directives were originally introduced by the European Commission to ensure a duty of care in terms of **equal employment** conditions and **fair play** on the European market in order to avoid '**social dumping**'. The posted workers directives continue to be revised introducing more guidelines for local countries to interpret and adopt.
- ▶ As long as the above criteria are satisfied, the posted worker status frequently **overlaps** with more traditional mobility types for instance international assignments or business travels.
- ▶ There is a risk that posted worker requirements may be **overlooked** exposing organizations to **noncompliance**.



A posted worker is an employee who is sent to a Member State of the European Union to perform a **service** for a **limited time period**, without fully integrating into the host country labour market.

\*Similar rules apply in countries belonging to the European Free Trade Association (EFTA).

# 2

## Who does the posted workers directive affect?

[Click on each heading to get the details](#)

# 3 What do employers have to do?

Click the buttons to get the details



# 4 Current status and what's next?

As of June 2022 all European Union Member States have transposed the latest posted workers directive on equal pay for equal work. As organizations resume international travel there has been **heightened attention** toward compliance.

1

However, as business travel and its associated processes is renowned for being somewhat cumbersome and time sensitive, some organizations are questioning to what extent the posted workers processes are really necessary in comparison to the burden placed on the employer. The European Commission is exploring opportunities to offer a **common format** for posted workers notification submission which Member States could opt in to.

2

A **new directive** has also come into play in August 2022 which stipulates that employers must inform their workers of the essential aspects and conditions of the posting.



# 5

## What kind of support EY teams can offer?

Whether your business is dealing with 100 cases per year or 100,000 there are solutions to make sure that you are keeping compliant.

[Click the buttons to get the details](#)

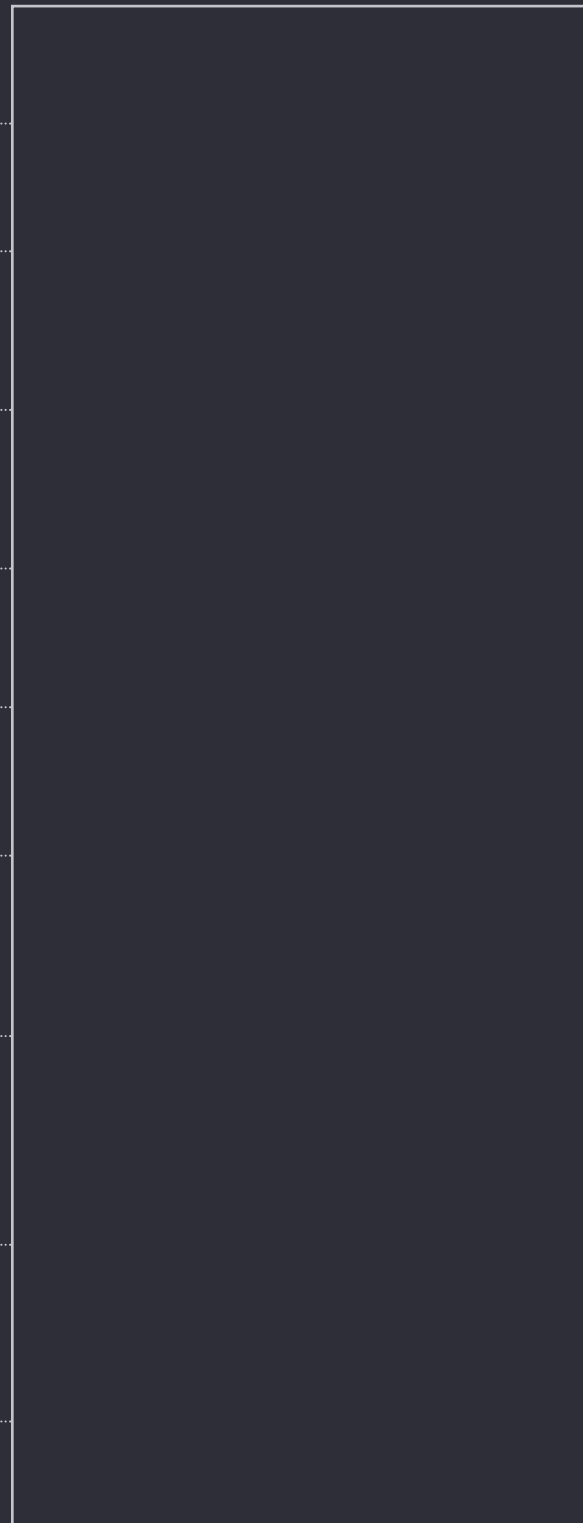




# 6

## Frequently asked questions

Click each question below  
to the respective answer



# 7 Posted worker requirements

A **Swedish Company X** has sold one of its product to **Company Y, a French client** located in Paris. Company X is required to perform some **maintenance work** on the product previously sold, as **contractually agreed**. Company X sends its employee, Mr. Chen, a software engineer, at the premises of Company Y for **two weeks**. Company X must comply, in France, with the following:

Posted worker  
**notification** submission

+

**Appointment** of liaison  
persons

+

**Documents** retention  
requirements

+

Compliance with terms  
and conditions of  
**employment**



## 8 Interactive map

This interactive map provides a summary of the main obligations applicable in each host country.

### EU interactive map

1. Non-EU employers required to comply with posted workers rules
2. Posted workers notification submission method (i.e., online, email, post)
3. Account creation required
4. Documents required for submissions
5. Salary information required in posted workers notification
6. Host Liaison located in host country
7. Complex vs. less complex in terms of process
8. Minimum wage at national level

Hover here for  
more info:



Click on each country on  
the map to get the details.

**1** Non-European Union employers  
required to comply with posted  
workers rules

**2** Posted worker notification  
submission method (i.e., online,  
email, post)

**3** Account required to submit the  
posted workers notification

**4** Documentation required to be  
submitted together with the  
posted worker notification

**5** Salary information required  
within the posted worker  
notification

**6** Host Liaison located available  
locally (in host country)

**7** Complex vs. less complex  
countries

**8** Minimum wage available at  
national level

## 9 EY technology

Posted worker compliance is an integrated part of EY broad business travel solution. EY Mobility Pathway business traveler analyzes the relevant risk areas for travelers and thereafter automates the data collection and submission process wherever possible.

### EY Mobility Pathway

Connecting experienced EY teams service delivery personnel, corporate managers and client employees through a single streamlined experience that simplifies the complexities of mobility services.

Click these buttons to get the details



Leveraging **technology** for the downstream process **alleviates** the administrative **burden** of country-specific filing and associated data collection, and allow your travelers and corporate users to **focus on** their **operational work**.

# 10 How can we help?

Contact us to know more about posted worker and business travel compliance and ensure you are equipped for the return to travel.

## Your EY contacts



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