



# Department of Industrial and Employment Relations - Malta

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## Notification of a Posted Worker to Malta

(In terms of S.L. 452.82)

### Details of Posting

Name of the undertaking / placement agency posting the worker to Malta:

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Address of undertaking posting / placement agency the worker to Malta:

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Tel/Fax: ..... E-mail:.....

Address of the undertaking in Malta, to which the worker is to be posted:

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Type of work to be carried out by the posted worker:

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Date of commencement of posting to Malta: .....

Anticipated termination date of posting to Malta: .....

### Details of Posted Worker

Name: .....

Date of Birth: ..... Nationality: .....

Type of Identification: ..... Identification no.: .....

Personal address in the country where the worker habitually carries out his work:

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.....

Number of documents attached:

*(Overleaf please find information about documents that are to be supplied with this form and other relevant information on posting of workers to Malta).*

Signature of Employer: ..... Name of Employer: .....

Date of Notification: .....

## Relevant Documents Required

Attach to this form a copy of a document (contract of employment or a statement signed by the employer) containing the information which is to be provided to the employee, namely:

- a) the name, registration number and registered place of business of the employer and the identity card number, sex and address of the employee and the place of work;
- b) the date of commencement of employment;
- c) the period of probation;
- d) normal rates of wages payable;
- e) the overtime rates of wages payable;
- f) the normal hours of work;
- g) the periodicity of wage payments;
- h) in the case of a fixed term contract of employment, the expected or agreed duration of the contract period;
- i) the paid holidays, and the vacation, sick and other leave to which the employee is entitled;
- j) the conditions under which fines may be imposed by the employer;
- k) the title, grade, nature or category of the work for which the employee is employed;
- l) the notice periods to be observed by the employer and the employee should it be the case;
- m) the collective agreement, if any, governing the employee's conditions of work; and
- n) any other relevant or applicable condition of employment

**In the case of a worker being posted to provide TRAINING with an undertaking in Malta, and the posting period does not exceed an aggregate period of 20 working days over one year, commencing from the initiated date of posting to Malta, only (a), (b), (f), (h) and (k) are required.**

## Other Relevant Information

### Posted Employee

A posted employee is defined as an employee of a foreign undertaking who does not normally work in Malta but who for a limited period of time is sent by the foreign undertaking to work in Malta.

### Purpose

This notification and the requested information herein are required in terms of the Posting of Workers in Malta Regulations (S.L. 452.82). An undertaking posting a worker to Malta shall notify, through this form, the Director of Industrial and Employment Relations of its intention to post a worker to Malta. This notification is to be forwarded to the Director of Industrial and Employment Relations, Department of Industrial and Employment Relations, 121, Melita Street, Valletta, VLT 2000, or sent electronically or by fax, prior to the date of posting the worker.

### Applicability

This form should be completed when a foreign undertaking is:

- a) sending a posted employee to Malta on its own account and under its direction, under a contract concluded between the undertaking and the party for whom the services are intended, provided there is an employment relationship between the undertaking and the worker during the period of posting; or
- b) sending posted employees to an establishment or to an undertaking in Malta which is owned by the foreign undertaking, provided there is an employment relationship between the undertaking and the worker during the period of posting; or
- c) a temporary employment undertaking or a placement agency, hiring out a worker to a user undertaking established or operating in Malta, provided there is an employment relationship between the temporary employment undertaking, or placement agency, and the worker during the period of posting.

### IMPORTANT

**A copy of the notification, including all its annexes, is to be kept at the undertaking in Malta making use of the services of the posted worker.**

**Privacy Policy, Department of Industrial and Employment Relations:** In accordance with the Data Protection Act (Cap. 440), all the information requested is in line with the *Posting of Workers in Malta Regulations* (S.L. 452.82) and for issuing statistical information in this regard. All data is to be used by the department and where necessary it may be shared with other authorities as authorised by law. You have the right to access and amend your personal data. Any queries regarding the Privacy Policy are to be addressed to: Department of Industrial and Employment Relations, 121, Melita Street, Valletta. Tel: +356 21224209.