

You may be considered an undeclared worker if...

You are paid cash-in-hand with no contract – undeclared work

If you have no written contract and your employer pays you cash-in-hand, without registering your work or paying taxes and social contributions, then you are working undeclared.

Part of your wage is paid cash-in-hand – underdeclared work

If your employer only declares part of your working hours, and pays the rest cash-in-hand, you are working underdeclared. This includes undeclared overtime and extra shifts. It might seem convenient, but it reduces your rights and leaves you without full legal proof of work.

You're self-employed but treated like an employee – dependent self-employment

If you're registered as self-employed but work under the control of a manager, follow fixed hours, or rely on one client, you may be in bogus self-employment. This means you're treated like an employee without rights or protection. In certain countries, even if you are registered as self-employed, you might be considered an employee with full labour rights, especially when someone directs your work, sets your pay, and you perform the work personally.

What can you do?

1. Contact your local labour inspectorate

Labour inspectorates and organisations control and inspect businesses. They can advise how to report undeclared work. Labour inspectorates often provide information about your right to claim any unpaid wages, in line with the EU law.

2. Contact a trade union

Trade unions represent workers, promote rights and better working conditions. They engage in a dialogue with employers' organisations. Get in touch with your local union or with your workplace representatives.



Learn more

On the **European Labour Authority** web page, you can find your national contact point and get advice.

<https://www.ela.europa.eu>



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Declared work benefits all!



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Are you a worker?

What does declared work mean?

- Protection and benefits: pension, social insurance, health care, paid holiday leave, and protection against unfair dismissal or other labour law violations.
- Regular payment of wages, social security contributions and relevant taxes.

Am I working declared? Checklist

You should have...

- **Employment contract** indicating the working conditions, obligations and rights, information about the employer and who is responsible for your payment.
- **Regular pay checks** adjusted to the actual working hours, overtime, special increases (e.g. for night or public holiday shifts).
- **Protection against discrimination** based on sex, gender, religion, nationality or ethnicity in the workplace.
- **Right to breaks**, holidays and leave days.
- **Right to have sick leave** and to be protected in case of accidents at work and occupational diseases.
- **Registration to the social security system** for e.g. pensions, unemployment, healthcare.
- **Right to representation**, union membership and to strike.
- **Regular payment of contributions** e.g. pension contributions.

Are you running a business?

Do you employ or plan to employ workers?

What does declared work mean?

- Complying to labour rules and regulations; granting workers the rights they are entitled to.
- Ensuring fair competition between businesses.
- Building a stable and motivated working environment, leading to a productive workplace.
- Avoiding sanctions, fines, charges and reputational risks.



As business owner and employer, you should...

- Pay attention to the employment conditions set in your country's regulations. Check out if you're:
 - ▶ compliant with your national collective bargaining rules for wages and deducted costs;
 - ▶ paying taxes and social insurance contributions according to the rules;
 - ▶ issuing payslips correctly;
 - ▶ ensuring sick or maternity leave and holidays/vacation/annual leave according to the relevant regulations.
- Record your registered workers, their actual working hours and all information on payments, according to applicable national and EU rules.
- Implement the rules on occupational health and safety, providing a safe environment for your workers.
- Make sure your employees have the right to work legally in your country.

If you own a business and you are unsure about your country's rules for lawfully hiring workers, you can...

- Contact your local labour inspectorate.
- Contact your national and/or local employers' organisation.
- Contact the institutions competent for labour rules and occupational health and safety.