

GETTING STARTED WITH WORK AS A POSTED WORKER

If you are a third-country national,* you must obtain a single permit which allows you to enter, stay and work in Slovenia BEFORE you can be posted to work in Germany. The single permit is issued by administrative units across Slovenia.

Third-country nationals with temporary residence in Slovenia, who are posted to Germany by a Slovenian employer, require a so-called **Vander Elst visa** in addition to an **A1 Certificate**.** Third-country nationals who have long-term resident status and can demonstrate this by holding a Slovenian permanent residence permit do not require a visa as long as the duration of work in Germany does not exceed 90 days in a 12-month period.



You can apply for a Vander Elst visa at the German Embassy Ljubljana:

ljubljana.diplo.de/si-sl/storitve/vizum/dolgotrajno-bivanje/storitev

WHEN CAN YOU REFUSE TO BE POSTED?

As a worker, you can refuse to be posted abroad if justified reasons exist, such as disability, health conditions, pregnancy, care for a child under the age of seven, or care for a child under the age of 15 if the worker lives alone with the child and provides care and protection to the child. Other justified reasons are laid down in the employment contract and/or the collective agreement which is directly binding on the employer.

* A third-country national (as described in this leaflet) is anyone without the nationality of one of the European Union Member States or the nationality of one of the countries associated with the European Union (Switzerland, Norway, Iceland and Liechtenstein).

** This works as proof that the worker is enrolled in compulsory social security insurance in Slovenia.

CHECK LIST FOR POSTED WORKERS



Do you have a copy of your A1 Certificate?
Check its validity.



You can check the validity here:

zavarovanec.zzs.si/e-storitve-zzs/checking-the-validity-of-an-a1-certificate/



Do you have a written employment contract that includes articles on posting?



Have you checked the German company that your employer provides services to?



Is your accommodation arranged in the employment contract?



Do you have a European Health Insurance Card?



You can get your card here:

www.zzs.si/zzs-api/obrazci/narocilo-evropske-kartice-zdravstvenega-zavarovanja-evropska-kartica/

TAKE CAUTION



Keep a daily record of your working hours.



Learn about German and Slovenian collective agreements.



Don't sign blank forms or documents.

RIGHTS AND OBLIGATIONS OF POSTED WORKERS IN GERMANY



WHO IS THE LEAFLET FOR

This leaflet is intended for posted workers – i.e. **employees who have been sent by their employer to work for a limited amount of time in another European Union member state**, e.g. Germany. Posted workers are subject to the European Union legislation regulating the posting of workers.

RIGHTS OF POSTED WORKERS

You are entitled to the same rights and working conditions as people employed in Germany in terms of:



REMUNERATION, INCLUDING OVERTIME RATES

As of January 2024, the minimum wage in Germany is 12.41 EUR per hour. In certain sectors, e.g. cleaning, collective agreements demand higher wages.



WORKING HOURS

Rules governing maximum working hours, breaks and minimum rest periods must be respected – check which country's regulations are more favorable for you. Night work is subject to certain restrictions and additional rights for workers.



MINIMUM PAID ANNUAL LEAVE

The amount of paid annual leave depends on various factors, e.g. collective agreements and personal circumstances. However, you must get at least 20 days of paid annual leave for a 5-day work week.



HEALTH AND SAFETY AT WORK

Personal protective equipment must be provided by the employer free of charge.



PROTECTION OF CERTAIN WORKERS

Pregnant women, parents, workers under the age of 18, older workers and disabled persons are entitled to additional protection.



EQUAL TREATMENT

Like all other employees, you must be treated in line with anti-discrimination rules regardless of your personal background.



ACCOMMODATION

If the employer provides you with an accommodation during your posting to Germany, it has to meet certain requirements that allow for suitable living conditions.



ALLOWANCES OR REIMBURSEMENT

You have the right to allowances or the reimbursement of expenses to cover travel, board and lodging costs in the host country during the posting (if you are required to travel around Germany or abroad during the posting assignment).



RETURN TO SLOVENIA

Once your work in Germany is finished, your employer must ensure your return to Slovenia.

IMPORTANT! The terms and conditions of employment in Germany only apply if they are more favorable to you than those of your country of employment (i.e., Slovenia).

OBLIGATIONS OF POSTED WORKERS

As a posted worker in Germany, you must fulfil your obligations, such as:



REGISTERED RESIDENCE

If you are staying in Germany for over three months, you must register your residence with the local citizens' office.



EUROPEAN HEALTH INSURANCE

You must have a European Health Insurance Card – International Travel Health Insurance with assistance is recommended.



INCOME TAXES

Depending on your country of residence and Double Tax Agreements, you may need to pay income taxes. Consult the local tax office for more information.

HELP AND MORE INFORMATION



In Germany: Advisory Network
"Decent Work" confidential and
free of charge consultations

www.arbeitundleben.de/arbeitsfelder/beratungsnetzwerk



In Slovenia: Labour Inspectorate
of the Republic of Slovenia

www.gov.si/en/state-authorities/bodies-within-ministries/labour-inspectorate/about-the-inspectorate



At the European Union level:
EURES Advisors

eures.europa.eu/eures-services/chat-eures-advisers_en



**Rights of workers posted
for over 12/18 months:**

europa.eu/youreurope/citizens/work/work-abroad/posted-workers

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REPUBLIKA SLOVENIJA
MINISTRSTVO ZA DELO, DRUŽINO IN SOCIALNE ZADEVE
INŠPEKTORAT REPUBLIKE SLOVENIJE ZA DELO

**Arbeit und
Leben**

**Beratungsnetzwerk
Gute Arbeit**



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