

Aspects related to Social Security :

13. What are my conditions regarding Social Security while my posting lasts?

Community regulations guarantee coordination between the different national social security systems to avoid being subject to two systems at the same time; or that no system is applied to a worker, leaving them unprotected; at the same time it establishes which country is competent to pay the benefits.

As a posted worker, to continue to be covered by your home country's social security system, your employer must [request a PD A1 form](#) from your home country's social security institution and inform the host country authorities.

If your publication lasts more than 2 years, you can:

- Switch to the social security system of the country where you are assigned or
- Ask your employer to request an extension of the validity of the posting period of your social security form to remain covered in your home country. The extension will be granted if a mutual agreement is reached between the authorities of both countries and it is in their interest.

Find out more about [your social security coverage while traveling to another EU country](#).

14. What Social Security documentation is necessary to transfer a worker to another State?

In matters of Social Security, the company that transfers a worker to another Member State must contact the body competent in this matter in its State, the State of origin of the worker; preferably before starting the journey.

This body will provide the worker with an **A1 certificate** that determines the Social Security legislation that applies to the posted worker during the duration of his or her posting.

During the posting, the worker has the right to medical insurance (receive care) in the host country, for which he must have: The European Health Card, and Form A₁ of la Seguridad Social, proving that he is insured in the country of origin. It is important to know these two documents:

- **Form A1** , which is the certificate of the applicable legislation and which serves to demonstrate that you pay Social Security contributions in another EU country
- **The S1 Form**, which is the certificate that establishes the right to health benefits if you do not live in the country where you are insured

Regulation *(EC) No. 883/2004 of the European Parliament and of the Council, of April 29, 2004, on the coordination of social security systems*, establishes in its article 12, the specific rules in this matter:

1. A person who carries out an employed activity in a Member State on behalf of an employer who normally carries out his activities there and who is sent by that employer to carry out work on his own account in another Member State shall remain subject to the legislation of the first State member, provided that the foreseeable duration of such work does not exceed twenty-four months and that said person is not sent to replace another person.

2. A person who normally carries out a self-employed activity in a Member State and who is going to carry out a similar activity in another Member State shall remain subject to the legislation of the first Member State, provided that the foreseeable duration of that activity does not exceed of twenty-four months.

For its part, article 13 regulates the exercise of activities in two or more Member States, in the following terms:

1. A person who normally carries out an activity as an employed person in two or more Member States shall be subject to:

a) the legislation of the Member State of residence, if it carries out a substantial part of its activity in that Member State or if it depends on several companies or several entrepreneurs who have their headquarters or domicile in different Member States,

b) or the legislation of the Member State in which the company or the principal business owner has its seat or domicile, provided that such person does not carry out a substantial part of its activities in the Member State of residence.

2. A person who normally carries out a self-employed activity in two or more Member States shall be subject to:

a) the legislation of the Member State of residence, if you carry out a substantial part of your activity in that Member State,

b) or the legislation of the Member State in which the center of interest of its activities is located, if it does not reside in one of the Member States in which it carries out a substantial part of its activity.

3. A person who normally carries out an activity as an employed person and a self-employed activity in different Member States shall be subject to the legislation of the Member State in which he carries out an activity as an employed person or, if he carries out such activity in two or more States Members, to the legislation determined in accordance with paragraph 1.

4. The person employed as a civil servant in a Member State and who carries out an activity as an employed and/or self-employed person in another or other Member States will be subject to the legislation of the Member State to which the Administration that employs him or her is subject.

5. The persons referred to in paragraphs 1 to 4 will be treated, for the purposes of the legislation determined in accordance with these provisions, as if they carried out all their activities as an employed or self-employed person and received all their income in the Member State concerned.

15. What is my health and social security coverage situation if I have an accident while traveling in another Member State?

Your coverage in these matters extends for 2 years (regardless of whether you are appointed by your employer or, if you are self-employed, and post yourself).

To receive medical treatment locally, you will need 2 documents: A [European Health Insurance Card](#) and an [A1 form](#) (which proves you are covered by your country of origin).