



Rules and rights

– when working in Denmark

In this leaflet you can read about some of the most important rules and rights you need to know when working in Denmark. You can learn more at WorkplaceDenmark.dk



Beskæftigelses-
ministeriet



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Your rights

Working hours

As a general rule, working hours are fixed in a collective agreement and in the great majority of sectors standard working hours are 37 hours weekly.

For employees over 18 years of age, the EU Working Time Directive sets the following restrictions on working hours:

- A daily rest period of at least 11 consecutive hours.
- A break during any working day lasting more than 6 hours. The length of the break depends on its purpose, for example, a break for a meal.
- One rest day (24 hours) per week that must be in connection with a daily rest period. No more than six days are allowed between two rest days.
- A working week of maximum 48 hours on average including overtime.
- The total daily working hours must be recorded.
- A night worker may not work more than 8 hours per 24-hour period on average.

The collective agreements can deviate from these rules under special circumstances.

Wages and salaries

There is no statutory minimum wage in Denmark. Wages are typically fixed in the collective agreements for different types of work, and the employer is obligated to pay the wages agreed. If you have questions about your wages, you can contact your trade union or other organisations within your area of work, if you are not a member of a trade union.

You are considered to be a posted employee if your usual place of work is in a country other than Denmark and you are only temporarily working in Denmark.

If you are posted as an employee from an EU or EEA country and your employer fails to pay you the wages you have agreed, you can get help from the Danish Labour Market Fund for Posted Workers if you are covered by a Danish collective agreement. Read more about the Fund at WorkplaceDenmark.dk.

The right to organise

All employees in Denmark have the right to join an association, for example a trade union. The act on the freedom of association in the Danish labour market protects workers' freedom of association by prohibiting an employer from demanding that a worker is – or is not – a member of a trade union.

Holiday rules

As a posted worker in Denmark, you are covered by the holiday rules that apply in your home country, but, with regard to the length of your holiday and holiday pay, you have as a minimum the rights which are provided for in the Danish Holiday Act.

This means that the Danish rules regarding the length of the holiday and payment during the holiday apply if they are more advantageous. If you are covered by a Danish collective agreement, you may have the right to holiday in addition to that guaranteed under the holiday law.

According to Danish holiday rules, you have, as a worker, an entitlement to 25 days' holiday per year, regardless of whether you have accrued entitlement to paid holiday. If you have not accrued entitlement to paid holiday, you still have the right to take unpaid holiday.

You earn the right to 2.08 days of paid holiday for each month you are employed in the period from 1 September to 31 August (the year of accrual). Holiday is taken during the holiday period, which extends from 1 September to 31 December of the following year.

Your payment for the accrued holiday can either be your usual salary plus a holiday supplement of 1 percent of your salary in the year of accrual or holiday pay, which is 12.5 percent of your salary in the year of accrual.



Equality and non-discrimination

In Denmark, there is legislation which ensures equal treatment of men and women and prevents discrimination in the labour market. The rules protect employees from discrimination based on gender, race, colour, religion or belief, political opinion, sexual orientation, gender identity, gender expression or gender characteristics, age, disability, or national, social or ethnic origin.

You are protected by this prohibition against discrimination at all stages of employment including in recruitment, during employment, and dismissal.

If you have been subject to illegal discriminatory treatment in your workplace, you can file a complaint with the Board of Equal Treatment. Filing a complaint is free. If your claim is upheld you are entitled to compensation. You can contact the Board of Equal Treatment by writing to the National Social Appeals Board at ast@ast.dk.

The Danish Act on Equal Treatment ensures that men and women are treated equally at work. This means, for instance, that an employer may not favour one gender over another when a position becomes available. Moreover, an employer may not discriminate employees on the grounds of pregnancy, childbirth or leave in connection hereto.

Equal pay

According to The Danish Act on Equal Pay men and women must receive equal pay for equal work or work

of equal value. If you believe you have been discriminated against because of your gender, you can file a complaint with the Board of Equal Treatment.

Filing a complaint is free. If your claim is upheld you are entitled to compensation. You can contact the Board of Equal Treatment by writing to the National Social Appeals Board at ast@ast.dk.

Temporary agency workers

If you are working as a foreign temporary agency worker in Denmark, you are covered by Danish regulations on the rights of temporary workers. This means that as a temporary agency worker you are entitled to the same working conditions as regular employees at the company. These conditions include your work schedule, overtime, breaks, rest periods, pay and the working environment conditions you work under.

Social benefit

For postings of up to two years to another EU/EEA country, you can retain your right to social security in the country in which you usually work. This could for example be the right to compensation if you suffer an injury at work, and the right to maternity leave or to benefits if you fall ill or lose your job.

As a posted employee, you are also entitled to social benefits in Denmark, providing you meet certain criteria. You can read more about your right to social benefits in Denmark at lifeindenmark.borger.dk.



Safe and healthy working conditions

You have the same right as Danish citizens to safe and healthy working conditions. Your employer has the overall responsibility for the working environment, but you also have a responsibility as an employee. For example, you should follow safety instructions and use any necessary protective equipment provided by your employer.

The Danish Working Environment Authority

The Danish Working Environment Authority (WEA) is the Danish government authority responsible for ensuring compliance with Danish regulations. The WEA also offers companies guidance with regard to health and safety at work.

If you have any questions about the Danish rules concerning working environment or about being posted abroad, you can contact the Danish Working Environment Authority. The Authority can answer your questions about working with chemicals, the psycho-social working environment and accident prevention, amongst other things. You can also contact the Authority if you suspect an company of violating regulations on the working environment.

Health and safety in the building and construction sector

The risk of attrition (being physically worn down) or serious injury is particularly high in the building and construction sector. The most common accidents at work are falling from heights, trips and falls, and accidents involving tools or heavy lifting.

You can read more about health and safety at the building site at workplacedenmark.dk/en.



What to do if you are injured at work

There are two different types of industrial injury: Accidents at work and occupational diseases.

An accident at work is when you suffer a physical or psycho-social injury due to a sudden incident at work, or the injury may be the result of some sort of exposure that has lasted for a maximum of five days.

An occupational disease is a disease that is caused by your work or working conditions. The disease may be the result of some sort of exposure over a short or long period. For example, your hearing may become impaired after working in a noisy environment for several years.

When do you need to report an injury?

If you suffer an injury at work, your employer must report the injury to the company's insurance company and the Danish Working Environment Authority no later than 14 days after the injury occurred. The injury must be reported if you have been unable to work for at least one day beyond the day the accident occurred, or if it is expected that the injury will justify your claim to compensation or other benefits under the Workers' Compensation Act.

Companies will be fined if they fail to report an accident at work. In most cases a company will be fined DKK 5,000 the first time they neglect to report an accident. The next time they will be fined DKK 10,000 per incident.

If you think that you have become ill because of your work and your illness is in fact an occupational disease, you need to see your doctor, who will report your condition as an occupational disease. Your doctor must report your illness as soon as possible and no later than 14 days after he or she has been made aware that your disease may be caused by your work.

Special circumstances where employees can report an industrial injury

There may be occasions where you as the employee must report an industrial injury yourself. This applies, for example, if your employer does not wish to report the injury at work, or if your employer has gone bankrupt. In these cases you can report your accident at work yourself in the electronic notification system EASY, which you can find on virk.dk.



Compensation

Your injury must be recognised as an industrial injury for you to be awarded damages or some other form of compensation. An accident at work or an occupational disease will only be recognised as an industrial injury if the injury was caused by your work or while you were working for an employer in Denmark.

Taxation rules



If your employer has a permanent business in Denmark, you are required to pay income tax in Denmark. This means that you must apply for a personal tax number and a tax card regardless of how long you expect to stay in Denmark.

If you plan to live and work in Denmark for more than three months (six months if you are from an EU or EEA country, or from Switzerland) you must apply to the Danish national register in your local municipality for a civil registration number (CPR number). And if you stay in Denmark for more than six months or decide to stay here indefinitely, you will be fully liable to pay tax in Denmark from your first day.

Any questions?

If you have any questions about the Danish tax rules, you can contact The Danish Tax Agency:

Telephone: +45 72 22 28 92

Web: [Skat.dk/en-us](https://skat.dk/en-us)



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