

The liaison office on posting in Estonia

The liaison office on posting is situated at the Labour Inspectorate of Estonia

www.ti.ee

Questions can be sent to this email address:

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Information on working in Estonia

- Töötervishoiu ja tööohutuse seadus, <https://www.riigiteataja.ee/>

Occupational Health and Safety Act, see

<https://www.riigiteataja.ee/en/eli/513102014002/consolide>

- Töölepinguseadus, <https://www.riigiteataja.ee/>

Employment Contracts Act, see

<https://www.riigiteataja.ee/en/eli/530102013061/consolide>

- Soolisevõrdsuslikkuse seadus, <https://www.riigiteataja.ee/akt/126042013009>

Gender Equality Act, see

<https://www.riigiteataja.ee/en/eli/530102013038/consolide>

1. Knowledge of the posting situations

In Estonia, the labour inspection as state agency currently uses Internal Market Information System (IMI) to provide answers or to make requests for information about posting.

Mostly queries are sent to Estonian Labour Inspection to receive information about posted employees coming from Estonia, but more and more there are reasons for Labour Inspectorate to make query to Member State about their posted employees of Estonia.

Estonian employees mostly are posted to Scandinavia, especially to Finland, that is why the closest co-operation is with Finnish Labour Ministry. According to this fact, most of the requests are coming from Finland.

On national basis labour inspection communicate directly with employees. We have prepared materials in Estonian, Russian and English to let employers and employees know the rights of people who are being posted to work in Finland or any other EU member state:

http://issuu.com/tooinspektsioon/docs/toolahetus_ja_tootajate_lahetamine_. Also we guide them to contact other authorities to learn their rights before working abroad. About Estonian Labour Inspectorate you can find help and materials www.ti.ee. Also our OSH portal has gathered all the labour relation and OSH campaigns and produced materials, videos and also general information to help people – www.tooelu.ee. The sight is now in Estonian but durning next year it will be translated to English.

2. Information exchanges with the other MS

Forwarding the information and queries about the posted workers in Estonia are done through the Estonian Labour Inspection, which is the contact institution between Member States as supervision body. Contact person in Estonian Labour Inspection is the Labour Relations Department chief lawyer. As much as possible, the information exchanges are done by IMI system, but some requests are addressed directly to the Estonian Labour Inspection director.

Member States requests are handled by the Labour Relations Department. Query is forwarded to labour inspectors to find out circumstances, to carry an investigation on the company and its employees and get answers. Chief lawyer reviews the material and prepare the answer to the requesting Member State.

Estonian Labour Inspection is a much tighter jurisdiction since the amendments introduced into the Employment Contracts Act of July1, 2009.

3. National partnerships

In Estonia, the co-operation does exist between the state agencies. We have started investigations using Estonian Tax Department's hints (see the case of self-employed - Estonian Labour Inspection). Also we have tight relations with Estonian Police, Social Security Fund, Estonian Tax Department, Unemployment Insurance Fund, Employment Agency and many others.

In Estonia, labour inspection has access to Tax Department's information about registered taxes, which are declared by the employers. Tax Department and the other authorities have no access to the Estonian Inspection data base.

4. A shared tool

2015 1. of July Estonian Tax Department got ready the system of employees register. Such a system is obligating the employers to register the new employees before they start to work. That kind of system is helping the supervision and also locating the data of employees into one tool. Such a register was designed to respond the need to deal with massive circulation of “anonymous” employees or “black labour” including in the construction sector. As a first setback we have seen massive volunteer work registration. Labour Inspectorate has also access to the employees register and can use the tool during inspections.

So far, employers in Estonia must fulfil A1 form in Social Security Department if they post employees. Such information has given us important overview of posted employees’ movements between countries but that is not an electronic database and Labour Inspectorate does not have straight access to it. Information can be shared through requests.