

Report on the work of the Online Information Center

The OIC is published on the website of the Union of Health and Social Assistance Workers of Serbia, the Union of Health and Social Assistance Workers of Belgrade.

Initially, there were no questions or interaction regarding the OIC. To make it generally known that there is an ICO on the website, we organized a meeting, a workshop with participants who we estimate could be interested in the topic of the referred workers, as well as those who want to work in third countries and those who work in the assistance sector, as well as business representatives. After that, the questions started coming.

During August 4 questions arrived. All questions were answered as soon as possible and the following questions were asked and answered:

Ask:

Dear, Do I have the status of a referred employee if I go to an agency?

The answer:

Dear Sir or Madam: If the Agency is registered in your country and sends you to work in a third country, you have the status of designated worker. If the Agency is registered in the country where you will carry out your work activities, then you are not a designated employee.

Question: Am I entitled to a day off as an employee?

Answer: The assigned employee has the right to a day off in accordance with national legislation and the employment contract.

Question: Dear Sir, where can I find out about my rights as an employee working in Slovenia?

Answer: Dear Sir/Madam, Since Slovenia is a member of the EU, everything stated in the informant also applies to Slovenia. If you have any questions after becoming acquainted with the Informant, please contact us.

During the month of September, 6 people contacted us. Some asked several questions at the same time.

Question: Who guarantees the worker that the employer will comply with the minimum working conditions?



postcare 2.0

Informing the Care Services Workers on Posting Rules

Answer: It is understandable that you doubt the fulfillment of the agreement. As you can see in the Informer, you must contact the competent inspections. It would be useful to join one of the unions in the country of work and in that case enjoy their protection.

Question: UKCS Worker: What is the limit on overtime ie hours?

Answer: Overtime is regulated by national legislation, so it depends on the country where the work is performed. The bottom line is that all overtime must be paid. You should familiarize yourself with your rights through the Informant, so that you do not know your rights.

Question: Dear Sirs/Madams:

1. Does a posted worker from our country voluntarily decide if he or she wants to be posted to an EU country and for how long, or is it the employer's decision?
2. After a maximum stay of 12+6 months, does the posted worker have the right to remain in the country to which he was sent without consequences from the employer, if he finds a job in his profession?
3. Is there any service in Serbia that provides a permanent information service to the referred workers, if a problem arises that they do not know how to solve, or is it the exclusive responsibility of the services of the host country?

The answer: The employer can send the worker to work in third countries if he has registered such activity and the need for that work ceases in Serbia.

If after the deadline for posting the worker wishes to remain in a third country, they must seek solutions under the national legislation of the place where they are employed and the place where they were posted. If there is consent, the employee can receive unpaid leave and continue working in their own organization in a third country if they have obtained a work permit there. Otherwise you could come under the influence of the legislation of a third country. There are tipsters online.

Question: When establishing an employment relationship, how much is the right to minimum annual leave?

Answer: Annual leave is in accordance with national legislation, the collective agreement and the employment contract. It varies from country to country. In any case, a posted worker should have the same rights as a domestic worker.

1. **Ask:** Dear Sir/Madam, My question concerns referred workers in the field of health and care and assistance services, and concerns the referral of a health worker and the extension of the contract: Does a health worker referred to work only by a health professional? institution and a temporary employment agency, or can the worker



postcare 2.0

Informing the Care Services Workers on Posting Rules

himself go somewhere? report to (another place) without referring to the institution or agency, and

2. Is it possible to extend the contract to stay longer than 12+6 months, and if it can be extended, what is the worker's situation?

The answer: The referred worker has referral status only if he or she is referred by the employer or the Temporary Work Agency. Any form of self-employment is possible through an agency in a third country or directly with an employer in a third country, in which case the employee decides for himself on the selection of job offers. At the same time, you must have a work permit that defines the employee's status, that is, the duration of his employment.

Ask:

1. Will workers in our non-EU country have difficulties compared to workers in EU countries?

2. In which country do you do your internship, ours or the one in which you will work?

Answer: If a seconded worker encounters difficulties and discrimination, he or she has the right to apply to the competent labor inspectorate of the country where he or she is temporarily seconded. You have the right to a career regulated by the Employment Contract.

During the month of October, 11 people contacted us.

Question: What about the job referred by the company in the country of origin and how many times can I apply?

Answer: Referred worker means you are employed in your own country and sent to work in a third country. This is your employment relationship and you do your work in a third country. It can be sent as many times as the employer needs.

Question: Dear Sir/Madam, How do the European Union directives apply to posted workers from non-EU countries? Can they be displaced workers?

Answer: The directives also apply to third countries and were adopted for them due to the need for labor from other countries. Workers are sent precisely from these countries.

Ask:

1. Dear Sir/Madam, The information provided in the information sheet is very precise, but I would like to know in more detail what the legal rules are in case of permanent inability to work.
2. If the need for a worker lasts more than 18 months, what is their future situation? Are accommodation, transportation and food expenses still borne by the employer?

Answer: According to the regulations that regulate this matter, it is not possible for the employer to extend training for more than 18 months without interruption. All other rights arise in accordance with the contract concluded with the employer.

Question: Are overtime limited to the minimum wage?

Answer: Overtime has nothing to do with profits. The duration of overtime is regulated by the employment contract and the laws of the countries of employment and employment. Of course, you have to pay overtime.



postcare 2.0

Informing the Care Services Workers on Posting Rules

Question: In which countries does the Collective Agreement regarding minimum wages apply?

Answer: The minimum wage is regulated by law. Which law will apply, the country of origin of the worker or the referral depends on the contract between the employee and the referring employer.

Question: What is the maximum number of overtime hours that can be earned in a month?

Answer: The amount of overtime depends on the laws of the country and is different in different countries.

Ask:

1. The information provided in the information sheet is very accurate, but I would like to know more about the legal rules in case of permanent work incapacity.
2. If the need for a worker lasts more than 18 months, what is their future situation? Are accommodation, transportation and food expenses still borne by the employer?

Answer: Each country to which the worker travels has its own national legislation that regulates this issue.

Question: Does the transnational association provide for family reunification after the period that the worker spends in the EU States has elapsed and the employer extends the health worker's work?

Answer: Such an institute is not foreseen in the field of training, because the training has a limited duration and involves returning to the country of origin.

Question: In relation to the information I received when reading the Informant, I would like to ask two questions:

1. During the worker's stay in the country that received him, is the employee's seniority and other obligations complied with in the country where he or she comes from? ? posted stay still?
2. Are labor (income) taxes paid personally by the referred worker or by the company-agency that refers him/her? How is the tax payable calculated? Is it possible to deduct taxes from personal income?

Answer: Both issues are regulated between the employer and the employee, which is referred to in a mutual contract.

Ask:



postcare 2.0

Informing the Care Services Workers on Posting Rules

1. Can the posted worker choose the host country or does he determine the country of work himself?

2. What happens after finishing the extended 12 and 6 months of work?

Answer: The employer sends the employee to the country where his employment is necessary.

After 18 months, you must return to your home country.

Question: Dear Sir or Madam, Could you explain the difference between posted workers and migrant workers?

Answer: The referred worker has an established employment relationship in their country and the employer refers them for work. Immigrants are independent people . referring to some the country .

The examination was also carried out by phone calls in different climate periods beginning from the the beginning publication Informant about him place . Questions we were worried _ conditions work but first of all Profits . It was also _ interested cases _ people They are looking for recommendation For Agencies For shooting . Of conversations are discovered that they are interested already labor engaged people in the sector public health in serbia as well as areas social protect that is care _ Finished we are that reason like this Interests want For better winning .

Surprised we have to be less interest unemployed people a table we interpret assuming they don't want to alive works to realize .

