

# Guide to the completion of UNI\_Distacco\_UE and UNI\_CAB\_UE forms

User's Manual

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### 1. Preface

This document provides for the main information useful to understand how to complete a **Prior notification** of transnational posting (under Art. 10 of the Legislative Decree No 136/2016).

The prior notification of posting was introduced by the Legislative Decree No136/2016, transposing the provisions included in the Directive 2014/67/EU. The operational procedures on the way to submit it are included in the Ministerial Decree of 10 August 2016 and INL Circulars No 3/2016 and No 1/2017.

Since 26 December 2016 this procedure includes foreign service providers (employers) posting their workers in Italy. Also transnational postings within the same corporation, or in support of a branch/production unit or another beneficiary, as well as workers' missions at a user enterprise located or having its production unit in Italy, implemented by agencies for the supply of staff located in another Member State, should be notified on a prior basis.

The notification must be submitted, electronically, through the **UNI\_DISTACCO\_UE form**, by 00:00 hours of the day before the start of the posting period.

The completion of the UNI\_DISTACCO\_UE electronic form requires to enter information about:

- Service Provider: foreign company, having its legal address in a EU Member State or a third Country, or agencies for the supply of staff located in another Member State posting one or more of their workers in support of an Italian company;
- Place and duration of the posting
- Entity benefitting from the posting: Italian company "using" the workers posted by the service provider:
- *Posted workers:* Community and non-Community workers, employed by the service provider and used by the company benefitting from the posting under the posting scheme;
- Product market of the entity benefitting from the posting (level 2 of the ATECO 2007 classification)
- Contact persons referred to in Article 10 of the Legislative Decree 136/2016.

It is specified that the service provider is the entity obliged to submit the prior notifications including the information regarding those postings which will be established in the subsequent period.

It is possible to cancel a notification already submitted, or change it within 5 days after the modifying event. 26 January 2017 was the deadline to notify any posting started after 22 July 2016 and still operating.

In the case of **postings in the context of the cabotage of goods or passengers**, the posting foreign enterprise should implement a specific electronic procedure, operating since 1 March 2017 (please refer to paragraph 5).

# 2. Access to the application and common functions

A link on the web portal <a href="https://servizi.lavoro.gov.it">https://servizi.lavoro.gov.it</a> of the Ministry of Labour (*Ministero del Lavoro*) will allow the user to access the application's **homepage**.

The access to the functions for the completion of the notification is reserved to those having valid credentials (SPID, CIE, eIDAS, Foreign User).

Once the authentication, it is possible to access the pages for the completion of the notification, by selecting the TRANSNATIONAL POSTING (DISTACCO TRANSNAZIONALE) or CABOTAGGIO icon:



By clicking on the icon corresponding to the application, the system shows the screen by which it is possible to select the profile to perform operate.

Scegli per chi intendi operare 🔻

By selecting the appropriate company profile, the application's homepage will be shown and, by clicking on the "Access" ("Entra") button, it will be possible to access the following section.





# 3. The UNI\_Distacco\_UE form

### 3.1. The prior/deferred prior notification

The Prior Notification must be submitted by the service provided within 11:59 pm of the day before the start of the posting (or of the first posting, in the case of a notification including more than one posting).

It is however possible to use the Deferred Prior Notification in the following cases:

- Certified unavailability of the technological platform, preventing the submission within the required terms;
- Submission of those postings started after 22 July 2016 and still operating on 27 January 2017.

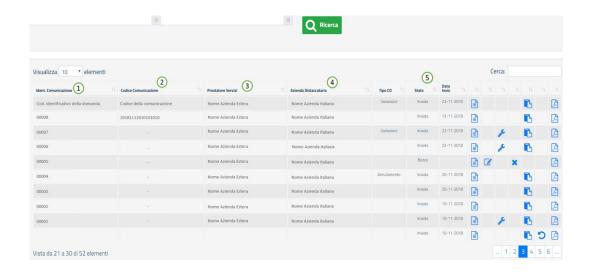
The screen shown below represents the system's interface shown after clicking on the "Access" ("Entra") button.



The "Service Provider's Identification Code" ("Codice identificativo prestatore di servizi") field will be precompleted by the system on the basis of the foreign company's profile selected to operate. On the contrary, the other fields may be completed by the user on an autonomous basis.

It is recalled that the Identification Code is that company's unique code assigned by the home State to the service provider, for tax, social security or similar purposes.

The **"Search"** ("*Ricerca*") button will allow to access under the search mode any notification of posting already submitted or in draft form related to that company.



Specifically, the mask displaying the searched elements listed in the column:

- 1. Notification Identification number (or ID): a 5-digit numeric code generated by the system at the creation of a new notification of posting. A notification in draft form also presents a notification identification number;
- 2. *Notification code:* a 17-digit numeric code generated by the system only after the submission of the notification of transnational posting.
- 3. *Service provider*: indicates the name of the foreign company performing the notification of posting regarding one or more workers in support of an Italian company;
- 4. *Company benefitting from the posting*: indicates the name of the Italian company where one or more workers from the posting company will work for the selected period referred to in the notification of posting;
- 5. Status: indicates the status of the notification, namely Draft or Submitted.

### The following columns present:

	Detail icon ( <i>Dettaglio</i> ): allows to access the sections regarding the details of the notification of transnational posting.		Modify icon ( <i>Modifica</i> ): allows to access the modify mode for those notification in Draft status (not submitted yet).
×	Delete icon ( <i>Elimina</i> ): allows to only delete those notification in Draft status (not submitted yet).		PDF Receipt icon ( <i>Ricevuta PDF</i> ): allows to download the pdf of the notification(s), both submitted or in Draft status.
	Clone icon (Clonazione): allows to reproduce clone(s) of the notification(s) already submitted.	<b>JC</b>	Change icon (Variazione): allows to change non-essential data of a notification, within 5 days from the date on which it is necessary to notify any update.
C	Cancel icon (Annullamento): allows to cancel a notification already submitted within 11:59 pm of the day before the start of the posting (or of the first posting among the existing ones).		

### 3.2. Sections of the Completion

The screen shown represents the system's interface shown after clicking on the "Access" ("Entra") button. The "New" ("Nuovo") button will allow to access the completion of a new notification of transnational posting.



This will allow to perform the completion of the first section, the **Service Provider**:



The Service Provider section requires to enter all the date regarding the foreign company wishing to post one or more of its workers, in support of an Italian company. The "Service Provider's Identification Code"\* ("Codice identificativo prestatore di servizi"\*) and "Name"\* ("Denominazione"\*) field are automatically set- up by the system, on the basis of the data access.

Therefore, the compiler is not allowed to modify this information.

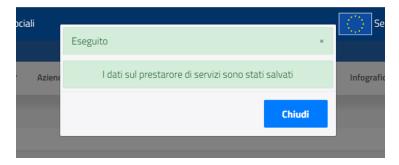
The asterisk (\*) indicates that entering the following data is mandatory:

- State the service provider's home State.
- City of the legal address city of the legal address of the service provider.
- Legal address service provider's legal address.
- Zip code, Telephone number and Email address of the legal address contact data of the service provider's legal address.

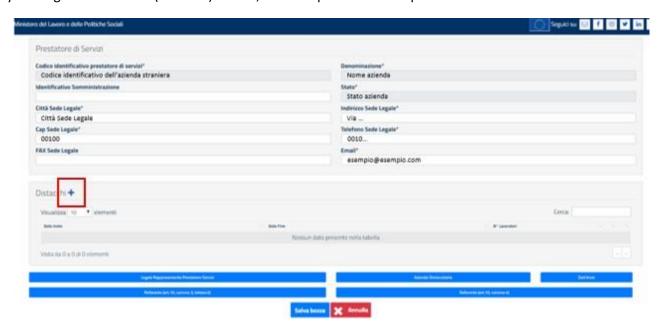
On the contrary, the following field are not mandatory:

- Supply of staff Identification number the number of the authorisation to the performance of the supply of staff activity, issued by the State of establishment, where required by the legislation of the same State. It is restricted to TWAs, i.e. only to EU temporary work agencies;
- Fax number of the legal address contact datum of the service provider's legal address.

After the data are entered and clicking on the "Save" ("Salva") button, the system will inform about the correct back-up of the data entered.



By clicking on the "Close" ("Chiudi") button, it will be possible to complete the other sections.



At the completion of the first section regarding the Service Provider, by clicking on the icon, it will be possible to enter the data required in the section regarding the **Postings** (*Distacchi*).

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		Sal	va 🗶 Annulla		

In this section the following data are mandatory:

- Start date of the posting of the worker(s) the start date of the posting period. It
  is specified that where the type of notification is a "Prior Notification", the start date to be indicated
  must be after the date on which the notification is entered in the system.
   On the contrary, where the type of notification is a "Deferred Prior Notification", the restriction
  above does not apply.
- End date of the posting the end date of the posting period of the worker(s).

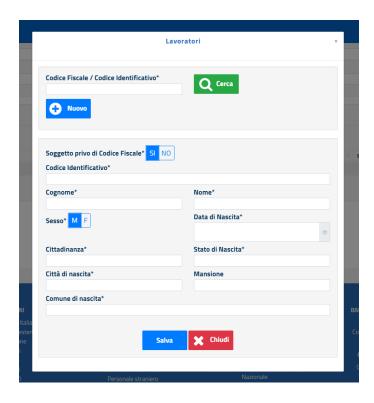
For both fields (Start Date and End Date) the entering of the date will be facilitated by the displaying of a drop-down menu with a calendar.

- Municipality of the posting location;
- Zip code of the posting location;
- Address of the posting location.

### Subsequently:



By clicking on the icon, it will be possible to enter the data required in the section dedicated to the **Workers** interested by the Posting.



By entering in the field "Tax Registration Number/Identification Code" ("Codice Fiscale/Codice Identificativo") the relevant datum of the worker interested by the posting, and by clicking on the "Search" ("Cerca") button, where that datum has been already entered in the system, all the following fields (Identification Code, Surname etc.) will be automatically completed.

On the contrary, if the same datum has not been previously entered in the system, it will be possible to autonomously complete the required field.

### The mandatory data are:

- Identification Code the identification code assigned by the worker's home State for tax or similar purposes, corresponding to the Italian tax registration number (*Codice Fiscale*), if the worker holds such identification number;
- Surname and Name the worker's personal record;
- Gender the worker's gender. The admitted values are Male or Female;
- Date of Birth the worker's date of birth. A pop-up window with a calendar will facilitate the selection of the date to be entered;
- Citizenship the worker's citizenship;
- State of Birth the worker's State of birth;
- City of Birth the worker's City of birth;
- Municipality of Birth the worker's Municipality of birth.

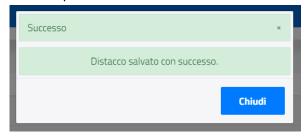
The only non-mandatory field is the one regarding the worker's Occupation (or Classification level).

By clicking on the "Save" ("Salva") button, the Workers section will be closed and the system will go back to detailed screen for the Postings (page 12 – image 2) where the worker just entered will be displayed and it will be possible to enter any other worker interested by the posting.



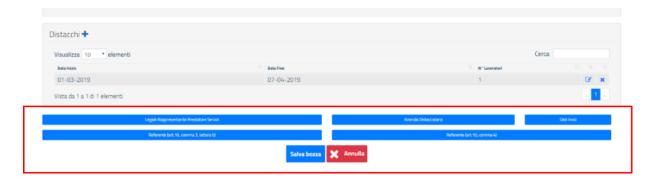
Note: the two highlighted buttons allow to respectively modify and delete the details of the worker(s) already entered.

After having entered all the workers interested, by clicking on the "Save" ("Salva") button, the system will inform about the implemented back-up of the data.



By clicking on the "Close" ("Chiudi") button, it will be possible to complete the other sections.

Thus, the system will go back to the start page (page 11 – image 1) where it will be possible to complete the sections highlighted below.

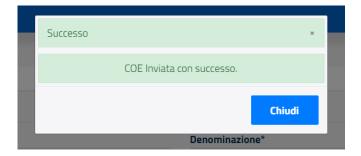


Specifically, it will be necessary to enter the required data for the Service Provider's Legal Representative, the Company benefitting from the posting, the Contact Person (art. 10, paragraph 3(b)), the Contact Person (art. 10, paragraph 4) and, lastly, the Submission Data.

At the completion of each section, the relevant button will turn in green colour. Therefore, it will be possible to submit the notification of posting only when all the button will turn from blue to green.



By clicking on the "Save Draft" ("Salva Bozza") button, it will be possible to save the draft notification, while by clicking the "Submit NO" ("Invia CO") it will be possible to submit the notification.



# 4. Cancellation and Change

### 4.1. Cancellation

It is possible to cancel a "Prior Notification"/"Deferred Prior Notification" in the Submitted status within 11:59 pm of the day before the start of the first posting declared.



In accordance with the above mentioned time limit, among the different situations which could require to submit a notification of cancellation, it is necessary to refer the required updating of those information classified as "essential data":

- Service Provider: Identification Code or State of establishment.
- User Company: Company's tax registration number.
- Worker: Identification Code or State of Birth or Citizenship.

To update the information regarding the service provider it is necessary to refer to the access data; therefore, this information must be updated with reference to those provided for the registration of the enterprise within the company's profile.

It is required to modify the remaining data during the completion of the notification of cancellation.

It is specified that it is not possible to cancel nor update the prior notification subject to the cancellation. Moreover, in turn, it is not possible to cancel nor update a notification of cancellation.

### 4.2. Change

It is possible to update a "Prior Notification"/"Deferred Prior Notification" with one or more postings started. The change is used to correct the so-called "non-essential" data and must be submitted within 5 days from the date on which the updates are required to be notified.



It is allowed to modify the following data:

- Start, end date and duration of the posting;
- Place of the service provision;
- Type of services (ATECO Code);
- Personal data and address for service of the Contact person under paragraph 3(b);
- Personal data of the Contact person under paragraph 4;
- Number of the authorisation to the supply of staff activity.

It is specified that the submission of a notification of change results in the impossibility to cancel or re-update the prior notification subject to the change. Moreover, it is possible to update it, clearly until a relevant change of the same is submitted.

Lastly, it is possible to cancel a notification of change.

# 5. The UNI\_CAB\_UE form

Since 1° March 2017 - for the purposes of the prior notification of posting in the cases of cabotage of passengers or goods - on the platform, it is available the Uni CAB UE notification form. Therefore, the posting foreign enterprise is required to fulfil the relevant obligation using the on line procedure, always available on the portal <a href="https://servizi.lavoro.gov.it">https://servizi.lavoro.gov.it</a> by selecting, after the access (for any detail, please refer to paragraph 2 – page 4) the CABOTAGE (*CABOTAGGIO*) icon among those available on the home page.

By selecting the Cabotage icon, the same procedure as for the above referred to UNI\_Distacco\_UE form will be presented; therefore, the system will show the screen through which it is possible to select the foreign company's profile intended for the operation (image 2 - page 5) to show, thus, the application's homepage. On this page, by clicking on the "Access" ("Entra") button, it will be possible to access the following section.





After the selection of the "Access" ("Entra") button, the procedure is the same as for the UNI\_Distacco\_UE form.

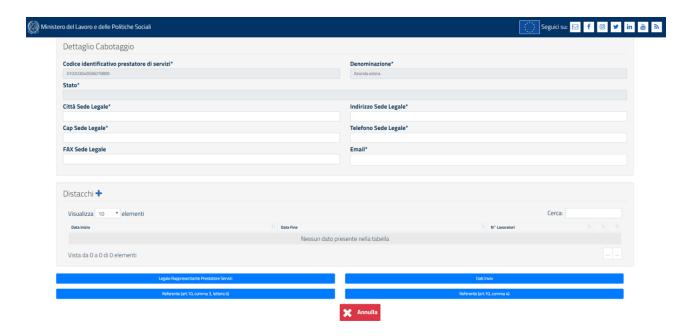
The "Service Provider's Identification Code" ("Codice identificativo prestatore di servizi") field will be precompleted by the system on the basis of the foreign company's profile selected to operate. On the contrary, the other fields may be completed by the user on an autonomous basis.

The "Search" ("Ricerca") button will allow to access under the search mode any notification of posting/cabotage already submitted or in draft form related to that company (please refer to page 8).

The "New" ("Nuovo") button will allow to access the completion of a new notification of cabotage. This will allow to perform the completion of the first section, the **Service Provider** as for the UNI\_Distacco\_UE form (please refer to page 10).

After the data are entered and clicking on the "Save" ("Salva") button, the system will inform about the correct back-up of the data entered.

After the completion of the section regarding the Service Provider, it will be possible to complete the other sections.



By clicking on the icon, it will be possible to enter the data required in the section dedicated to the Postings related to the notification of Cabotage.

It is specified that for the completion of the Postings and Workers sections, the same instructions above referred to for the UNI\_Distacco\_UE form (from page 11 to page 13) apply.

Once such sections are completed, it will be possible to enter the required data for the Service Provider's Legal Representative, the Contact Person (art. 10, paragraph 3(b)), the Contact Person (art. 10, paragraph 4) and, lastly, the Submission Data.

At the completion of each section, the button related to each required section will turn in green colour. Therefore, it will be possible to submit the notification of posting only when all the button will turn from blue to green.

# 6. Requesting Assistance

For any need, with both a technical nature or hard-legal/procedural, or also just to require information regarding the access to the application, it is possible to contact the Public relation office (*URP*), on line through the dedicated "Contacts" ("*Contatti*") section, by:

1) clicking on the top right icon, on any page:



2) clicking on the down right link, on any page:



3) or through the following link: <a href="https://urponline.lavoro.gov.it/s/crea-case">https://urponline.lavoro.gov.it/s/crea-case</a>

It will be necessary to highlight the category required with the item "Transnational Posting" ("Distacco Transnazionale") and the sub-category required with the item "EU Posting" ("Distacco UE"), as regards the UNI\_Distacco\_UE form.

It will be necessary to highlight the category required with the item "Transnational Posting" ("Distacco Transnazionale") and the sub-category required with the item "Transnational Cabotage" ("Cabotaggio Transnazionale"), as regards the UNI\_CAB\_UE form.

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