



Posting of Workers to Italy

(updated on September 11, 2025)

The Italian Posting of Workers Directive (Law Decree No. 136/2016) obliges foreign undertakings that post workers to Italy

- to register on the website of the Italian Ministry of Labour (the legal representative or authorized representative of the undertaking must have a **digital signature** in this regard),
- to submit the communication of posting,
- to store specific documents (both in original language and in Italian),
- to appoint two representatives in Italy and
- to comply with specific Italian terms and conditions of employment.

Sanctions for not complying with the above-mentioned duties cannot exceed €180,000.

Here below the most important legal obligations that apply to undertakings that post workers to Italy have been listed.

DEinternational Italia S.r.l.
società unipersonale

Sede legale/Rechtssitz Via Gustavo Fara 26 - 20124 Milano
E-mail info@ahk.it
PEC amministrazione@deinternational.mailcert.it

C.F.-P.IVA / USt.ID-Nr. 05931290968
R.I. Mil. 05931290968 Capit. sociale €110.000 i.v.
Codice SDI KIWCMRG

I. Scope of Application

- **Foreign undertakings (EU and non-EU)** that post one or more workers to an Italian company or to an establishment based in Italy (a third-party company, a company owned by the same group or another production site) **in the framework of the transnational provision of services**. The prerequisite here is that the employment relationship between the posting undertaking and the posted workers remains in place during the posting period.
- **Direct or indirect temporary employment** (that is, foreign temporary employment undertakings hiring out workers to either a user undertaking established in Italy or to a user undertaking based in the same country of the former. User undertakings will then post to Italy the hired out temporary workers). In both direct (i.e. foreign temporary employment undertaking and Italian user undertaking) and indirect (i.e. foreign user undertaking that posts temporary workers to an Italian service recipient) hiring out of temporary workers, the workers are considered to be posted by the temporary employment undertaking. Nevertheless, it is up to the user undertaking and to the Italian service recipient to respect specific information obligations.
- **Road haulage companies** undertaking cabotage operations.

N.B. There is no minimum posting duration below which the duty of submitting the communication of posting is not applicable.

II. Responsibility

All duties that must be observed according to the Italian posting of workers law are up to the foreign undertaking. However, the Italian service recipient can be held liable in following cases:

- a. joint liability towards the worker as regards remuneration and social contribution during the posting period;
- b. liability of the Italian user undertaking as regards specific information obligations in case of hiring out of temporary workers;
- c. liability in case of **fake postings of workers** (a fake posting occurs when the labour conditions and the provisions on social security of the Italian law are deliberately only in appearance respected, thereby creating unfair competition).

III. Duties

1. Compliance with the Italian Terms and Conditions of Employment

During the posting period, the employment relationship between foreign employers and their workers posted to Italy must be compliant with the specific labour conditions of the Italian law, provided that these are more favourable to the posted workers than those applied in the country where the workers are employed.

Relevant in this connection are the Italian labour conditions applicable to workers who perform similar tasks at the posting worksite. "Labour conditions" include **all the Italian regulations and collective agreements** related to:

- a. maximum working time and minimum rest period;
- b. minimum paid annual leave;
- c. minimum wages, overtime rates included;
- d. hiring out of workers by temporary employment undertakings;
- e. health and safety at work;

- f. protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people;
- g. equal treatment between men and women and other provisions on non-discrimination;
- h. the conditions of the workers' accommodation, if provided by the employer, in case they are away from their regular workplace;
- i. allowances or reimbursement of expenditure to cover travel, board and lodging expenses for workers away from home for professional reasons.

Exception (“Montageprivileg”): In case of an initial assembly and/or a first installation of goods, if this is an integral part of the contract for the supply of goods, if this is necessary to take the supplied goods into use and if the initial assembly and/or the first installation are carried out by skilled and/or specialist workers belonging to the supplying undertaking, **the Italian terms and conditions of employment with regard to the minimum paid annual rest period and to the minimum wages (overtime rates included) shall not apply, provided that the period of posting is no longer than 8 days.** This provision shall not apply to specific building activities.

All the other duties do not have any exception. This means that even postings shorter than 8 days must be communicated to the Italian Ministry of Labour.

1.1. Peculiarities of Long-Term Postings (>12)

In case of long-term postings (that is, postings that, after previous motivated communication to the Italian Ministry of Labour, last between 12 and 18 months), **all terms and conditions of employment established by the Italian law and by the Italian collective agreements shall apply**, provided that they are more favorable to the workers than those in force in the country where the workers are employed.

The only exceptions are:

- procedures, formalities and conditions for the conclusion and termination of employment contracts;
- non-competition clauses;
- supplementary occupational retirement pension schemes.

1.2. Calculation of the Posting Duration

In case of consecutive postings of a worker to the same Italian service recipient, the second posting will be considered separately from the first one, only if a period of at least two months elapsed between the postings. Otherwise, the posting periods highlighted in the communications of posting and the lapse that separates them will be considered as a single posting period for the purpose of calculating the posting duration. The merging of the posting periods could also happen, if, for instance, the Italian service recipients are different but somehow connected (e.g. they belong to the same group) and a circumvention intention can be proven.

2. Registration of the Undertaking

Foreign undertakings have to register under “Utenti Esteri” [on the portal of the Italian Ministry of Labour](#). On this regard, the prior registration of the company legal representative/authorized representative through digital signature is mandatory.

3. Communication of Posting

A worker's posting has to be submitted by the posting undertaking on the portal of the Italian Ministry of Labour **before the beginning of the work in Italy.**

The required data concern the posting undertaking and its legal representative, the two appointed representatives (see paragraphs III.5 and III.6), the Italian service recipient and its legal representative, the posting period and place and the posted workers.

4. Documents Storage

During the posting period and till two years after the end of the posting the posting undertaking must store the documents listed below (including their Italian translation) for each posted worker:

- a. Employment contract
- b. Payslip
- c. Time sheet attesting the beginning, the end and the duration of the daily work during the posting
- d. Proof of the salary payment
- e. Official communication on the beginning of the employment or equivalent documentation
- f. Actual certificate of coverage (A1-form)

The non-availability of the Italian translation of the above-mentioned documents corresponds to the non-availability of the documents in original language (see sanctions, paragraph IV.b.).

5. Appointment of a Local Representative Domiciled in Italy for the Transmission of Documents

During the posting period and till two years after the end of the posting the posting undertaking must appoint a local representative domiciled in Italy, who is in charge of receiving and transmitting any official document related to the posting itself.

In case no representative is appointed, the head office of the posting undertaking will be considered the notification representative's domicile. Nevertheless, the former will be fined (see sanctions paragraph IV.d.).

6. Appointment of a Trade Union Representative

During the posting period the posting undertaking must appoint a representative who is authorized, if needed, to deal with the social parties involved in labour negotiations.

IV. Sanctions

- a. Sanctions for **not complying with the mandatory communication of posting** (paragraph III.3): fines from € 180 to € 600 for each posted worker.
- b. Sanctions for **not complying with the document storage duty** (paragraph III.4): fines from € 600 to € 3,600 for each posted worker.
- c. Sanctions for the Italian or foreign user undertaking for **not complying with the information and document transmission duty**: fines from € 180 to € 600 for each posted worker.

In any case, the above-listed fines cannot exceed € 180,000.

- d. Sanctions for **not complying** with the duty of **appointing the representatives** according to paragraphs III.5 and III.6: fines from € 2,400 to € 7,200 pro representative.
- e. Sanctions for the Italian user undertaking or, in case of indirect temporary employment, for the Italian service recipient for **not complying with the information and the document storage duty**: fines from € 500 to € 1,500 for each posted worker.
- f. A **bogus posting** (paragraph II) can lead to sanctions both for the posting undertaking and for the Italian service recipient: € 60 for each posted worker and for each working day in Italy. In this case, the fines amount can go from a minimum of € 6.000 up to a maximum of € 60.000.

In case of a **repeat offense within three years**, the above sanctions will be increased by **40%**.

IV. Credits License for Work Sites

Since October 1, 2024, companies and self-employed individuals working on temporary or mobile construction sites in accordance with Article 89 of the Italian Occupational Safety Act (Legislative Decree No. 81/08) must have a so-called "credits license for work sites," which is issued by the Italian National Labor Inspectorate (INL). Further information can be found in the information sheet on the [License for Work Sites in Italy](#).

DEinternational, the services company of the AHK Italien (German-Italian Chamber of Commerce), is looking forward to supporting **German and English-speaking companies** that post workers to Italy to comply with the related legal obligations, such as:

- registration of the posting company on the website of the Italian Ministry of Labour;
- filing of the electronic communications of posting;
- required translation of the posted workers' documents;
- appointment as notification and trade union representative;
- monitoring of the posting periods.

[Here](#) you find additional information on our services.

Contacts:

Carolina Pajé

Head of "Legal and tax department"
DEinternational Italia
Services company of the AHK Italien
Tel.: +39 02 39800952
E-Mail: entsendung@ahk.it

Maddalena Dulio

Team Coordinator – Posting of workers
DEinternational Italia
Services company of the AHK Italien
Tel.: +39 02 39800960
E-Mail: entsendung@ahk.it

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