

New working time register

A **law enacted on 14 March 2017** has amended the Labour Code to improve the administrative supervision of employee posting. To that end, the posting company will henceforth have to submit new documents to the Luxembourgish Labour Inspectorate without fail. These include records indicating the **start, end and daily duration of the work of salaried employees**.

To guarantee equal treatment between the employer who posts employees on Luxembourgish territory and the Luxembourgish employer himself, the Act of 14 March 2017 amended Article L211-29 of the Labour Code by imposing the same working time monitoring **on all employers** (irrespective of posting).

Every employer must therefore enter additional information in the “special register” mentioned in the afore-cited article, namely the start, end and duration of daily work of each employee. This new legal requirement increases the employer’s administrative load considerably, since initially, only overtime, working time on Sundays and official holidays had to be entered in the company’s internal register. And yet, the Organisation of Working Time Act of 23 December 2016, which entered into force on 1 January 2017, already provided the introduction of a system to keep a precise record of the hours worked.

This new law therefore requires a strict control of hours worked by each salaried employee, whether the company operates with or without a sliding timetable. It is vital to understand the importance of such a register and the information it has to contain, because it will have to be produced at the request of the Labour Inspectorate in the event of an inspection.

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