

postcare 2.0

Informing the Care Services Workers on Posting Rules

Report in the activities of the Information Centers in Lithuania¹⁰ of

_ November 2023

As did the centers function?

The center was lying in 5-301 Uloų gram., Vilnius, in the campus of the LTU "Solidarumas". A free direct line was installed. Tel.: +37067637022.

That gentle of questions did the Center receive? WHO asked them?

Most of the calls were made by drivers and construction workers. The main problems identified by them were violations of the Labour Code of the Republic of Lithuania. The calls made by nurse/care workers were not so numerous.

These were mainly Lithuanian citizens (women) living and working in Lithuania, mainly in nursing homes and nursing homes. The questions they asked were mainly related to working conditions, workloads, work schedules, etc. The caregivers /nurses who called the Center were also interested in how to establish creating a union and what a union can do for them. Questions also arose about how to find a job in Norway and Germany. Virtually no third-country nationals interested in careful work in Lithuania. Although there is already a shortage of 3,000 nurses and care assistants, the need for nurses and care assistants will only increase with the implementation of long-term care reform, especially when he arrives to take care of the sick, the disabled, or old man in home.

As can you get a legal job?

If you intend to stay in Lithuania for less than a year, you can obtain a national visa. If you intend to stay longer, you should apply for a temporary residence permit (normally 2 years, 3 years for highly qualified people workers, with the possibility of renewing it later). You can apply for a multiple entry national visa to duration of the exam of the application for temporary home permission. However, without a valid home permission, you'll not be covered by health insurance. A foreigner can work only for the employer who commits to use her/his and



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carry out only the job function for which he was employed by said employer, except for the exceptions specified in the Law of the Republic of Lithuania in the Legal State of Foreigners.

In each case, if you pretend to change his employer either job function in Lithuania, we recommend that you request a consultation at the Immigration Department dependent on the Ministry of the Interior of the Republic of Lithuania about the possibility of changing employers or job functions so that your work in Lithuania is not considered illegal, and to get an answer as to whether it is not obliged to apply for permission to change the employer or your job work in your specific case.

As ought obedient publication of workers be transported outside?

When an employee is sent by a company registered in the Republic of Lithuania to provide services to a foreign employer, the secondment procedure (notification to the foreign competent authorities about the assignment of the employee and the minimum terms and conditions of employment applicable to the seconded employee during the period of secondment) must be transported outside in accordance with the provisions of the legal acts of the corresponding foreign State or of the provisions of collective agreements of general application. agreements, and not following the provisions of the laws and regulations of The Republic of Lithuania.

It should be noted that long-distance drivers are not subject to general Lithuanian or foreign provisions. in labor And resting time, but to international legal rules regular the peculiarities of the labor and rest time for drivers, while the rest of the requirements related to the movement of workers (notification of the work of drivers in the country of employment to the competent authorities of the country in question, and the obligation to apply the minimum wage conditions set by the foreign country) are subject to the legislation of the respective



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countries or the universally applicable collective agreements.

Information in working conditions and publication procedures in foreign countries is provided by the link office in the country concerned, which is responsible of Provide information in destination issues:

http://europa.eu/youreurope/citizens/national-contact-points/index_en.htm?topic=work&contacts=id-611492_

LEGALITY OF AWARE FROM THE WORKERS EMPLOYMENT IN LITHUANIA

Article 56 of the Law on Employment of the Republic of Lithuania stipulates that companies that operate in the Republic of Lithuania that have accepted third country nationals sent by foreign companies to Temporary workers are responsible for the legality of the work of these employees in Lithuania. An employer (the sending foreign company) will not be considered to have violated the provisions of the previous Law if the following conditions were met when employing a third-country national: at the latest one worker one day before the scheduled date for the conclusion of the employment contract, a residence permit in the Republic of Lithuania or other document giving the right to stay or reside in the Republic of Lithuania, and permission to work in the Republic of Lithuania were obtained. In the order of the Lithuanian host company, after he has received information of the sending foreign company in the beginning of the

Third country national work in the Republic of Lithuania, the sending foreign company must deliver to the Lithuanian host company the documents in its possession relative to the legality of the employees work.

In the case of a Third country national (including as to temporary worker) of other European Union country that is the holder of a residence permit or national visa issued by a country of the European Union and that is seconded to service contract between the companies:

- may be published for a maximum of 90 calendar days (Article 11, paragraph 5, of the Law of the Republic of Lithuania on the Legal State of



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- aliens (onwards called he "LSA"));
- No work permit is required Yeah a A1 certificate is celebrated (Article 58(6) of he LSA Law);
 - Notification from the posting company (Member State of the European Union) to the State Labor Office. Inspectorate (Yeah he period of destination exceeds 30 days either Yeah construction Work is involved);
 - to notification of he host Lithuanian company (notifications about he foreign labor inLithuania (LUD notifications)
 - documents required in he place of work of he aware worker - employment contract, service contract, A1 certificate, order or dispatch by mail, document proving legal presence in Lithuania;
 - Yeah he destination exceeds 90 calendar days, to Lithuanian national visa, and temporary homepermission in Lithuania are required.

Yeah to third country national is aware of to third country, he she has to obtain to work permission (Article 57(1) (6) of he LSA Law).

If the authorities controlling illegal work determine that a foreigner assigned to a Lithuanian company is working illegally, the Lithuanian company that receives the employees receives a fine of 868 to 2,896 euros according to the procedure prescribed by this Law for each illegally employed third-country national, except for the case where the contractor (the receiving Lithuanian company) has requested the subcontractor (the posting of a foreign company) in writing to provide the employment documents of the third country national specified above and has taken measures to verify its veracity. Furthermore, if it is established that the displaced third-country national works illegally, the host company will be subsidiarily responsible for the costs of the salaries to be paid to the illegal employee foreigner and he costs of abroad return.



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That are he problems with he March of he laboratories?

He major problem for the operation of the laboratories is he lack of money.

Ongoing funding is essential to keep he laboratories run.



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