



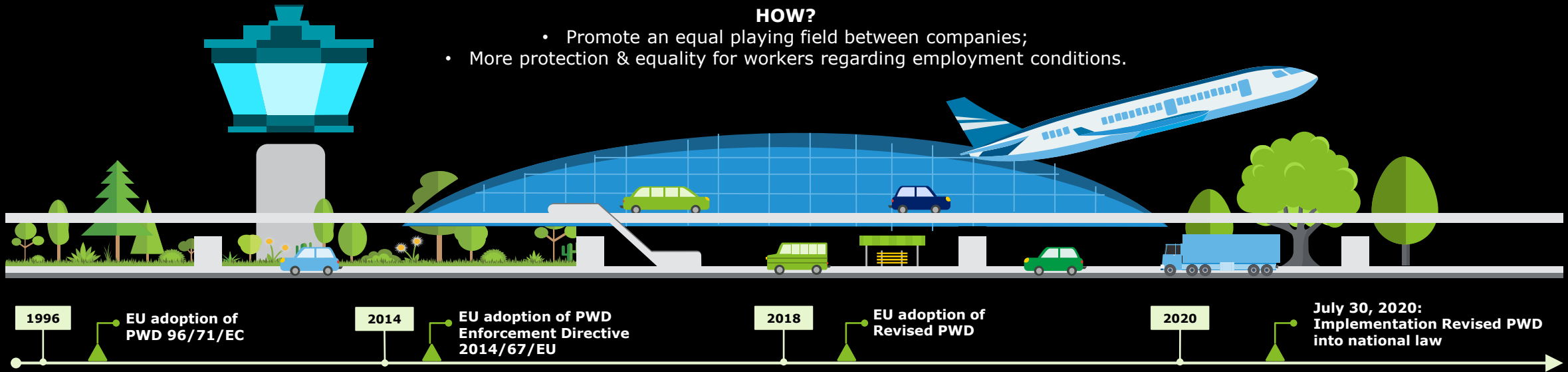
The revised Posted Workers Directive

## The revised Posted Workers Directive: Equal pay for equal work!

By replacing the 1996 Posted Workers Directive this revision aims to further improve the position of the posted worker.

### HOW?

- Promote an equal playing field between companies;
- More protection & equality for workers regarding employment conditions.



When entering into force in the Netherlands, the potential impact may be:

#### Revised Posted Workers Directive - amendments

- Extended hard core employment provisions applicable after 12 months of posting;
- Two consecutive posting periods, whereby a posted worker is replaced by another posted worker who carries out the same work at the same place, are considered as one posting;
- Duration of posting period can be extended until 18 months.

#### Revised Posted Workers Directive - exceptions

- After a period of posting of 12 months the following employment conditions and circumstances are excepted:
- Dismissal law;
  - Non-competition clauses;
  - Additional company pensions.

#### Other Changes

##### Minimum Wage Act

- Incurred costs related to the posting will have to be paid separately (travel, meals, accommodation).

##### The Act of Allocation of workers by intermediaries

- Posted (temporary agency) workers are entitled to same employment conditions and circumstances as local (temporary agency) workers as of day one.

#### Transitory Law

##### Implementation

- The revised PWD should be implemented into Dutch law by July 30, 2020 at the latest;
- Depending on the start of the posting the extended hard core employment provisions will be (directly) applicable to a posted worker;
- At this moment the Revised PWD has not yet transposed into national law and the Dutch legislative proposal is subject to change.

## Contacts



**Fraukje Panis**  
**Senior Manager**  
Legal & Global Employer Services  
+ 31 6 8262 5938  
fpanis@deloitte.nl



**Ralf Adam**  
**Senior Manager**  
Global Employer Services  
+ 31 6 2221 8123  
raadam@deloitte.nl



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