

## **Guidance Notes on how to complete the Declaration Form**

**Note: It is important that all sections of the Form of Declaration are completed.**

### ***Name and Address of Service Provider***

The Name and Address of the Employer or the Company posting the worker to Ireland. Please include the Post Code and the Country.

### ***Name and Address of Contact Person***

The name and address of the person submitting the Form of Declaration OR the person designated by the employer to liaise with the Labour Inspection Services in Ireland.

### ***Work Location***

The Address in Ireland where the worker will be posted / where the worker will be performing his / her work.

### ***Employee Name, Address and Date of Birth***

The address required is the address at which the employee normally resides in the sending State.

### ***Social Security Number***

The Employees Social Security Number in the sending State. **PASSPORT NUMBERS ARE NOT ACCEPTABLE.**

### ***Job Description/Job Title and Nationality***

Enter the employees Job Description/ Job Title and Nationality.

### ***(Non – EEA National) Employment Permit held (Y/N)***

If applicable, please provide details of the Employment Permit Held

### ***Start Date – Projected End Date***

The Employees Start date and projected end date working in Ireland.

### ***Gross Weekly Pay***

Exclusive of any Board and Lodgings / Expense Payments

## ***Total of Weekly Hours Worked (In Ireland)***

An average is acceptable if the weekly total varies.

Please see the following link regarding the average maximum working week

[https://www.workplacerelations.ie/en/what\\_you\\_should\\_know/hours-and-wages/](https://www.workplacerelations.ie/en/what_you_should_know/hours-and-wages/)

## ***Gross Hourly Rate of Pay***

[https://www.workplacerelations.ie/en/what\\_you\\_should\\_know/hours-and-wages/sectoral%20employment%20orders/](https://www.workplacerelations.ie/en/what_you_should_know/hours-and-wages/sectoral%20employment%20orders/)

## **Posted Worker Form of Declaration**

### **What is a 'Posted Worker'?**

A 'Posted Worker' is an employee who normally works in another EU Member State, but for a limited period, carries out his or her employment duties in Ireland.

### **Am I legally required to submit a Form of Declaration?**

Yes. A Form of Declaration is required from the Employer in respect of any employee travelling to Ireland to work, from another EU country.

### **What happens if I don't submit a Form of Declaration?**

Failure to submit a Form of Declaration is a criminal offence. A fine of up to €5,000 may be imposed upon summary conviction.

### **When do I need to complete this form?**

The Form of Declaration must be submitted no later than the date on which the employee commences work in Ireland.

### **Is there a minimum period that doesn't require a Form of Declaration?**

No. However, this is currently under review.

### **What do I do if the posting is extended?**

If a posting is extended beyond the projected end date contained on the Form of Declaration submitted, an amended Form of Declaration or a further Form of Declaration is required containing the new end date for the posting.

**What happens to my form?**

The information is held by the WRC. The WRC may refer to the form if it is decided to inspect the employer for compliance with Irish employment law obligations.