



Posted Workers Directive in the European Union: Guidance for U.S. Employers



What is the Posted Workers Directive?

The Posted Workers Directive (PWD) is a set of rules that ensure posted workers/assignees in the European Union (E.U.) are treated similarly to local workers from an employment law perspective. The rules for employment are different in every E.U. country.

As part of the PWD compliance process, employers must register posted workers/assignees in the host country.



Who is considered a posted worker?

In the context of PWD, a posted worker is an employee sent by their employer to deliver services in an E.U. country on temporary basis.

This means that remote workers and business travelers could be treated as posted workers in this context.



Is there a streamlined compliance process?

No. Implementation of the PWD varies from one E.U. country to another and the amount of documentation necessary to comply differs in each E.U. country. Compliance poses an administrative burden for employers sending employees to the E.U.

Contact us today to help you in the planning, registration, and in the overall management of the PWD compliance process.

Daida Hadzic
EMA Head of Quality
Mobility & People
KPMG Meijburg & Co.
T: +31 8890 91854
E: hadzic.daida@kpmg.com

Rachel Paul
Partner
Global Mobility Services
KPMG LLP (U.S.)
T: 312-665-5385
E: rachelpaul@kpmg.com

Bob Mischler
Principal and Service Line
Leader
Global Mobility Services
KPMG LLP (U.S.)
T: 212-872-3174
E: rmischler@kpmg.com

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How does it impact U.S. employers?

Most countries in the E.U. require non-E.U. companies to register posted workers/assignees.

U.S. employers sending assignees to the E.U. on a temporary basis must register these employees in most E.U. countries in order to be compliant.



Is PWD registration different from a work visa?

Yes. The posted worker registration requirement is a separate and independent requirement under the PWD. This is not tied to any other requirements under immigration, labor, and social security laws.



What is the cost of noncompliance?

Noncompliance may result in steep fines and sanctions, including criminal prosecution. Employers without country specific knowledge of the PWD compliance process may be at higher risk of noncompliance.

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