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Ministry of Labour, Social Affairs and Family of the Slovak Republic

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Posting

Employees sent by a Slovak employer to another Member State to perform work there on the employer's behalf continue to be subject to the legislation of the posting Member State in accordance with a **special rule**, i.e. the Slovak social security system. Such cases are referred to as 'posting'.

It is a condition of posting that the expected duration of the work does not exceed 24 months and that the person is not being posted to replace another person who has completed their period of posting [Article 12 of Regulation 883/04]. This rule is in place to facilitate the free movement of persons, to preserve the continuity of the duration of social security in one country and to eliminate the administrative burden of registering in another social security system.

Similar provisions apply to self-employed persons when posting. A self-employed person may be posted provided that they carry out a similar activity in the other Member State to that normally carried out in the Slovak Republic and the expected duration of that activity does not exceed 24 months. The self-employed person must maintain conditions allowing the continuation of the activity after their return in the Slovak Republic, even during their posting (e.g. maintenance of an office or premises for carrying out the self-employed activity, payment of contributions to the Social Insurance Agency, payment of tax contributions, continuing registration in a professional association or the commercial register).

During posting to another Member State, employed/self-employed persons must present the portable document A1 as required. This will be issued by the competent branch of the Social Insurance Agency on the basis of an application (submitted in good time before the posting) and the fulfilment of the required conditions.

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