

PRESS RELEASE

WOLF THEISS ADVISES POLISH FIRMS ON POSTING OF WORKERS TO GERMANY AND AUSTRIA

Warsaw, 13 October 2017 – Changing regulations in Austria and Germany are beginning to pose a threat to Polish companies posting workers to these countries under EU rules. To avoid hefty fines, employers from Poland need to remain aware of the latest regulations, representatives of international law firm Wolf Theiss said during a conference in Warsaw.

Wolf Theiss, together with Beiten Burkhardt, Advantage Austria, commercial section of the Austrian Embassy in Poland and the Lewiatan Polish employers' association, hosted a seminar on the posting of workers abroad, to discuss regulations on foreign markets and other formal requirements. A large number of Polish companies carry out business contracts in Austria and Germany, mainly in the construction, transportation and IT industries. Among the key speakers at the Warsaw conference was Matthias Unterrieder, Partner at the Wolf Theiss Vienna office, who specialises in employment law and cross-border staff assignment.

"The complexity of the legal regulations and procedures that a Polish firm must comply with while posting workers to Austria is enormous," said Matthias Unterrieder. "Misunderstanding or improperly applying these regulations may mean the posting brings more harm than benefit to the Polish firm."

Matthias Unterrieder added that Polish companies should pay particular attention to the level of compensation, which cannot be lower than the minimum wage in Austria. Minimum wage is set in sector-specific collective agreements in both Austria and Germany, therefore companies need to get acquainted with these documents in order to calculate the correct compensation. Moreover, Polish employers are also obliged to file a notification when workers are posted, as well as maintaining certain documents and making them available for control. Significantly, Austrian law also differentiates between posting and temporary employment. "The difference is unfortunately hard to define," said Unterrieder.

Polish companies post the largest number of workers abroad of any European Union member state, according to Eurostat data. Poles make up about 23 percent of all posted workers in the EU, amounting to more than 500,000 people last year.

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ABOUT WOLF THEISS

Wolf Theiss is one of the leading European law firms in Central, Eastern and South-Eastern Europe with a focus on international business law. With 340 lawyers in 13 offices located in Albania, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Hungary, Poland, Romania, Serbia, Slovakia, Slovenia and Ukraine, Wolf Theiss represents local and international industrial, trade and service companies, as well as banks and insurance companies. Combining law and business, Wolf Theiss develops comprehensive and constructive solutions on the basis of legal, fiscal and business know-how. For further information please contact:

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