

Employers must notify the Labour Inspectorate of employees posted to Estonia

On 17 December 2016 an amendment to the Working Conditions of Employees Posted to Estonia Act entered into force. This amendment provides for a number of additional obligations, as well as liability, for the employer. Additionally, an Estonian company with posted employees may also become liable towards the employees.

Posted employees are employees who have been posted to Estonia in order to render a service, to work for a company in the same group, or to work as temporary agency workers. Since the amendment's entering into force, the employer is required to notify the Labour Inspectorate of all employees posted to Estonia. The notification should include information regarding the employer, the employees and the Estonian company for whose benefit the posted employees work in Estonia.

The amendment also provides for a higher level of diligence required from the Estonian companies using temporary agency workers posted to Estonia from abroad, or who enjoy services rendered by posted workers. Should a foreign employer fail to pay salary to a posted employee, the Estonian company may become liable to pay the salary instead.

Additionally, the amendment grants the state a right to subject a foreign company to misdemeanour proceedings, should such company fail to ensure the required work conditions for the posted employees.



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