



Cooperation as a key to overcoming challenges  
in the field posting of workers from care, construction,  
transport and agriculture sectors



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## Aspects concerning the training of the Cooperation-ACCT project

The project "**Cooperation as a key to overcoming challenges in the field posting of workers from care, construction, transport and agriculture sectors**", co-financed by the European Union, in which representatives of employers, trade unions and public and private institutions from Spain, Poland, Serbia, Norway, Romania and the Czech Republic participate, had among its goals to increase the efficiency of the application of the basic rights of posted workers, while guaranteeing their free and fair movement, finding solutions to overcome existing barriers and difficulties primarily in the health care, construction, transport and agriculture sectors.

As a form of project conclusion and as a basis for overcoming the existing challenges for posted workers and third-country nationals, an international training was held, focused on the application of labour law and the application of social security or double taxation in fiscal taxes, which resulted in the development of **Training Materials**, which listed the mentioned challenges and offered solutions to overcome them.

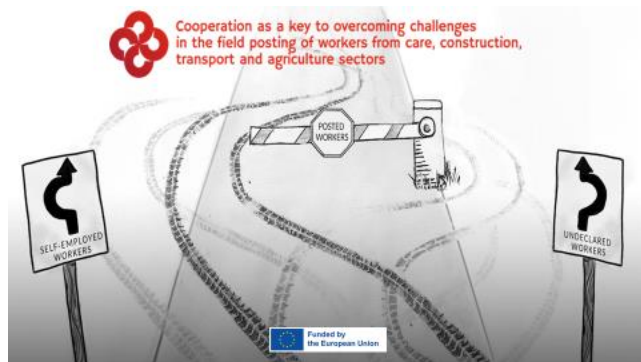
The choice of content that made up the training material comes from the analysis made by experts from the partner countries participating in this European project and their conclusions, which mainly concerned the common obstacles and difficulties discovered among posted workers, monitoring and application of European regulatory provisions in the health care, construction, transport and agriculture sectors.

*The training material* consists of two parts. The first part deals with issues related to the **conditions of employment** of posted workers (based on the definition of this concept within the framework of European regulations) and highlights aspects such as: the guarantee of publication of the posting, the conditions of employment during the posting, especially those related to the payment of salaries and the inclusion of travel

expenses, daily allowances and accommodation or the duration of the posting and the calculation during the trip - to name just a few of the most relevant ones.

This first part deals with the sources of law in addition to the main issues related to the application of labour law to posted workers, based on the free circulation of services, as well as

employment conditions based on the regulatory framework called "Rome I", which triggers aspects related to employment conditions, the choice of applicable labour legislation and its limitations.





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The second part of the *Training Materials* focuses on **social security** and the difficulties encountered by the posted worker abroad, depending on the contribution systems established in accordance with the legislation applicable in each country. The training framework considers uniform European legislation and different instruments of contribution, such as the PD-A1 *Document*, highlighting difficulties of interpretation between countries, depending on the application of Article 12 or 13 of *Regulation 883/2004 on the coordination of social security systems*.

Moreover, the training material covered practical cases that point to certain “pitfalls” that can be found in national provisions and that make it difficult to guarantee posted workers with regard to the generally understood conditions of their employment, as well as a chapter on case law, which cites several judgments of the Court of Justice of the European Union on the applicable provisions regarding legislation, in particular those relating to social security.

Finally, the *Training Material* contains a chapter entitled “Challenges and Solutions”, which points out a number of common challenges related to administrative barriers to the admission of posting companies, non-compliance with obligations during the duration of posted work, lack of information or the frequency of Vander Elst visas. As a response to these challenges, the **European Care Strategy** and various Council recommendations on access to high-quality and affordable long-term care are cited in the form of potential solutions.

*The training material* can be found at the following link: [kona\\_pptx \[ACCT\] Training materials.pptx](#)