



Ministry of Social Affairs and
Employment

Working in the Netherlands temporarily?

What you as an employer need to know
about the Dutch notification portal for
posted workers

Do you, as an employer from the EU, EEA or Switzerland, temporarily post employees or temporary workers in the Netherlands? If so, you have a **duty** to give prior notification of your arrival. This can be done through the Dutch notification portal english.postedworkers.nl. The notification process can be completed in Dutch or English. You can also register multiple workers in one notification.

Please note! Are you a self-employed person? The duty to notify only applies to self-employed persons in specific sectors. You can find more information on english.postedworkers.nl.



Notification is important!

Notification allows the government to check whether posted workers are working under safe, healthy and fair employment conditions. This is how we make sure the right, Dutch employment conditions are applied and how we prevent unfair competition.



The duty to notify is part of the Posted Workers in the European Union (Working Conditions) Act (Wet arbeidsvoorwaarden gedetacheerde werknemers in de Europese Unie, WagwEU). This Dutch Act is based on the European Posting of Workers Directive.

How to give notification?

Advice! Please check in advance with the client on which e-mail address (s)he wants to receive the notification and provide this e-mail address during the notification process.

1 Notify

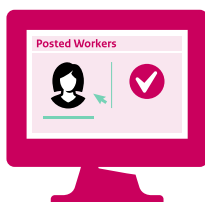
Register via the online notification portal english.postedworkers.nl.

Give notification of the assignment and the relevant workers before the start of the assignment in the Netherlands. We will ask about the type of work, the duration of the assignment, the work address, and the identity of the workers.



2 Check

The Dutch client checks your notification. The Dutch client receives a message at the e-mail address provided to check the notification in the notification portal. If the notification is correct, the Dutch client will indicate that it is correct. Your notification will then be completed. You no longer need to do anything about your notification unless there are any further changes. If the notification needs to be changed, for example because the wrong start and end dates of the assignment have been entered, the client will indicate that in the notification portal. You will then receive an e-mail asking you to change the notification and resend it via the notification portal. The notification will be finished when the Dutch client has checked it again.



Please note! Any interim changes should be reported

Are there any changes to the assignment? For example, will a new worker be working on the assignment or are your employees working in the Netherlands for longer than planned? You must report these changes in the notification portal. The client will recheck the changed notification.

Frequently asked questions

What is the purpose of the Posted Workers in the European Union (Working Conditions) Act?

This Act entitles posted workers to the most important employment conditions offered by the Netherlands. Examples include the right to minimum wage, adequate breaks, a safe workplace, equal treatment of men and women and a minimum number of holidays. In addition, as an employer, you have some administrative obligations, which include a duty to notify. In some sectors, this also applies to self-employed persons. Notification makes it easier for the Dutch government to check whether companies are complying with the rules.

What happens if you fail to give (correct) notification of workers?

Notification is compulsory. If you fail to give notification of your workers, you risk being fined, and so does the client. The Netherlands Labour Authority checks this. Make sure the notification is in order before the posted worker starts the assignment. This way, you ensure that you are not fined and you will help create a fair labour market.

What other duties apply under this European law?

In addition to the duty to notify, as an employer you are obliged to have various documents available at the workplace which are related to the worker. Examples include an employment contract, a pay slip and proof of payment of social security contributions. You should designate a contact person in the Netherlands for the Dutch Labour Authority. When asked, you should give the Dutch Labour Authority the information it needs to carry out its inspection.

A complete list of documents you need can be found at english.postedworkers.nl/rights-and-obligations.



Want to know more?

Go to english.postedworkers.nl. By submitting a notification you contribute to a safe, healthy and fair working environment for posted workers.

Checklist for the duty to notify

To help you, we have created a checklist of the most important information that you, as an employer, should have at hand during the notification process. This will help you to be better prepared and complete the notification process more quickly.

Your company details:

- > Company name
- > Country of establishment
- > Commercial register registration number
- > VAT number
- > Business address

Identity of the notifier or legal representative:

- > Name, date of birth, nationality
- > Identity number from the country of origin (if applicable)
- > Dutch Citizen Service Number (BSN) (if applicable)
- > Telephone number
- > E-mail address

Your contact in the Netherlands:

- > Name, date of birth, nationality
- > Identity number from the country of origin
- > Dutch Citizen Service Number (BSN)
- > Telephone number
- > E-mail address
- > Address in the Netherlands where the contact person can be reached

Details of the client:

- > Company name
 - > Country of establishment
 - > Commercial register or Chamber of Commerce registration number
 - > VAT number
 - > Business address
 - > Client contact name
 - > Client contact e-mail address
- (Please note! The Dutch client will receive the notification at this e-mail address, so it is important to double-check it)**
- > Client contact telephone number

Information about the project

- > Sector in which you will be working in the Netherlands, including sub-sector and **SBI code**.
- > Workplace address in the Netherlands
- > Expected start and end date of the work
- > The company paying the wages

Identity of workers coming to work in the Netherlands temporarily:

- > Name, date of birth, nationality
- > Identity number from the country of origin
- > Dutch Citizen Service Number (BSN) (if applicable)
- > E-mail address
- > Is the worker from the EU, Norway, Liechtenstein, Iceland or Switzerland? If not, you should register the end date of the work permit issued by the sending country.
- > Expected start and end date of the work to be performed by the worker
- > Does the worker have an A1 statement? If yes, register the number and the country that issued the A1 statement.

Let's get to work!

Notification can be given at english.postedworkers.nl. You will also find a glossary of common terms here. Your notification will help create safe, healthy and fair conditions for posted workers.



Working conditions to which posted workers are entitled

> The first 12 months

The worker is entitled to a number of statutory core employment conditions:

- > Minimum wage
- > Working hours and breaks
- > Holidays
- > Working conditions
- > Equal treatment of men and women

If there is a collective agreement that has been declared universally applicable, the worker is entitled to the basic conditions from the collective agreement.

The period during which only basic employment conditions apply can sometimes be extended to 18 months.

Note that different rules apply to posted temporary workers.

> After 12 months

The worker is entitled to an extension of the basic employment conditions:

- > All employment conditions under Dutch labour laws and collective agreements declared universally applicable.

With the exception of agreements on:

- > Additional occupational pension
- > Concluding and terminating the employment contract

Frequently asked questions

What about replacing a worker?

Do you replace a posted worker with another posted worker doing the same work in the same place? This is considered one posting. This is important for the expanded employment conditions that apply after 12 months.

What about posted temporary workers working under the supervision and direction of a Dutch client?

In that case, your workers are entitled to additional employment conditions from day one according to Article 8 of the Placement of Personnel by Intermediaries Act (Wet allocatie arbeidskrachten door intermediairs). As an employer, you are responsible for this, even if they are deployed by the client to another employer.

How do I pay allowances to my workers?

Allowances that you pay to your workers for expenses incurred, such as travel, meals and accommodation, are not considered part of the minimum wage to which your workers are entitled. You pay these costs according to Dutch law and/or the contract between you and your workers. Some allowances are paid for costs incurred in connection with the posting. You must specify these.



More information

Visit english.postedworkers.nl for an overview of all employment conditions to which posted workers are entitled. Here you will also find information on paying allowances.