

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:

Mrs. Liis Naaber-Kalm

Chief Lawyer

Labour Relations Department

Labour Inspectorate of Estonia

29 Gonsiori Str,

10147Tallinn,

ESTONIA

liis.naaber@ti.ee

Information on working in Estonia

- Töötervishoiu ja tööohutuse seadus, <https://www.riigiteataja.ee/akt/106072012060>

Translation: Occupational Health and Safety Act, see

<http://www.legaltext.ee/et/andmebaas/ava.asp?m=022>

- Töölepinguseadus, <https://www.riigiteataja.ee/akt/122122012030>

Employment Contracts Act,

<http://www.legaltext.ee/et/andmebaas/ava.asp?m=022>

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

Gender Equality Act, see

<http://www.legaltext.ee/et/andmebaas/ava.asp?m=022>

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 Estonian language material to let employees know their rights who are heading to work in Finland. Also we guide them to contact other authorities to learn their rights before working abroad. On Estonian Labour Inspection website, we have internet links for such information -

<http://www.tooelu.ee/et/teemad/paindlikud-toovoimalused/lahetatud-tootajad> .

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 at the regional level 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, 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

We have planned to put in place a register of employees at the Estonian Tax Department. Such a system would obligate the employers to register the new employees before they start to work. On first quarter of 2013, specific nuances have been discussed and the register should be active from 2014. State agencies will use the same data base as needed and the data duplication will be avoided. The tool is designed primarily to collect state taxes and the registration of employees to the electronic register would be one of the possibilities of this new data base. Such a register will respond to the need for massive circulation of "anonymous" employees or "black labour environment" including the construction sector.

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.