12 November 2026

INFORMATION SEMINAR - ADVISING EMPLOYERS ON POSTING IN THE EU

Focus on Road Transport



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2026 deliverables for undertakings

Guidelines

Enforcement guidelines on posting of drivers.

E-courses on tachographs

Supporting driving and rest time enforcement: one published, one in December, one next year.

European Labour Authority YouTube channel

Recordings of the LCV information session in 23 EU languages.
Recordings of information sessions on posting and on the RTPD portal.

ELA GUIDELINES ON ENFORCEMENT OF POSTING RULES AND REMUNERATION OF POSTED DRIVERS IN ROAD TRANSPORT SECTOR

2025 - 2027

IMPROVE

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PARTNERS

Member States

European Commission
DG MOVE
DG GROW
DG EMPL

Road Transport operators

Social Partners

- **more than 800 participants from all Member States registered**

GUDELINES – THREE PARTS

PART 1

CONTROLS OF POSTING OF DRIVERS

PART 2

DOCUMENTATION PROVING POSTING SITUATION

PART 3

DOCUMENTS RELATED TO THE REMUNERATION

GUDELINES – THREE PARTS

PART 1

CONTROLS OF POSTING OF DRIVERS

PART 2

DOCUMENTATION PROVING POSTING SITUATION



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GUIDELINES

Categories of drivers subject to posting of drivers and/or posting of workers' rules

Make sure you distinguish between:

1. **Drivers covered by the posting of drivers rules according to Directive (EU) 2020/1057 and general posting of workers directives (96/71/EC, 2014/67/EU).**

   . Drivers employed directly by the operators (drivers have an employment contract with the operator), performing an operation covered by posting of drivers rules (for more details see TRACE 2-Posting of drivers or scenarios in the context of transport of good and passengers).

      » Obliged to have a posting declaration submitted via RTPD portal.

      » The name of the employer is visible on the posting declaration (should be the same as the operator).

      » The employment contract can be requested during the back-office check.

2. **Drivers covered by the posting of workers rules according only to the general posting of workers directives (96/71/EC, 2014/67/EU).**

   . Drivers employed by a temporary employment agency and assigned to the operator (drivers don't have an employment contract with the operator) to perform services in other Member States.
   Documents confirming the status: employment contract with a temporary employment agency containing an annex on temporary assignment to the operator:

      » Posting declaration must be submitted via a national posting notification system if required by the host member state.

      » The name of the employer is visible on the posting declaration (should not be the same as the operator).

      » The employment contract, inclusive of information/annexes concerning the temporary assignment, can be requested during the roadside check.

   . Drivers employed by a company within a group of companies and posted to an operator belonging to the same group (the driver does not have an employment contract with the operator) – intragroup posting.
   Documents confirming the status: employment contract with a different operator, which belongs to the same group and who is visible as an employer on the posting declaration (often visible as a company having similar name).

      » Posting declaration must be submitted via a national posting notification system if required by the host member state.

      » The employment contract, inclusive of information/annexes concerning the temporary assignment, can be requested during the roadside check.

3. **Drivers not covered by EU posting rules but subject to comparable national rules.**

   . Drivers employed by an operator from a third country (non-EU/EEA).
   Documents confirming the status: employment contract with the company established in the non-EU country.

4. **Drivers not covered by the posting rules.**

   . Self-employed drivers.
   Documents confirming the status: registration as a self-employed person (if required in the home Member State), PD A1 for self-employed person, or a community licence issued in the name of the self-employed driver or his/her company name accompanied by a proof of the ownership.

   . Drivers performing own-account operation in specific cases (e.g. if no service is provided by the operator).

Reminder: *each of these categories falls under a different legislation, which creates different obligations for the operator and/or the driver's employer.*

This document applies only to the category of drivers under point 1: posted and employed directly by the operator.

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GUIDELINES

Step A: Pre-posting obligations

For operators and/or drivers

Submit a declaration to every MS where the driver will be posted via RTPD portal - https://www.postingdeclaration.eu/landing - before posting (at the latest at the beginning of the posting period).

The posting declaration may cover a **minimum period of 1 day up to a maximum period of 6 months**. In order to submit a posting declaration for your driver(s), you have to first:

- create an EU Login;
- create an account at the RTPD portal;
- register drivers' profiles.

Make sure, that all the information in the posting declaration is up to date.

Step B: Roadside check

The control at the roadside may be the **first step of the control of the posting**. After the roadside check, the control may continue in the back-office to verify that the right remuneration was paid to the driver.

For control authorities

Before asking for a posting declaration generated via IMI RTPD Portal, make sure that the driver:

- **is posted to your country** (for more details see TRACE 2-Posting of drivers or scenarios in the context of transport of good and passengers).

Drivers who are not posted shall not be requested to provide a posting declaration.

Be aware about **various categories of drivers** as described in the **Introductory remarks**, as some of the drivers may not be obliged to have a posting declaration generated through RTPD Portal.

For operators and/or drivers

If the **driver is employed directly by you and is posted**, make sure that the driver:

- is provided with a posting declaration;
- is aware of the obligation to present it/ has it with him/her.

For the **purpose of controlling posting a driver**, in line with Directive (EU) 2020/1057, **is required to present 3 types of the documents at the roadside check** in a paper or electronic form:

- **evidence of the transport operations** taking place in the host Member State, such as, for freight transport, a consignment note (CMR) or an electronic consignment note (e-CMR) or evidence referred to in Article 8(3) of Regulation (EC) No 1072/2009 / or, for passenger transport, an authorisation/ journey form;
- **tachograph records**, in case of which particularly important are the country symbols of the Member States in which the driver was present when carrying out international road transport operations or cabotage operations, in accordance with registration and record-keeping requirements under Regulations (EC) No 561/2006 and (EU) No 165/2014.
- In case the driver is posted: copy of the posting declaration submitted via RTPD Portal.

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GUIDELINES

Step D: Back-office checks of posting

Not resulting from a roadside check

In cases when the back-office check via IMI does not follow a roadside check and thus the authorities are not yet sure whether, despite having received a posting declaration, a driver is really posted to their country, it is recommended to start with a **step-by-step approach as described below**.

Request for documents from the operator

Given the operator's obligation to provide documents within 8-weeks from the date of the request, **the authorities can request all of the six documents listed in the IMI Posting Declaration module** via the IMI RTPD Portal. However, based on the provided response from the operator, **authorities are recommended to insist on obtaining only the documents that are necessary**, in accordance with the approach described below.

- **If the operator replies to the request for documents by saying that the driver was not present in the requesting Member State during the period indicated in the request:**
  - » the tachograph records must be submitted as a proof together with the reply. It would be helpful if the operator attached a short statement/note explaining the situation. The operator should reply and submit the mentioned documents as soon as possible, preferably within 14 days, to allow, should the need arise, for additional exchange within the 8-week period. In such a case, the authority may consider that the submission of the other requested documents is no longer required and may close the request.
- **If the operator states that the driver was present, but was not posted to the requesting Member State during the period indicated in the request:**
  - » the tachograph records as well as the consignment notes (freight transport)/journey forms/authorizations (passenger transport) covering the periods when the driver was present in the requesting Member State must be submitted. It would be helpful if the operator attaches short statement/note explaining the situation. The operator should reply as soon as possible, preferably within 14 days, to allow, should the need arise, for additional exchange within the 8-week period. In such a case, the authority may consider that the submission of the other requested documents is no longer required and may close the request.
- **When the verification of tachograph data and consignment notes/authorisation/journey forms proves posting in the requesting Member State:**
  - » the remaining four documents (employment contract, time sheets, remuneration documentation and proof of payment) referring to the actual period of posting must be submitted, in case they haven't been provided yet. The operator should reply as soon as possible, but no later than 8 weeks from the date of the initial request.

Failure to submit the requested documents to the host Member State within eight weeks from the date of the request constitutes a very serious infringement and **shall be communicated via ERRU**, to the authorities of the Member State of establishment.

Request for assistance of the Member State of establishment

For control authorities	For operators and/or drivers
If you are the HOST Member state: • If the **operator does not reply** to the request for documents within 8 weeks, submit a **request for assistance to the Member State of establishment** via the IMI RTPD module, in order to obtain the required documents from the operator.	**Reminder:** Failure to submit the requested document within 8 weeks gives the host Member State the option to request assistance from inspectorates of your Member State of establishment. In such a case, you may be contacted by the authority of your Member State of establishment and an

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GUIDELINES

PUBLICATION

- **IN PRODUCTION**
- **WWW.ELA.EUROPA.EU**
- **DISSEMINATION**
  - DIRECTLY VIA EMAILS
  - ELA NATIONAL LIAISON OFFICERS NETWORK
  - CIRCA BC
  - SOCIAL PARTNERS
  - SOCIAL MEDIA

GUDELINES – THREE PARTS

PART 3

DOCUMENTS RELATED TO THE REMUNERATION

ELA GUIDELINES VIS A VIS ELA REMUNERATION TOOL

ELA Guidelines

ENFORCEMENT

- clarifies the different elements of gross remuneration
- explains how to read and interpret different types of payslips
- supports verification of whether the operator has paid the remuneration due to posted drivers
- intended for enforcers

ELA Remuneration Tool

CALCULATION

- provides an overview of remuneration elements across EU Member States
- supports the calculation of the remuneration due in the host Member State during the posting period
- primarily intended for operators to calculate the remuneration for posted drivers

GUDELINES

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PART 4,5,6 …

BASIC E-LEARNING COURSES ON THE USE OF TACHOGRAPHS –

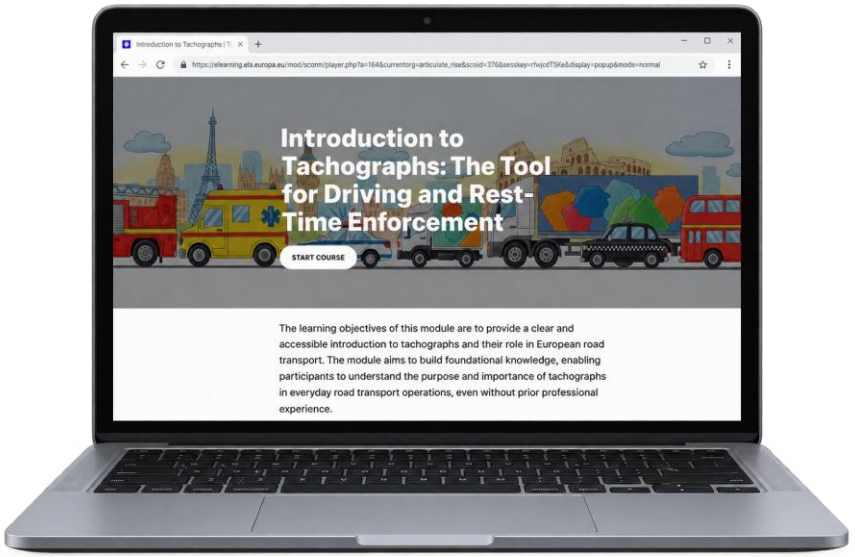
THE TOOL FOR DRIVING AND REST TIMES ENFORCEMENT

TRANSPORT SUPPORT

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SELF-PACED BASIC E-LEARNING COURSES

This initiative involves the creation of 3 E-LEARNING training courses tailored for general public:



1. *Introduction to Tachographs: The tool for Driving and Rest Time Enforcement* — **Published**
2. *Correct Use of Tachographs in Daily Practice: Supporting Compliance with Driving & Rest Time Rules (December 2026)* — **DEC 2026**
3. *Basic Guide to Tachograph Printouts: Supporting Driving & Rest Time Control* — **Q1-Q2 2027**

LIGHT VEHICLES. BIG CHANGES. HIGH LEVEL CONFERENCE WITH INFORMATION SESSION ON LIGHT COMMERCIAL VEHICLES

(30 June 2026, Brussels)

TRANSPORT SUPPORT

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LIGHT VEHICLES. BIG CHANGES.

High-level conference

Focus: Policy-level discussion on Mobility Package I, the extension of EU social rules to LCVs and drivers' working conditions

Who: Major EU institutions, social and transport attachés, social partners, sectoral organisations, counsellors from EEA countries, and countries involved in the remuneration tool pilot

Conclusions:

- Effective implementation requires strong cooperation between the EC, MSs and ELA
- Authorities need practical guidance and training, particularly on tachograph use.
- Greater use of digital tools and enforcement cooperation can support authorities in applying EU road transport social legislation

LCV information session

Focus: Practical guidance on the extension of EU road transport social rules to certain LCVs from 1 July 2026

Who: LCV drivers and operators engaged in international carriage of goods or cabotage, as well as sectoral organisations and trade unions

Conclusions:

- Strong demand for practical information, demonstrated by almost 7,600 viewers
- Clear guidance helps drivers and operators understand their obligations and support compliance
- **Recordings in 23 EU languages** published on ELA YouTube channel

Posting of Drivers' Rules



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European legislation applicable to posted drivers

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Posted Workers Directive (*Directive 96/71/EC with subsequent revision)*

- Terms & conditions of employment applicable to posted workers

Enforcement Directive (*Directive 2014/67/EU)*

- Framework for the control of posted workers

Lex Specialis (*Directive (EU) 2020/1057)*

- Detailed rules applicable to certain posted drivers

Posting rules based on type of transport operations

BILATERAL international transport operation	Operation from the Member State where the operator is established to another Member State or third country, or from another Member State or third country to the Member State of establishment
TRANSIT	Crossing a Member State without any loading or unloading
CROSS-TRADE (non-bilateral international transport operation)	Transport operations between two Member States or Member State and third country, none of which is the country of establishment of the operator carrying out these operations.
CABOTAGE	Domestic transport operations fully carried out on a territory of a Member State by an operator established in another Member State
UNLADEN journey	An empty run (no more goods on board the vehicle). An unladen journey is to be considered in conjunction with another, laden, journey.

Materials developed by the Member States and the European Commission

- TRACE 2 - Enforcement Guidance Document on Directive 2020/1057 – Posting of Drivers
- Scenarios in the context of transport of GOODS by road
- Scenarios in the context of transport of PASSENGERS by road

Obligations of the operator and the driver

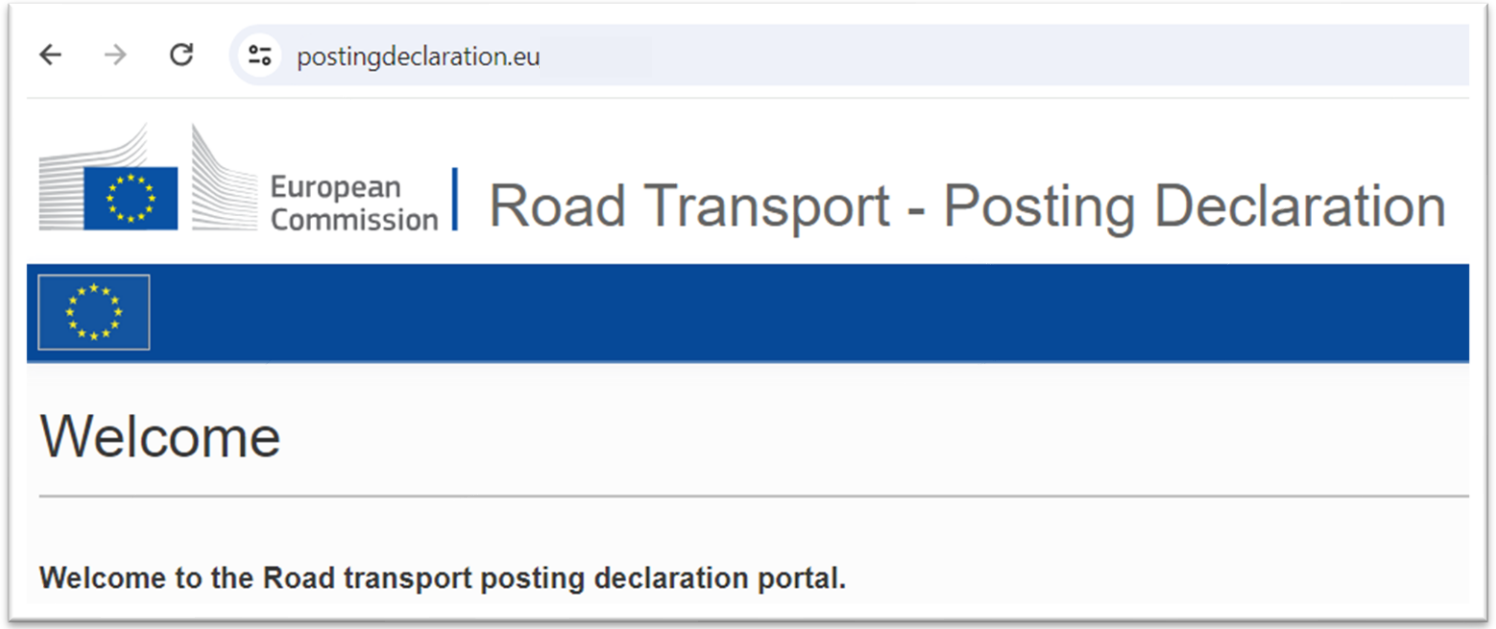


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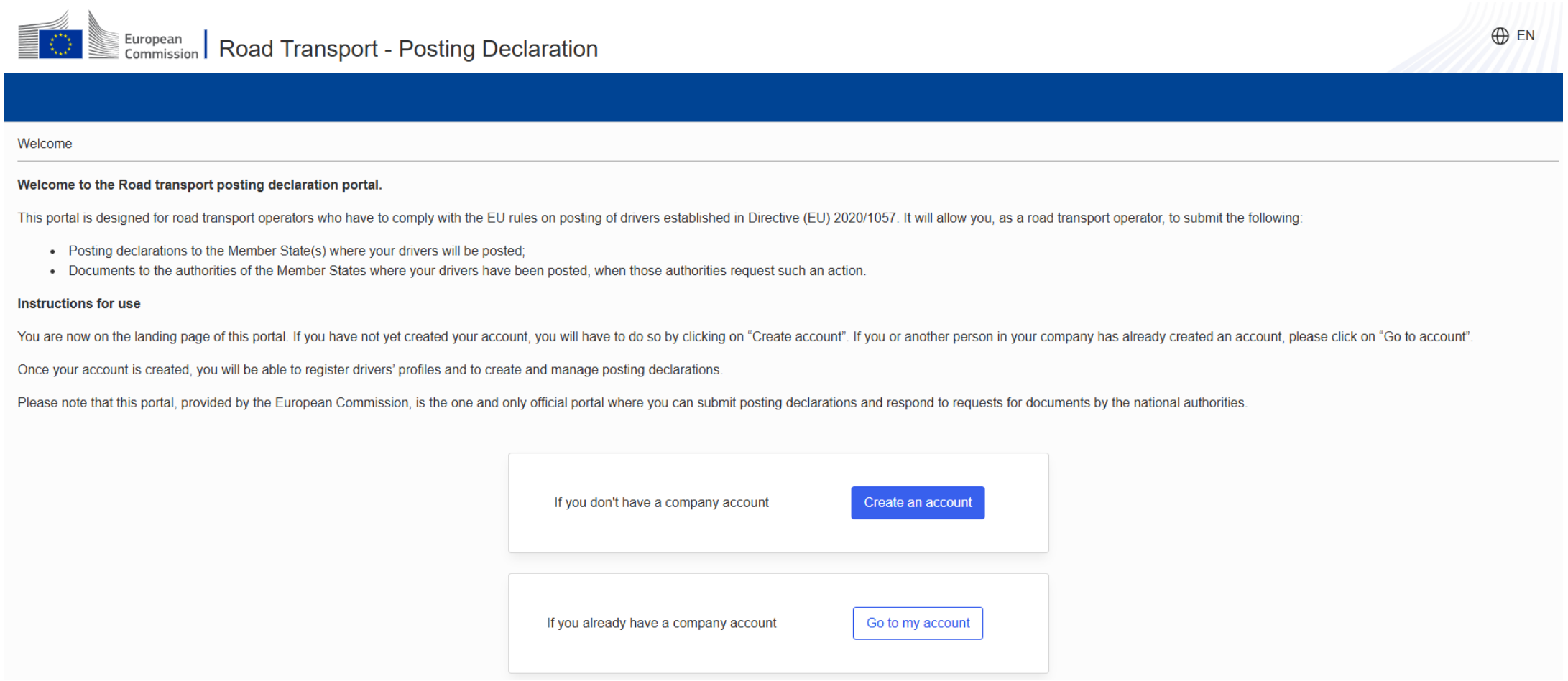
Obligations before posting

Before posting, the operator shall submit a posting declaration to the authorities of a Member State to which the driver is posted;

- at the latest at the commencement of the posting;
- using the multilingual public interface connected to the Internal Market Information (IMI) system;

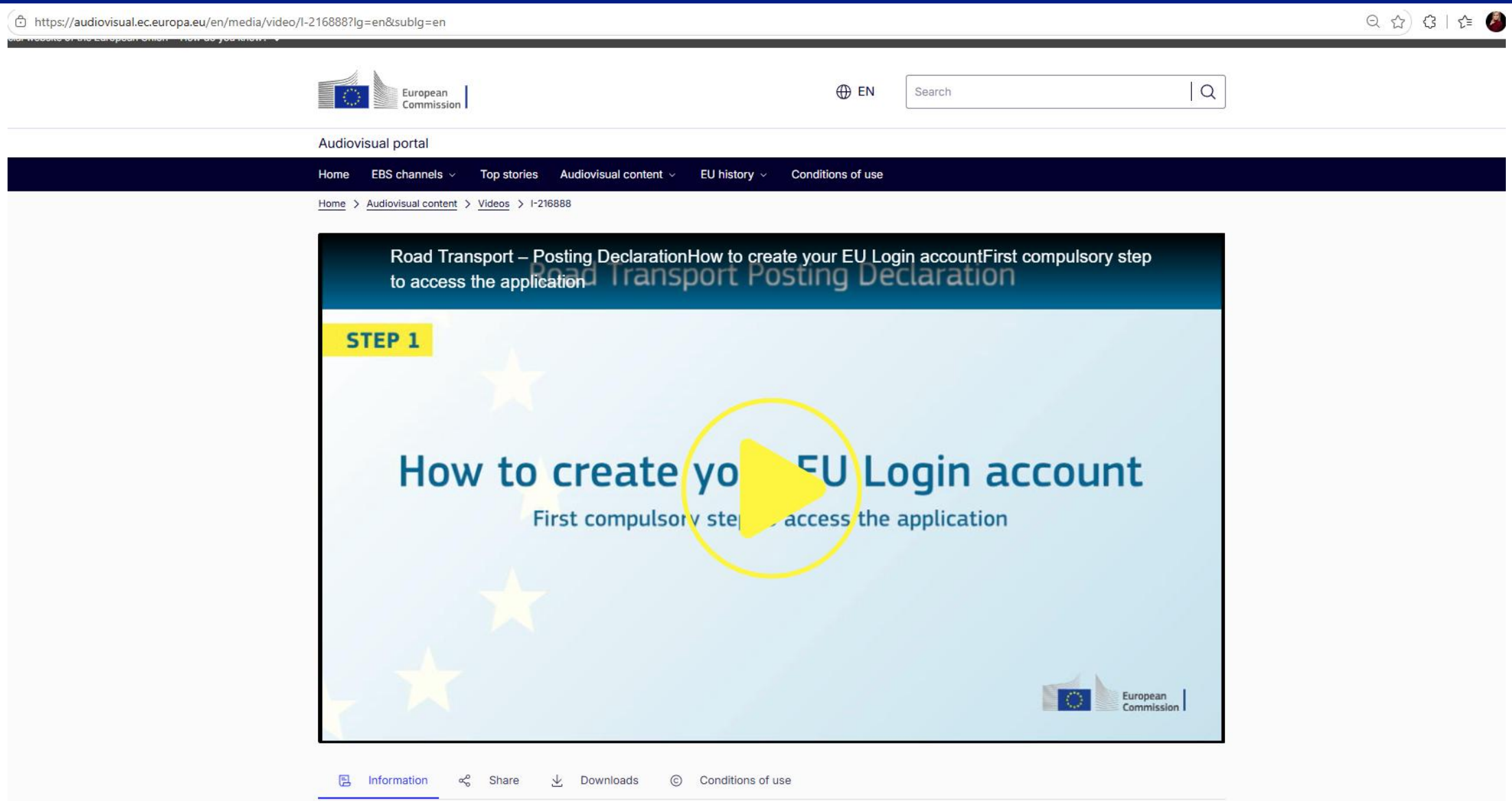


Road Transport – Posting Declaration Portal

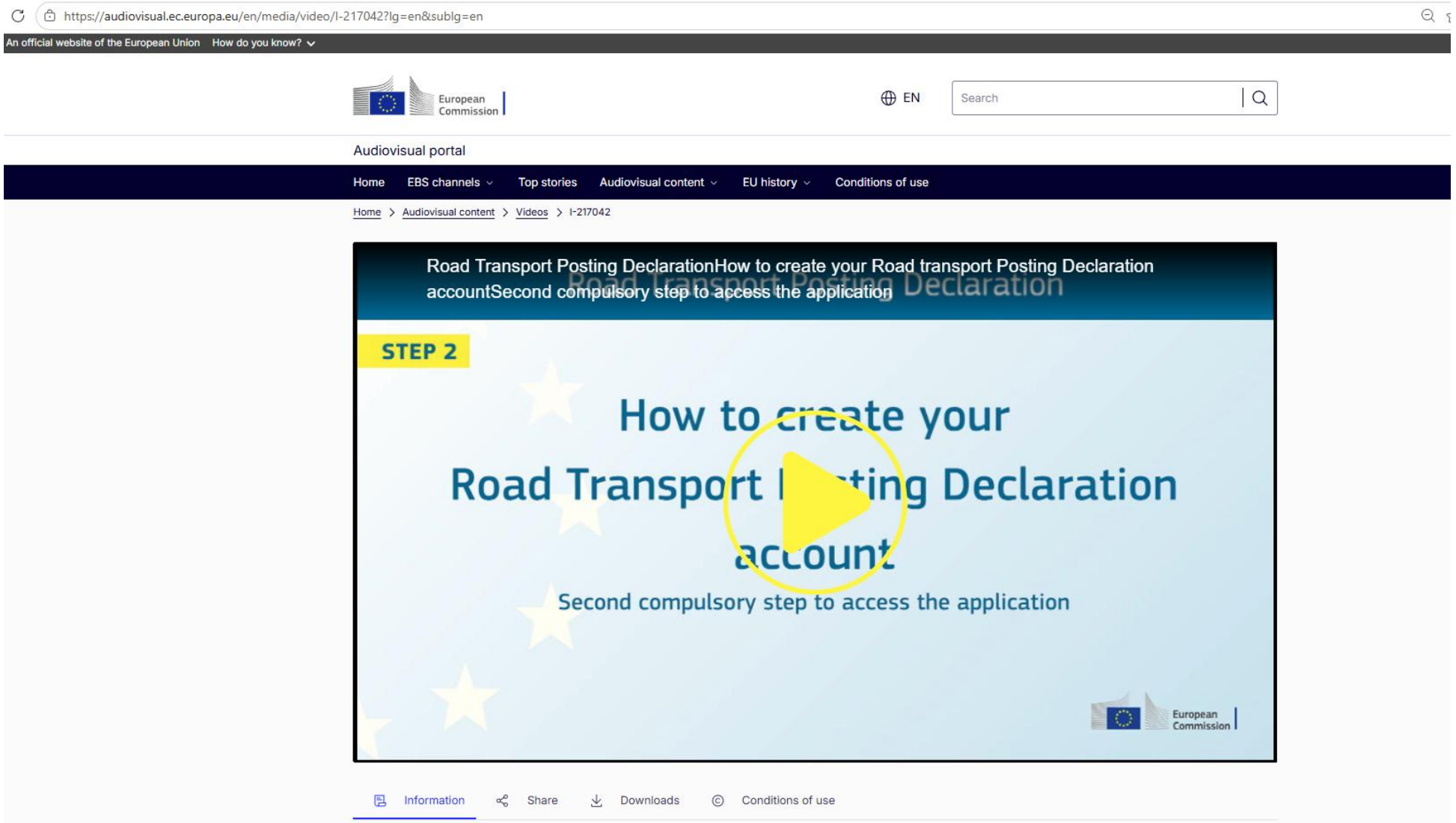


https://www.postingdeclaration.eu/landing

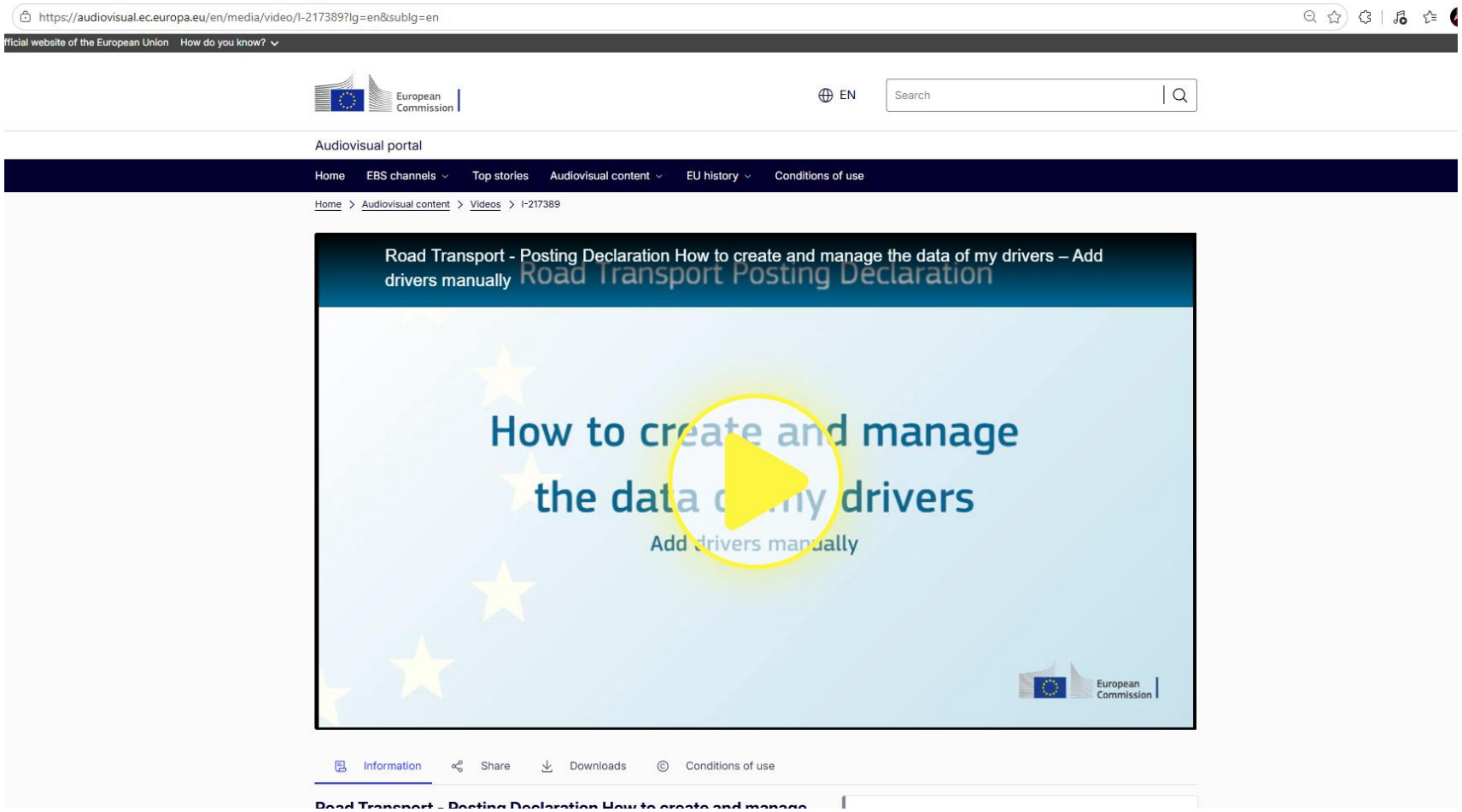
“How to" Video - STEP 1 EU login



“How to" Video - STEP 2: Creating an Account



“How to" Video – Driver Profile



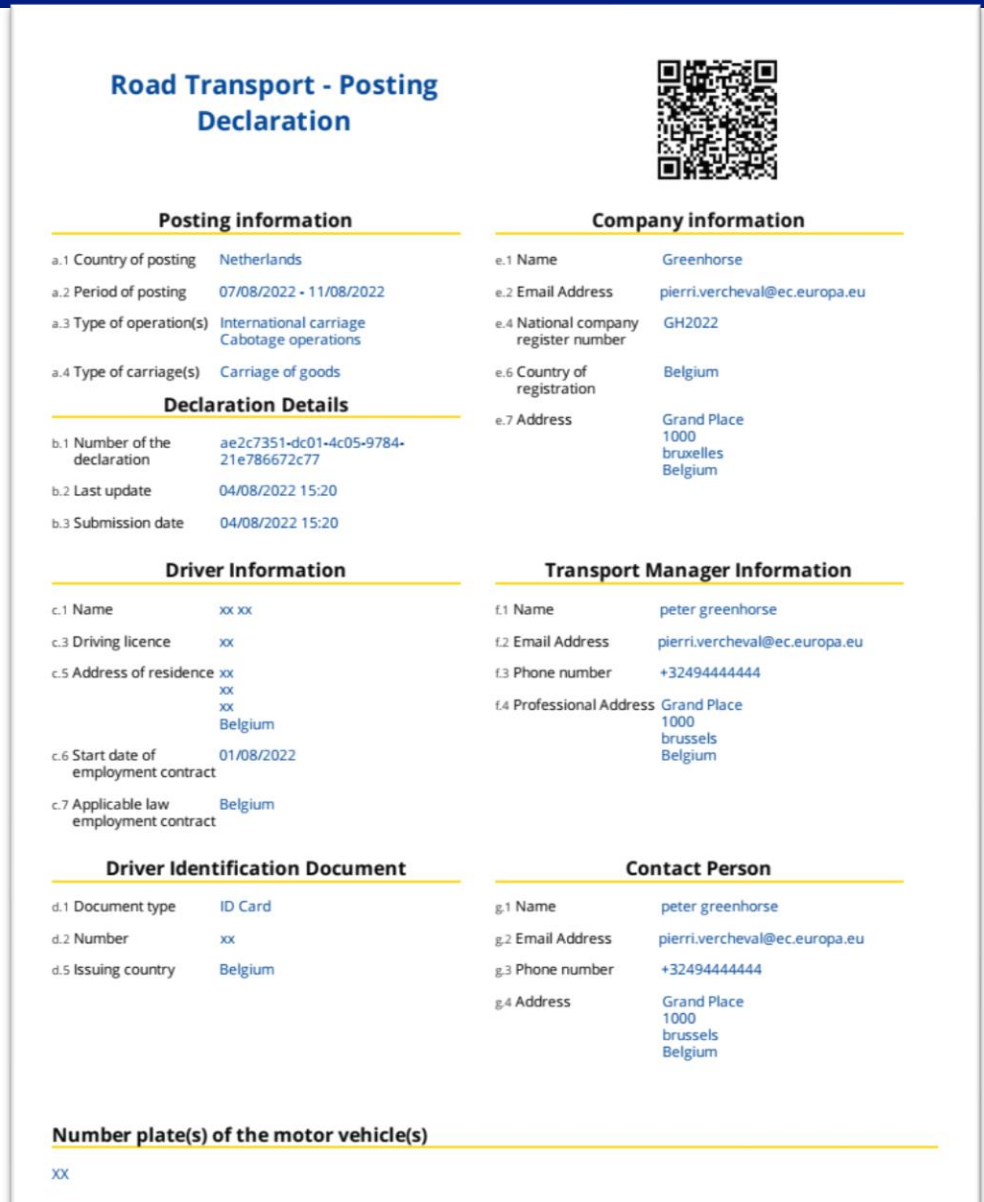
Number of operators and drivers registered in RTPD

MS	Number of operator registered for the country in 2024	Number of drivers registered for the operators in 2024
ITALY	1,874	23,342

Obligations of the driver and operator during posting

The operator is obliged to ensure that the driver has at his or her disposal in paper or electronic form and an obligation for the driver to keep and make available when requested at the roadside:

1. **copy of posting declaration submitted via public interface connected to IMI**



Road Transport - Posting Declaration

Posting information

a.1 Country of posting	Netherlands
a.2 Period of posting	07/08/2022 - 11/08/2022
a.3 Type of operation(s)	International carriage Cabotage operations
a.4 Type of carriage(s)	Carriage of goods

Declaration Details

b.1 Number of the declaration	ae2c7351-dc01-4c05-9784-21e786672c77
b.2 Last update	04/08/2022 15:20
b.3 Submission date	04/08/2022 15:20

Company information

e.1 Name	Greenhorse
e.2 Email Address	pierri.vercheval@ec.europa.eu
e.4 National company register number	GH2022
e.6 Country of registration	Belgium
e.7 Address	Grand Place 1000 bruxelles Belgium

Driver Information

c.1 Name	xx xx
c.3 Driving licence	xx
c.5 Address of residence	xx xx xx Belgium
c.6 Start date of employment contract	01/08/2022
c.7 Applicable law employment contract	Belgium

Transport Manager Information

f.1 Name	peter greenhorse
f.2 Email Address	pierri.vercheval@ec.europa.eu
f.3 Phone number	+32494444444
f.4 Professional Address	Grand Place 1000 brussels Belgium

Driver Identification Document

d.1 Document type	ID Card
d.2 Number	xx
d.5 Issuing country	Belgium

Contact Person

g.1 Name	peter greenhorse
g.2 Email Address	pierri.vercheval@ec.europa.eu
g.3 Phone number	+32494444444
g.4 Address	Grand Place 1000 brussels Belgium

Number plate(s) of the motor vehicle(s)

xx

Obligations of the driver and operator during posting

The operator is obliged to ensure that the driver has at his or her disposal in paper or electronic form and an obligation for the driver to keep and make available when requested at the roadside:

2. an evidence of the transport operations taking place in the host Member State, such as an electronic consignment note (e-CMR) or evidence referred to in Article 8(3) of Regulation (EC) No 1072/2009



Formats of evidence of the transport operation
From 9 July 2027

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*From **9 July 2027** operators can choose between the following evidence formats of the transport operation and enforcers are obliged to accept:*

CONSIGMENT NOTE

- *physical document governed by the CMR Convention (1956)*
- **PAPER FORM**
- **SCANNED COPY**
- **ELECTRONIC PDF**

eCMR

- *digital version of the CMR, introduced by the Additional Protocol to the CMR Convention (2008)*
- **ELECTRONIC FORMAT**

NEW

eFTI

- *introduced by the Regulation (EU) 2020/1056 on electronic freight transport information*
- **ELECTRONIC FORMAT**

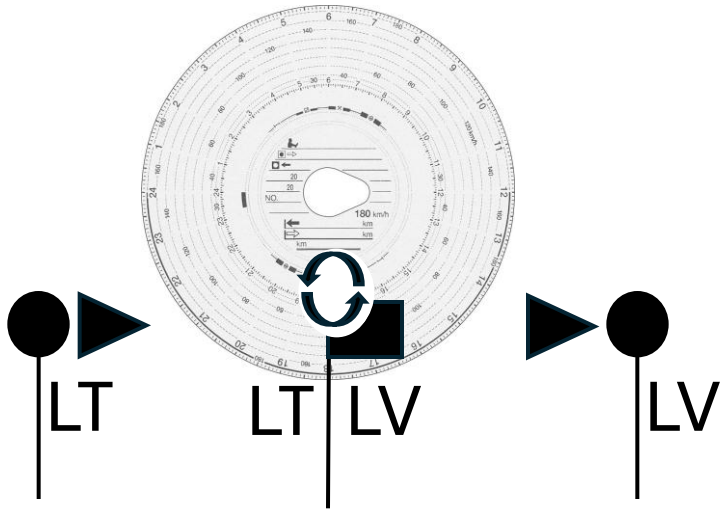
Obligations of the driver and operator during posting

The operator is obliged to ensure that the driver has at his or her disposal in paper or electronic form and an obligation for the driver to keep and make available when requested at the roadside:

3. tachograph records and in particular the country symbols of the Member States in which the driver was present when carrying out international road transport operations or cabotage operations

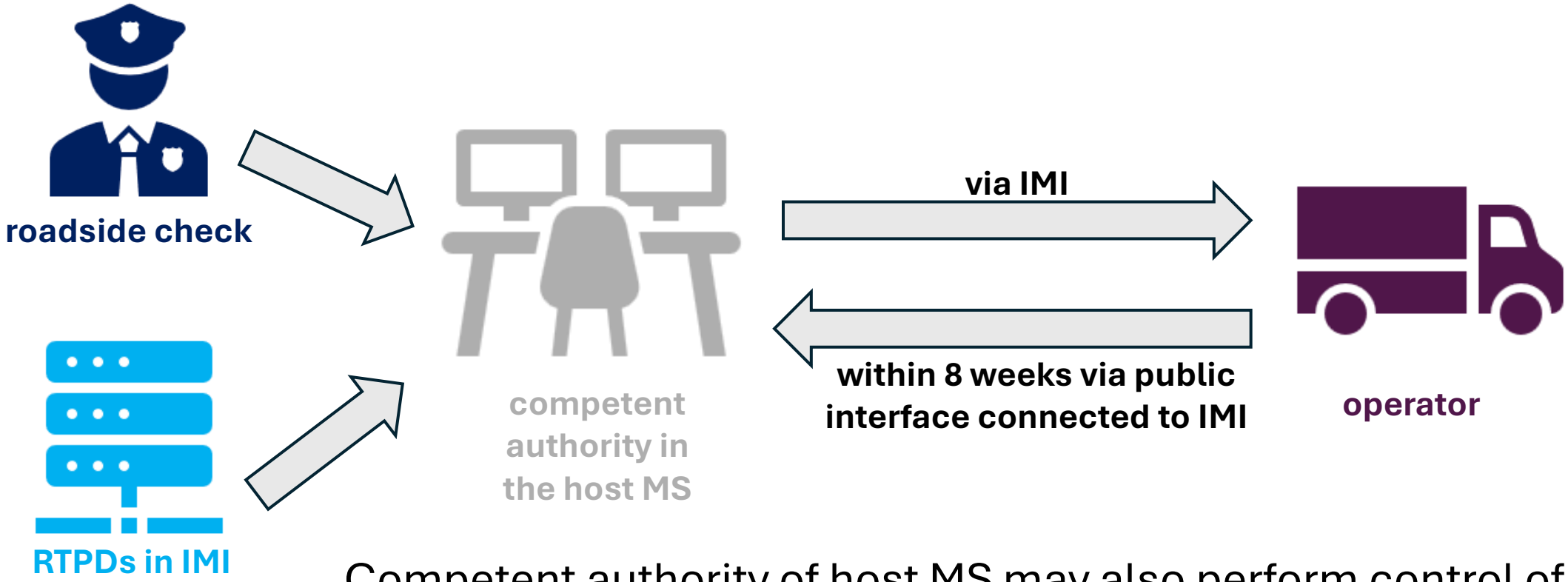
Smith John 2024-01-03 14_45_54.ddd

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What happens after a roadside inspection?

Evidence of remuneration is NOT checked during roadside inspections.

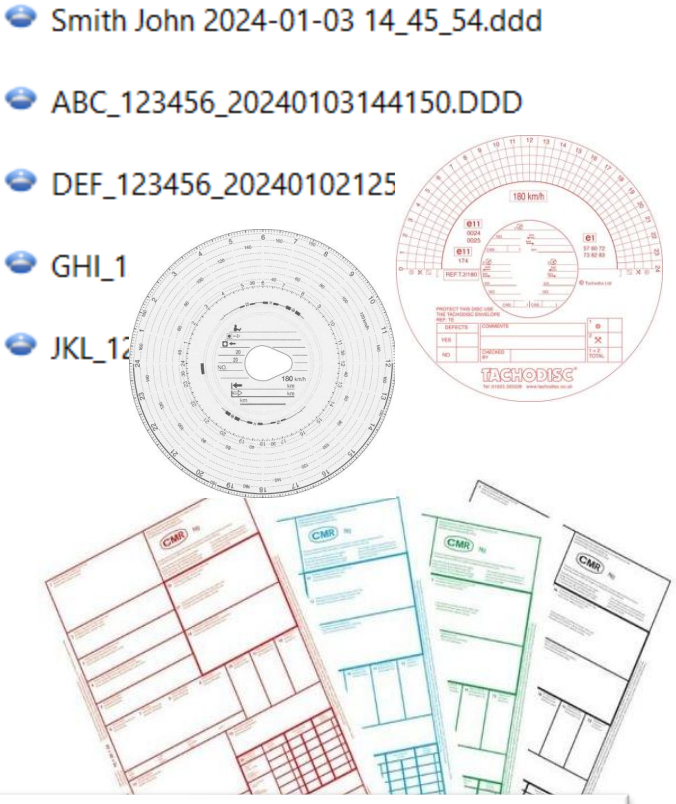


Competent authority of host MS may also perform control of posting without prior roadside inspection.

What documents can be requested?

No later than **eight weeks** from receiving the request of the host Member State, send via the public interface connected to IMI the requested documents, such as:

- tachographs records;
- consignment notes;
- documentation relating to the remuneration of the driver in respect of the period of posting;
- the employment contract;
- time-sheets relating to the driver's work;
- proof of payments of driver’s remuneration.



BANK STATEMENT

Data operacji:	2024-01-22
Data księgowania:	2024-01-22
Kwota przelewu:	12 345,67 PLN

PAY ADVICE

Description	Hours	Rate	Amount
Overtime rate [EST]	5.25	10.00	52.50
Basic Hourly rate [SLO]	32.00	10.00	320.00
Basic Hourly rate [FIN]	9.00	11.00	99.00


EMPLOYMENT CONTRACT

This employment agreement ("Agreement") is made and effective as of _____ 20___ by and between:

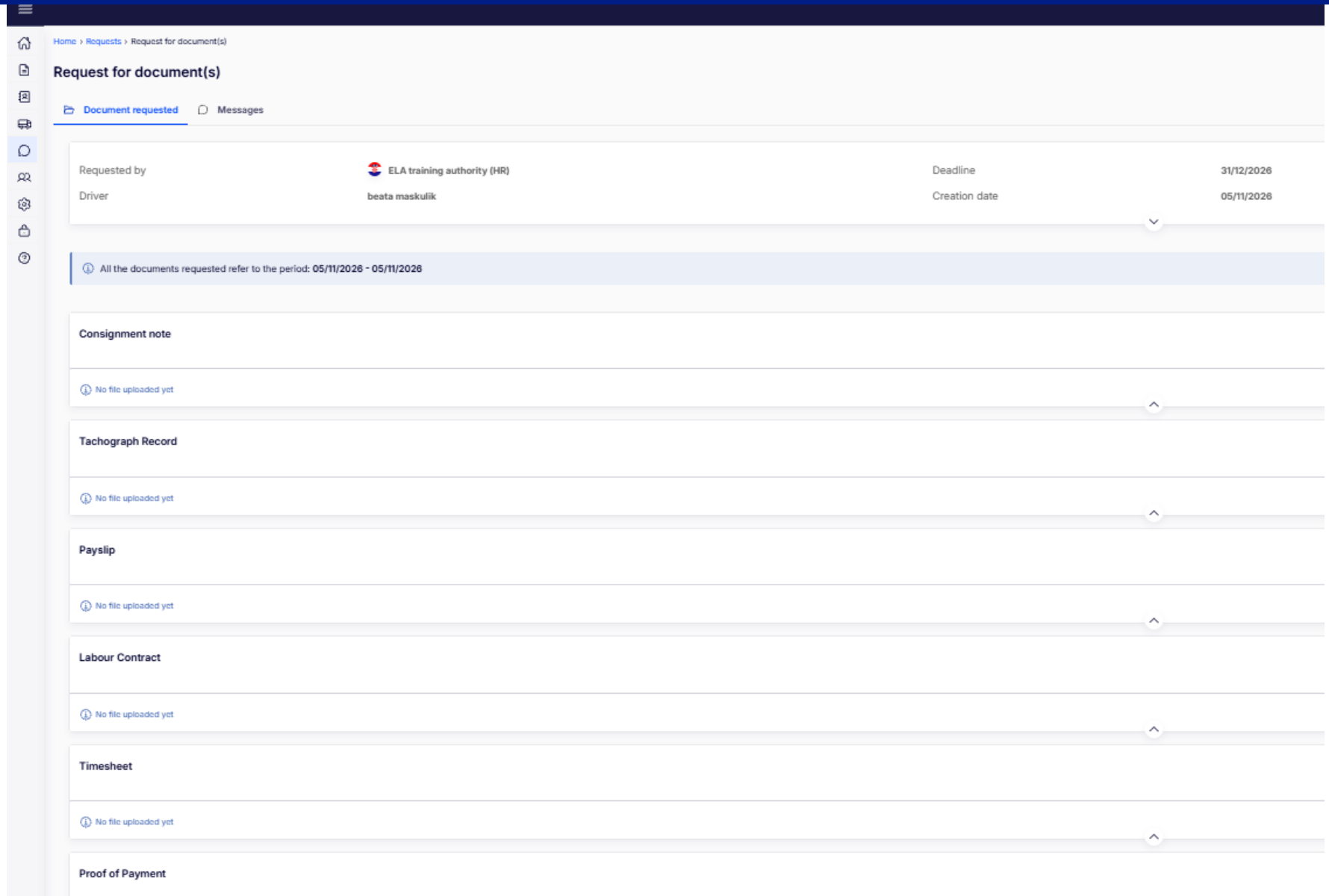
Employer: _____, ("Employer") with a mailing address of _____ and

Employee: _____, ("Employee") with a mailing address of _____

WHEREAS the Employer intends to hire the Employee for the Position and the Employee desires to provide their services to the Employer for payment.

IN CONSIDERATION of promises and other good and valuable consideration, the parties agree to the following:

What documents can be requested?



What happens if the operator does not send the required paperwork?

If the operator fails to submit the requested documentation within that time period, the competent authorities of the Member State where the posting took place may request, via IMI, **the assistance of the competent authorities of the Member State of establishment.**



Infringements communicated via ERRU

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14. Groups of infringements against Directive (EU) No 2020/1057 of the European Parliament and of the Council ([17])(posting of workers in road transport)

No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
1.	Article 1(11), point (a)	Incomplete information on the posting declaration			X
2.	Article 1(11), point (a)	Failure to submit a posting declaration to the Member State to which the driver is posted no later than at the commencement of the posting		X	
3.	Article 1(11), point (b)	Falsified posting declaration for drivers		X	
4.	Article 1(11), point (b)	Impossibility of the driver to present a valid posting declaration		X	
5.	Article 1(11), point (b)	Failure to put at the disposal of the driver a valid posting declaration		X	
6.	Article 1(11), point (c)	Failure to submit the requested documents to the host Member State within eight weeks from the date of the request		X	
7.	Article 1(12)	Failure of the operator to keep the posting declarations up to date in the public interface connected to IMI			X

Thank you!



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