

Abstract

The analysis in the Report situates the posting of workers within the broader context of Lithuania's migration landscape transformation, highlighting its shift from a country with significant emigration following its 2004 EU accession to an emerging hub for the employment of TCNs and intra-EU labour mobility. By 2025, TCNs accounted for 10.6% of all the insured workforce in the country, representing a substantial increase from 1.6% in 2015, and reflecting a significant expansion driven predominantly by geopolitical shifts, sustained labour demand, and specific business models. The study highlights a strategic, albeit fragmented, regulatory environment for national immigration policies, which shifted from a period of liberalization (2017–2018) to substantial tightening in 2024, supported by the existing LDU reporting framework for monitoring foreign labour, which had been operational since 2019–2021. An important focus in the Report is placed on the transport sector, which serves as the primary driver of Lithuania's "posting" model. This sector relies heavily on TCNs, particularly from Belarus and Ukraine, and has shown remarkable resilience to global shocks such as the COVID-19 pandemic and legislative changes like the EU Mobility Package. Despite the sector's expansion, the report identifies significant empirical ambiguities: while data from the LDU system show a 104% year-on-year increase in employed long-distance drivers in 2024, traditional metrics such as PD A1 certificates and driver attestations have paradoxically declined or stagnated. Furthermore, the report analyses the inflow of posted workers to Lithuania, noting a sharp upward trend, particularly from Poland and Latvia. The findings reveal critical systemic vulnerabilities, including insufficient administrative capacity for oversight and a low frequency of specialized inspections. Evidence suggests that TCNs face various risks regarding labour rights, remuneration, and social protection, with trade unions often addressing gaps resulting from the relatively limited attention of public institutions, primarily by supporting workers in individual disputes. Ultimately, the report concludes that while the current business model of temporary TCN recruitment is socially acceptable due to low integration requirements, the lack of consistent data and institutional cooperation indicates the need for further research to better assess the sustainability of Lithuania's model in the contexts of European labour market and posted workers' rights.

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Abbreviations

Art. – Article

Basic Directive – Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, OJ L 18, 21.1.1997, p. 1-6

Basic Regulation (BR) – Regulation on the Coordination of Social Security Systems -Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (*Text of relevance to the EEA and Switzerland*) – *current consolidated version: 31/07/2019*

CAO – Code of Administrative Offences

CJEU (ECJ) – Court of Justice of the European Union (also known as the European Court of Justice)

EEA - European Economic Area

EC / Commission – European Commission

ELA – European Labour Authority

Enforcement Directive – Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through

EU – European Union

IMI – Internal Market Information System

MD – Migration Department under the Ministry of Interior

MSSL – Ministry of Social Security and Labour

Mobility Package – a set of rules for the road transport sector applicable across the EU. The package is essential to ensure good implementation and enforcement of the road transport legislation, providing a balance between the social protection of drivers and the freedom of operators to provide cross-border transport services.

LC – Labour Code of the Republic of Lithuania

LDU – the Notification on Foreign Nationals Working in Lithuania system

Law on the LSF – Law on the Legal Status of Foreigners of the Republic of Lithuania

LPA – Law on Public Administration

MI – Ministry of the Interior

MS – Member state

MT – Ministry of Transport

OSH – Occupational Safety and Health

PES – Public Employment Service

PD A1 – a certificate issued under Article 12.1 of Regulation (EC) No 883/2004 is granted to a person who is employed in Lithuania under an employment contract with an employer that normally carries out its activities in Lithuania, and who is posted by that employer to work in another MS (Article 12.1 of the BR) or working in more than two or more MSs (Article 13.1 of the BR). PD A1 confirms that Lithuanian social security legislation applies to the worker or self-employed person and ensures that contributions are paid only in Lithuania while the person continues their cross-border activity. The anticipated duration of such activity must not exceed twenty-four months.

PWD – Posting of Workers Directive (Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services and all its amendments)

Revision Directive – Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services, OJ L 173, 9.7.2018, p. 16–24

RL – Republic of Lithuania

RTC – Road Transport Code

SBGS – State Border Guard Service under the Ministry of Interior

SLI – State Labour Inspectorate

Sodra – the State Social Insurance Fund Board under the Ministry of Social Security and Labour

TCN – Third country national

TFEU – Treaty on the Functioning of the European Union

TSA – Lithuanian Transport Safety Administration under the Ministry of Transport

Vilnius Division – Vilnius Division of *Sodra* issuing PD A1s

Executive summary

Historically, Lithuania was not characterised as a country of immigration. On the contrary, following its accession to the EU in 2004, the country experienced substantial outward migration, which had a lasting impact on its demographic structure and labour market dynamics. This outflow contributed to a persistently negative net migration balance over the subsequent years.

In recent decade, however, this pattern has begun to shift. Geopolitical developments in neighbouring third countries, combined with sustained labour demand across the EU, have contributed to a measurable increase in the inflow of foreigners, mostly TCNs, into the Lithuanian labour market. Consequently, Lithuania clearly witnesses a growing incidence of TCNs being employed in our country. While in 2015 non-citizens of the RL constituted only 1.6% of all individuals insured under all types of state social insurance in Lithuania, by 2025 this figure had risen to 10.6%. At the same time, the number of TCNs posted from Lithuania to other EU and EEA MSs increased rapidly in recent years. Although the scale of this phenomenon remains more limited when compared to that observed in larger MSs, it represents a noteworthy development in the light of Lithuania's recent migration trajectory and its evolving position within the broader framework of intra-EU labour mobility.

Beyond Lithuania's adaptation to changing geopolitical conditions because of the War in Ukraine (2014 and 2022), Covid-19 pandemics, and Belarus boarder crisis, 2021, it is relevant to consider whether the businesses and the state have also strategically leveraged these circumstances in its role as EU eastern border country. In this context, migration policy—more precisely, its legal regulation—assumes particular significance. While the period of 2017-2018 may be characterised as one of liberalisation in the admission and employment of TCNs, a clear policy reversal can be observed from 2024 onwards, when the legal conditions facilitating such entry were substantially tightened. Furthermore, as early as 2019, Lithuania introduced the so-called LDU system which functions as a mandatory reporting framework ensuring that the Lithuanian authorities have timely and accurate data on foreign nationals working or temporarily posted in Lithuania, thereby supporting compliance with labour, social insurance, tax, and migration laws and, which enabled a more centralised and comprehensive monitoring than had previously been possible¹.

Today Lithuania is generally regarded as a “posting” country in the EU context, with a limited, but growing, inflow of posted workers from other MSs, however a notably higher outflow of workers sent abroad. This trend is in particular distinct in freight transport operations (Petrylaitė et al, 2022). Based on the 2021 study published by Leuven University (De Wispelaere et al, 2021), as well as the data collected during the preparation of this Report, it can be inferred that Lithuanian businesses engage in labour export, using the posting of workers as one of the major mechanisms. It appears that neither the employment process of TCNs in Lithuania nor their posting was significantly disrupted by the COVID-19 pandemic or by recent amendments to EU legislation related to the posting of workers (Revision and Enforcement Directives) and the Mobility Package. On the contrary, employers' organisations state themselves² that the Mobility Package has required employers to hire more workers in the sector.

¹ The legal basis for the LDU is established in Article 62 (8) of the Law on the LSF: “8. An employer who employs a foreign national, an undertaking to which a foreign national is temporarily posted for work, or a natural person with whom a foreign national is temporarily posted for work, shall submit information on the foreign national employed or temporarily posted to work in the RL, as well as on the termination of the employment contract, to the Migration Department, the SLI and the Employment Service via the information system of Sodra, in accordance with the procedure established by the Director of Sodra, the Chief State Labour Inspector of the RL and the Director of the Employment Service“. The LDU system serves as a centralised mechanism for the collection, management, and reporting of information regarding foreign nationals employed or temporarily posted to work in Lithuania. The LDU system functions as a *mandatory reporting framework* ensuring that the Lithuanian authorities have timely and accurate data on foreign nationals working or temporarily posted in Lithuania, thereby supporting compliance with labour, social insurance, and migration laws.

² During the interview while preparing the Report.

Greater attention in the Report is devoted to the transport sector than to other sectors because it has experienced the most significant increase in the employment and posting (in terms of labour law) of foreign nationals, mainly TCNs, over the past decade. The Lithuanian transport sector has become a highly visible example in Europe, particularly considering the country's small size. Its rapid expansion, extensive reliance on drivers - TCNs, and strong integration into international road freight markets have contributed to this prominence.

The available evidence indicates that postings are dominated by medium-skilled male workers from, primarily TCNs. While the construction sector (second most frequently posting sector) involves a slightly higher share of Lithuanian nationals than foreigners, the transport sector is characterised by the predominance of foreign workers and TCNs, particularly from Belarus and Ukraine, as well as from other TCNs more recently established within the Lithuanian labour market, such as Uzbekistan and others. Statistics on PD A1s issued during the 2019–2024 period, as examined in this report, under BR, indicate that the total is predominantly comprised of PD A1s issued under Article 13.1 (Table 12), with a substantial share relating to freight transport by road (Figure 22). Consequently, the transport sector accounts for the highest number of such PD A1s issued in Lithuania (Figure 21). Analysis of PD A1 data for 2024, in accordance with Articles 12 and 13 of the Regulation, shows that a total of 56 787 PD A1s were issued within the transport sector, of which 48 901 were granted to foreign nationals, including 20 927 to Belarusian citizens and 8 929 to Ukrainian citizens (Table 20 and Figure 30). Within this context, it is notable that the highest number of PD A1s under Article 13.1 in the freight transport by road segment was recorded in 2023 – 63 931, compared with 59 822 in 2024 (Table 16). It can therefore be inferred that the migration policy tightening introduced in mid-2024 may already have exerted an effect, at least on this segment of the transport sector, representing the first, albeit modest, decline observed over the 2019–2024 period.

This trend is mirrored in the expansion of cabotage and cross-trade activities undertaken by Lithuanian haulage firms (De Smedt et al, 2025) (7,664 of them operating presently), as well as in the significant increase in the number of PD A1s issued under Article 13.1 of the BR for transport-related activities and, correspondingly, drivers' attestations until 2023 and a slight drop in 2024. However, neither these data nor the statistics on valid driver attestations (109,899 attestations in force (or 73,560 issued during the year) in Lithuania in 2024 (Figures 5-6)) accurately reflect the actual number of drivers employed in the transport sector by Lithuanian carriers, nor do they indicate the proportion of drivers who were posted or engaged in work in more than two EU/EEA MSs during that year. By contrast, data from the LDU system show that 71,773 long-distance drivers were employed in Lithuania in 2024, compared with 35,185 in 2023, representing an absolute increase of 36,588 drivers and a year-on-year growth of approximately 104%. Thus, the number of long-distance drivers more than doubled over this short period of time. However, annual average figures for long-haul drivers are not available; instead, only point-in-time statistics can be accessed. Consequently, it is not possible to draw clear or definitive conclusions (only possible once) regarding the reasons behind these ambiguous trends, whereby, over the same period, the number of PD A1s and driver attestations issued has declined, while the number of employed workers has increased sharply.

It is also important to note that neither the construction nor the transport sector experienced a substantial decline in posting volumes as a result of the COVID-19 pandemic and latter. It appears that no crisis during the 2019–2024 period significantly curtailed either the employment of TCNs in Lithuania or the posting of workers from Lithuania. On the contrary, the pandemic years appear to have marked a breakthrough in postings within sectors such as accommodation and food service activities. Admittedly, this period may also have been characterised by an increased number of PD A1s due to stricter checks upon entry into Lithuania and when travelling to other MSs from Lithuania. Consequently, due to potential administrative data-collection biases, it is not possible to draw unequivocal conclusions regarding the exact scale of human resources involved in posting activities.

Germany is the dominant destination country for posted workers in both the industrial and services sectors. Following Germany, Sweden ranks second as a destination in the industrial sector, while the Netherlands occupies this position in the services sector. However, this country-specific ranking is not unequivocal, as the majority of PD A1s are issued under Article 13.1 of the BR for which the destination MSs—apart from limited exceptions—are typically not specified in the information recorded by the Vilnius division.

Together other figures, analysed in the Report, demonstrate that Lithuanian service providers occupy a substantial share of the European market. All these developments suggest the emergence of a business model in Lithuania based on the recruitment of TCNs who are, to a large extent sent within the EU, and therefore are, in principle, from the labour law perspective entitled to the wages and working conditions applicable in host countries.

With regard to postings to Lithuania, the figures differ substantially. The information presented in the Report is based on two sources: the LDU and the IMI systems. In 2023, a total of 4,231 notifications submitted by host companies concerning workers posted to Lithuania were reported to the SLI via the LDU system. In 2025, the SLI was notified of more than 6,000 postings to Lithuania. This indicates a clear upward trend in the inflow of posted workers from sending MSs, as the numbers have increased noticeably. Moreover, as noted by the SLI, there is a possibility that an even higher number of posted workers are present in the territory of Lithuania and are not being reported³.

The leading countries in terms of the number of notifications related to posting into Lithuania submitted were Poland and Latvia in 2023. Of all notifications concerning workers posted to Lithuania, 1,810 (42.8%) originated from Poland, while 1,581 (37.4%) came from Latvia. Notifications from other countries were considerably fewer in number. Assuming that host companies report all posted workers to the SLI, it may be concluded that postings from other countries remain insignificant. When analysing the forms under which workers were posted to Lithuania, the dominant category was contracting/subcontracting arrangements, accounting for 2,588 notifications, or approximately 61.2% of the total 4,231 notifications submitted in 2023. The second most common form was intra-corporate transfers, comprising 1,394 notifications, representing around 33.0% of all notifications. Thirdly, postings by temporary employment agencies or placement firms to a user business established in another MS accounted for 249 notifications, approximately 5.9% of the total.

It is also important to note that the transport sector operates under a specialised IMI notification mechanism, as a result of which the SLI is not notified of workers posted to Lithuania in this sector. Companies carrying out non-bilateral transport operations within the EU, including international transport between EU MSs and cabotage, must submit driver posting declarations to each relevant MS via the IMI interface. Consequently, the information presented in the Report indicates an additional number of workers posted to Lithuania in transport sector, beyond those referred to earlier, based on data provided by the TSA according to the IMI system. During the period 2023-2025, drivers from 27 MSs, as well as the United Kingdom, were posted to Lithuania. With regard to changes in volume, a significant increase in the number of posted workers is evident: 14,529 drivers were posted in 2023, compared with as many as 291 307 drivers in 2024 and 282 349 in 2025. An assessment of the countries posting the highest numbers of drivers in 2025 indicates that Poland is the leading country and stands out markedly in comparison with other countries. It should be noted that the TSA was unable to identify any information on the countries to which drivers employed in Lithuania were posted.

The Report also seeks to assess whether the rights of posted workers are effectively realised in practice by analysing both the limited information available on inspections, including cross-border inspections related to postings from Lithuania carried out with the support of the ELA, and the available information on

³ Interview with SLI representative, conducted in June 2025.

inspections conducted at the national level. With regard to business entities operating under the model under discussion, and when comparing inspections with the scale of the posting phenomenon, both to Lithuania and particularly from Lithuania, the number of inspections is considered relatively low. There are also no specialised inspectors within institutions specifically tasked with monitoring the working conditions of posted workers. Meanwhile, the role of the Cooperation Centre⁴, which began operating on 1 February 2024, can presently be described as potential rather than actual.

Based on the information collected during the course of this report, it can be stated that at least some posted workers' rights remain unprotected in practice. Trade unions in Lithuania representing such workers, particularly TCNs, have a substantial workload. According to trade union data, the most frequent rights violations encountered by workers posted abroad from Lithuania concern breaches of labour rights, including the right to proper and agreed remuneration (including cases where promised pay is reduced), working time accounting, rest periods, adequate information on working conditions, and social insurance and social protection rights arising from the aforementioned entitlements. Certain practices, such as the imposition of unpaid leave or idle time, remain particularly problematic and may be legally ambiguous. On the one hand, such practices, according to business representatives, can indeed reflect flexible arrangements between employers and employees. On the other hand, they may also involve instances of employer abuse of their rights, especially when third-country nationals who have recently arrived in Lithuania lack sufficient information to understand that they are entitled to lawfully refuse arrangements that benefit the employer more than the employee and worsen the employee's conditions both from perspective of labour and social security legislation, especially as such practices result in periods not covered by social insurance. In this context, trade unions play an important role in ensuring the protection of workers' rights, meaning that such protection in practice is not limited solely to the actions of state institutions⁵.

It should be noted that not all information, including statistical data, collected for the Report is publicly available. Therefore, it was obtained through close collaboration with state institutions. Still not always statistics are complete. For example, according to *Sodra's* representatives, while statistical data on issued PD A1s are available, these data are not transcribed into statistics reflecting the number of individual persons to whom the PD A1s have been granted or average duration of all PD A1s. Information related to the duration of average posting periods is available only from the LDU system and is relates specifically to postings to Lithuania. The same is with statistics of drivers certificated that for different administrative and employers' behavioural reasons (for example, when they do not report that a worker is no longer employed with them) do not reflect the exact numbers of TCNs employed in the sector.

It is important to highlight that, in preparing the Report, information was not available on how the social protection system functions *de facto* for posted workers in the event of a workplace injury or fatality, particularly for third-country nationals, what guarantees are provided to them and their family members, or on the investigations conducted into occupational accidents and their outcomes. Additionally, we observed significant gaps in the collection of information regarding temporary employment agencies involved in worker posting schemes. In our view, greater attention should be devoted to all of this information in the future, particularly by developing and improving the collection of at least administrative data on postings. Furthermore, there is no information available regarding the long-term benefits, such as old-age and

4 The Centre was established by the SLI together with the State Tax Inspectorate, the *Sodra*, the Financial Crimes Investigation Service, the Police Department and the SBGS. The Centre's activities are directed towards the prevention and detection of legal violations related to illegal work, undeclared work, forced labour, breaches of foreign employment regulations, and various forms of abuse by employers aimed at evading the payment of taxes and contributions associated with employment, as well as other infringements affecting employees' rights. The Centre also seeks to safeguard the rights of participants in the labour market. In carrying out its mandate, the Centre analyses high-risk enterprises using data provided by the MSSL, the Labour Disputes Commissions, and the SBGS.

5 It is not yet possible to draw final conclusions in this report, as criminal investigations in Lithuania have not been completed, and publicly available information remains very limited.

disability pensions, to which TCNs have actually accrued, nor regarding the social insurance contribution periods accumulated by them in Lithuania.

It is also necessary to take into account that, as survey findings indicate, Lithuanian society is not prepared for the long-term integration of foreign workers. Consequently, the business model adopted, based on the recruitment of a significant proportion of the labour force from abroad, whereby these workers spend only a limited period of time in Lithuania, appears, from a societal perspective, to be relatively acceptable.

Having evaluated all the information collected and considered it systematically, it is our view that the administrative capacities in terms of managing national information, cooperating with institutions in other MSs, and inspecting potential sites, including human, financial, and organisational resources, are insufficient. Several institutions are formally involved in the governance and oversight of posted work in Lithuania, most notably the SLI, the *Sodra*, the MD, and other administrative bodies operating at both national and EU levels. However, despite this institutional plurality, their practical engagement may be characterised as fragmented and, in some respects, limited. Consequently, this Report represents the first attempt to gather such administrative, statistical, and qualitative interview-based information. Unfortunately, due to inconsistent data and insufficient cooperation between institutions, it is simply not possible to compare a substantial portion of the available information. Therefore, a large part of the conclusions should be regarded as preliminary, providing guidance for further, more in-depth research rather than as definitive findings.

Santrauka

Istoriškai Lietuva nebuvo laikoma imigracijos valstybe. Priešingai, ypač įstojus į Europos Sąjungą 2004 m., šalis patyrė reikšmingą šalies gyventojų emigraciją, turėjusią ilgalaikį poveikį demografinėi struktūrai ir darbo rinkos dinamikai. Šis emigracijos reiškinys ir jo mastas tiesiogiai įtakojo nuolatinį neigiamą grynosios migracijos saldo vėlesniais metais.

Vis dėlto pastarąjį dešimtmetį Lietuvos migracijos poveikslas ėmė keistis. Geopolitiniai pokyčiai kaimyninėse valstybėse už Europos Sąjungos ribų, kartu su nuolat augančia darbo jėgos paklausa visoje Europos Sąjungoje, prisidėjo prie matomo užsieniečių, daugiausia – trečiųjų šalių piliečių, srauto į Lietuvos darbo rinką padidėjimo. Dėl įvairių priežasčių stebimas akivaizdus Lietuvoje įdarbintų trečiųjų šalių piliečių skaičiaus augimas. 2015 m. asmenys, kurie nebuvo Lietuvos Respublikos piliečiai, sudarė vos 1,6% apdraustųjų visomis valstybinio socialinio draudimo rūšimis Lietuvoje, o 2025 m. šis rodiklis išaugo iki 10,6%. Tuo pat metu pastaraisiais metais sparčiai didėjo Lietuvoje įdarbintų trečiųjų šalių piliečių komandiravimas į kitas Europos Sąjungos ir Europos Ekonominės erdvės valstybes nares. Nors, palyginti su didžiosiomis Europos Sąjungos valstybėmis narėmis, šio reiškinio mastas Lietuvoje išlieka santykinai ribotas, jis atspindi reikšmingą pokytį pastarųjų metų migracijos trajektorijoje bei kintančioje Lietuvos pozicijoje platesniame Europos Sąjungos vidaus darbo rinkos kontekste. Šie procesai rodo, kad Lietuva tampa viena iš Europos Sąjungos darbuotojų komandiravimo centrų.

Lietuva neabejotinai prisitaikė prie kintančių geopolitinių sąlygų, kilusių dėl karo Ukrainoje (2014 ir 2022 m.) bei Baltarusijos sienos krizės 2021 m., taip pat operatyviai reagavo į COVID-19 pandemiją. Galima teigti, kad šalies verslas ir pati valstybė strategiškai išnaudojo susiklosčiusias sąlygas, stiprindamos Lietuvos, kaip vienos iš rytinių Europos Sąjungos pasienio valstybių, vaidmenį. Šiame kontekste migracijos politika, o tiksliau – jos teisinis reguliavimas, vertintini kaip turintys ypatingą reikšmę. 2017–2018 m. laikotarpis, aptariamas šioje ataskaitoje, gali būti apibūdintas kaip trečiųjų šalių piliečių priėmimo ir įdarbinimo liberalizacijos laikotarpis, tuo tarpu nuo 2024 m. vidurio stebimas aiškus politikos poslinkis, kai teisiniai imigracijos reikalavimai buvo gana reikšmingai sugriežtinti. Be to, dar 2019 m. Lietuvoje buvo įdiegta vadinamoji LDU, kuri veikia kaip privaloma pranešimų teikimo sistema, užtikrinanti, kad šalies institucijos turėtų savalaikę ir tikslią informaciją apie užsienio valstybių piliečius, dirbančius Lietuvoje arba čia komandiruotus laikinai teikti paslaugas. Ši sistema turėtų padėti užtikrinti darbo, socialinio draudimo, mokesčių ir migracijos teisės aktų laikymąsi bei vykdyti centralizuotą ir išsamesnę stebėseną nei tai buvo įmanoma iki tol⁶.

Šiandien Lietuva Europos Sąjungos kontekste jau vertinama kaip „komandiruojamanti“ šalis. Tai reiškia, kad Lietuvai būdingas nors ir augantis, bet palyginti ribotas, komandiruotų darbuotojų srautas iš kitų valstybių narių, tuo tarpu darbuotojų komandiravimas į kitas valstybes nares iš mūsų šalies turi kur kas didesnę svarbą. Ši tendencija ypač ryški transporto ir saugojimo sektoriuje (Petrylaitė ir kt., 2022). Remiantis 2021 m. *Leuven* universiteto publikuotu tyrimu (De Wispelaere ir kt., 2021), taip pat – duomenimis, surinktais rengiant šią ataskaitą, galima daryti prielaidą, kad Lietuvos įmonės užsiima paslaugų eksportu, naudodamos darbuotojų komandiravimą kaip vieną pagrindinių mechanizmų. Rengiant šią ataskaitą surinkta informacija rodo, kad nei trečiųjų šalių piliečių įdarbinimo procesas Lietuvoje, nei jų komandiravimas nebuvo reikšmingai

⁶ Teisinis LDU pagrindas yra numatytas Įstatymo dėl užsieniečių teisinės padėties įstatymo 62 straipsnio 8 dalis:

„Darbdavys, įdarbinęs užsieniečių įmonė, į kurią užsieniečiai komandiruojamas laikinai dirbti, arba fizinis asmuo, pas kurį užsieniečiai komandiruojamas laikinai dirbti, informaciją apie įdarbintą arba komandiruotą laikinai dirbti į Lietuvos Respubliką užsieniečių, taip pat apie darbo sutarties nutraukimą teikia Migracijos departamentui, Valstybinei darbo inspekcijai ir Užimtumo tarnybai per Valstybinio socialinio draudimo fondo valdybos prie Socialinės apsaugos ir darbo ministerijos informacinę sistemą Valstybinio socialinio draudimo fondo valdybos prie Socialinės apsaugos ir darbo ministerijos direktoriaus, Lietuvos Respublikos vyriausiojo valstybinio darbo inspektoriaus ir Užimtumo tarnybos direktoriaus nustatyta tvarka“.

sutrikdyti COVID-19 pandemijos ar pastarųjų Europos Sąjungos teisės pokyčių, susijusių su darbuotojų komandiravimu, įskaitant Mobilumo paketą. Priešingai, verslą atstovaujanti organizacija pačios teigia, kad Mobilumo paketas pareikalavo transporto sektoriuje įdarbinti daugiau darbuotojų⁷.

Ataskaitoje didesnis dėmesys skiriamas transporto sektoriui nei kitiems sektoriams, nes pastarąjį dešimtmetį būtent šiame sektoriuje fiksuotas reikšmingiausias užsieniečių, daugiausia – trečiųjų šalių piliečių, įdarbinimo ir komandiravimo (darbo teisės kontekste) augimas. Lietuvos transporto sektorius tapo itin matomu pavyzdžiu Europoje, ypač atsižvelgiant į šalies mažumą. Sparčiai augantis sektorius, stipriai priklausantis nuo trečiųjų šalių piliečių darbo jėgos ir glaudžiai integruotas į tarptautines kelių krovinių rinkas, išsiskiria savo žymiu poveikiu ir svarba.

Turimi duomenys rodo, kad komandiruojamų darbuotojų struktūroje dominuoja vidutinės kvalifikacijos vyrai, daugiausia – trečiųjų šalių piliečiai. Nors statybų sektorius, antras pagal didžiausią komandiruojamų darbuotojų skaičių, apima šiek tiek didesnę Lietuvos piliečių dalį nei užsieniečių, transporto sektorius pasižymi užsienio darbuotojų ir trečiųjų šalių piliečių, ypač – iš Baltarusijos ir Ukrainos, dominavimu. Pastaraisiais metais transporto sektoriuje taip pat įsitvirtino ir kitų trečiųjų šalių piliečiai, pavyzdžiui, Uzbekistano ir kiti.

Statistika, susijusi su ataskaitoje nagrinėtu 2019–2024 metų laikotarpiu išduotais A1 pažymėjimais⁸ pagal Europos Sąjungos Bendrąjį reglamentą dėl socialinės apsaugos sistemų koordinavimo (toliau - Reglamentas) rodo, kad dominuoja A1 pažymėjimai, išduoti pagal 13.1 straipsnį (12 lentelė), o juose - krovinių vežimas kelių transportu (22 pav.). Taigi būtent transporto sektoriuje fiksuojamas didžiausias išduotų tokių pažymėjimų skaičius Lietuvoje (21 pav.). Vertinant A1 pažymėjimų statistiką už 2024 metus pagal Reglamento 12 ir 13 straipsnius transporto sektoriuje matyti, jog buvo išduota iš viso 56 787 A1 pažymėjimai, iš jų – 48 901 užsieniečiams, iš kurių 20 927 – Baltarusijos, o 8 929 – Ukrainos piliečiai (20 lentelė ir 30 pav.). Šiame kontekste svarbu tai, kad daugiausia A1 pažymėjimų pagal 13.1 straipsnį krovinių vežimo kelių transportu segmente buvo išduota 2023 metais – 63 931, o 2024 metais jau mažiau - 59 822 pažymėjimai (16 lentelė). Taigi galima teigti, kad 2024 metų viduryje įvesti migracijos politikos sugriežtinimai galimai jau turėjo poveikį, bent jau šiam transporto sektoriaus segmentui, nes tai yra pirmasis, nors ir nežymus, mažėjimas 2019-2024 metų laikotarpiu.

Transporto sektoriaus plėtros tendencijos atsispindi Lietuvos transporto įmonių vykdomos kabotažo ir tarpvalstybinės prekybos veiklos plėtroje (De Smedt ir kt., 2025), kur šiuo metu veikia 7 664 įmonės, taip pat, kaip minėta, reikšmingame A1 pažymėjimų, išduotų pagal Bendrojo Reglamento 13.1 straipsnį transporto veikai, ir atitinkamai – vairuotojų pažymėjimų iki 2023 metų skaičiaus augime, su nedideliu sumažėjimu 2024 metais. Tačiau nei šie duomenys, nei statistika apie galiojančius vairuotojų pažymėjimus (2024 m. Lietuvoje galiojo 109 899 pažymėjimai, arba buvo išduota 73 560 pažymėjimų per metus (5-6 paveikslai)) tiksliai neatskleidžia faktiškai Lietuvos transporto įmonėse įdarbintų vairuotojų skaičiaus ir nenurodo, kokia dalis vairuotojų buvo komandiruoti ar dirbo daugiau nei dviejose ES/EEE valstybėse narėse atitinkamais metais. Priešingai, duomenys iš LDU sistemos rodo, kad 2024 metais Lietuvoje dirbo 71 773 tolimųjų reisų vairuotojai, palyginti su 35 185 tokiais vairuotojais 2023 metais, kas sudaro absoliutų padidėjimą 36 588 vairuotojų skaičiumi ir maždaug 104% metinį augimą. Taigi, per šį trumpą laikotarpį tolimųjų reisų vairuotojų skaičius daugiau nei padvigubėjo. Tačiau informacija apie vidutinį metinį tokių vairuotojų skaičių nėra prieinama, pateikiami tik konkretaus momento statistiniai duomenys. Todėl neįmanoma pateikti aiškių ar galutinių išvadų dėl šių prieštarų tendencijų, kurios rodo, kad tuo pat metu išduotų A1 pažymėjimų ir vairuotojų pažymėjimų skaičius sumažėjo, o faktiškai įdarbintų darbuotojų skaičius ženkliai išaugo.

⁷ Interviu, vykdyto rengiant šią ataskaitą, metu.

⁸ Tekste anglų kalba vartojamas trumpinys PD A1.

Svarbu pažymėti, kad nei statybų, nei transporto sektorius nepatyrė reikšmingo darbuotojų komandiravimo apimčių sumažėjimo COVID-19 pandemijos ir vėlesniais metais. Atrodo, kad jokia krizė 2019-2024 metų laikotarpiu reikšmingai nesumažino nei trečiųjų šalių piliečių įdarbinimo Lietuvoje, nei darbuotojų komandiravimo iš Lietuvos. Priešingai, panašu, kad pandemijos metai, žymėjo proveržį darbuotojų komandiravimo apimtyse tokiose veiklose kaip apgyvendinimo ir maitinimo paslaugos. Kita vertus, aptariamasis laikotarpis galėjo būti pažymėtas didesniu A1 pažymėjimų skaičiumi dėl griežtesnių patikrinimų atvykstant į Lietuvą ir vykstant į kitas ES valstybes nares iš Lietuvos. Dėl galimų administracinių duomenų rinkimo ribojimų neįmanoma pateikti vienareikšmių išvadų apie tikslią žmogiškųjų išteklių apimtį darbuotojų komandiravimo srityje.

Kalbant apie valstybes, į kurių teritorijas darbuotojai komandiruojami iš Lietuvos, Vokietija yra pagrindinė valstybė tiek pramonės, tiek paslaugų sektoriuose. Po Vokietijos antra pagal dažnumą priimanti valstybė pramonės sektoriuje yra Švedija, o paslaugų sektoriuje – Nyderlandai. Tačiau toks valstybių eiliškumas nėra visai tikslus, nes dauguma A1 pažymėjimų yra išduodami pagal Reglamento 13.1 straipsnį, tuo tarpu Sodros Vilniaus skyrius, aptariamam pagrindui išduodamas A1 pažymėjimą, išskyrus ribotas išimtis, nerenka informacijos apie konkrečias valstybes, į kurias *de facto* darbuotojai yra siunčiami.

Apibendrinant visumą aukščiau aptartų ir kitų ataskaitoje analizuotų duomenų, darytina išvada, kad Lietuvos paslaugų teikėjai užima gana reikšmingą Europos paslaugų rinkos dalį. Visos šios tendencijos leidžia kalbėti apie Lietuvoje formuojamą verslo modelį, pagrįstą trečiųjų šalių piliečių įdarbinimu, kurie didžiąja dalimi siunčiami į Europos Sąjungos valstybes nares ir todėl iš darbo teisės perspektyvų, turi teisę į atlygį ir darbo sąlygas, taikomas priimančiose šalyse.

Kalbant apie komandiravimą į Lietuvą, skaičiai rodo kitokias tendencijas nei aukščiau aptartosios komandiravimo iš Lietuvos atveju. Ataskaitoje pateikta informacija apie į Lietuvą komandiruojamus darbuotojus remiasi dviem šaltiniais: LDU ir Vidaus rinkos informacinė sistema (IMI). 2023 m. per LDU sistemą iš priimančių įmonių Valstybinė darbo inspekcija (VDI) iš viso gavo 4 231 pranešimą apie į Lietuvą komandiruotus darbuotojus, o 2025 m. – apie daugiau nei 6 000. Tai rodo aiškia komandiravimo į Lietuvą iš kitų ES valstybių narių augimo tendenciją. Be to, kaip pažymi VDI, yra tikimybė, kad Lietuvoje yra dar didesnis komandiruotų darbuotojų skaičius, apie kuriuos pranešimų pateikta nebuvo.⁹

2023 m. daugiausia pateikta pranešimų apie darbuotojų komandiravimą į Lietuvą iš Lenkijos ir Latvijos. Iš visų pranešimų apie į Lietuvą komandiruotus darbuotojus 1 810 (42,8 %) buvo iš Lenkijos, o 1 581 (37,4 %) – iš Latvijos. Kitų šalių pranešimų skaičius buvo ženkliai mažesnis. Darant prielaidą, kad visos priimančios įmonės VDI pateikia informaciją apie visus komandiruotus darbuotojus, galima daryti išvadą, jog komandiruotės iš kitų šalių išlieka nereikšmingos. Analizuojant formas, pagal kurias darbuotojai buvo komandiruoti į Lietuvą, dominuojanti kategorija buvo rangos/subrangos (*subcontracting*) sutartys – iš viso 2 588 pranešimai, sudarantys apie 61,2 % visų 2023 m. pateiktų 4 231 pranešimų. Antra pagal dažnumą forma buvo įmonių vidinės perkėlimo (*intra-corporate transfer*) schemas, kurių buvo 1 394, arba apie 33,0 % visų pranešimų. Trečia pagal dažnumą – laikinojo įdarbinimo agentūrų ar tarpininkavimo įmonių vykdyti komandiravimai, sudarę 249 pranešimus, arba apie 5,9 % visų pranešimų.

Svarbu pažymėti, kad transporto sektorius veikia pagal specializuotą IMI pranešimų mechanizmą, todėl VDI negauna informacijos apie šio sektoriaus darbuotojų komandiravimą į Lietuvą. Įmonės, vykdančios ne dvišalius transporto veiksmus ES, įskaitant tarptautinį transportą tarp ES valstybių narių ir kabotažą, privalo per IMI sistemą pateikti pranešimus apie vairuotojų komandiruotes kiekvienai atitinkamai valstybei narei.

⁹ Interviu su Valstybine darbo inspekcija, 2025 m. birželis.

Todėl ataskaitoje pateikta informacija remiantis Transporto saugos administracijos pateikta informacija pagal IMI sistemą taip pat atskleidžia papildomą į Lietuvą komandiruočių darbuotojų skaičių transporto sektoriuje, neįtrauktą į ankstesnius duomenis. 2023–2025 m. laikotarpiu į Lietuvą buvo komandiruoti vairuotojai iš 27 ES valstybių narių, taip pat – iš Jungtinės Karalystės. Kalbant apie apimties pokyčius, akivaizdus ženklus komandiruočių darbuotojų (ar pranešimų) skaičiaus šuolis: 2023 m. buvo komandiruoti 14 529 vairuotojai, 2024 m. – 291 307, o 2025 m. – 282 349. 2025 m. pagal komandiruočių vairuotojų skaičių pirmauja Lenkija, kuri akivaizdžiai išsiskiria kitų valstybių narių kontekste. Reikėtų pažymėti, kad Transporto saugos administracija negalėjo pateikti jokios informacijos apie šalis, į kurias buvo komandiruoti Lietuvoje įdarbinti vairuotojai.

Ataskaitoje taip pat siekta įvertinti, ar komandiruočių darbuotojų teisės praktikoje yra efektyviai įgyvendinamos, analizuojant ribotą informaciją apie nacionaliniu lygiu atliktus patikrinimus, susijusius su komandiruočių darbuotojų paslaugomis besinaudojančiomis ir komandiruojančiomis įmonėmis, taip pat – apie tarpvalstybinius patikrinimus, susijusius su komandiravimu iš Lietuvos, vykdytus Europos darbo institucijos (ELA) pagalba. Vertinant įmones, veikiančias pagal nagrinėjamą modelį, ir lyginant patikrinimų skaičių su komandiravimo mastu, tiek į Lietuvą, tiek ir ypač iš Lietuvos, patikrinimų skaičius vertintinas kaip santykinai ribotas. Taip pat institucijose nėra specializuotų inspektorius, kuriems būtų tiesiogiai pavesta stebėti komandiruočių darbuotojų darbo sąlygas. Tuo tarpu Tarpinstitucinio bendradarbiavimo centro, kuris pradėjo veikti 2024 m. vasario 1 d., vaidmuo šiuo metu gali būti apibūdinamas tik kaip potencialus, o ne faktinis.

Remdamiesi ataskaitos metu surinkta informacija, galime konstatuoti, kad bent dalis komandiruočių darbuotojų teisių praktikoje lieka neapsaugotos. Lietuvoje veikiančios profesinės sąjungos, ginančios tokių darbuotojų, ypač – trečiųjų šalių piliečių, teises, susiduria su reikšmingu darbo krūviu. Remiantis profesinių sąjungų duomenimis, dažniausiai pasitaikančios pažeistos teisės iš Lietuvos į užsienį komandiruojamų darbuotojų atveju, yra susijusios su darbo teisių pažeidimais, įskaitant teisę į tinkamą ir sutartą atlyginimą (įskaitant atvejus, kai pažadėta suma sumažinama), darbo laiko apskaitą, poilsio laikotarpius, aiškią ir pakankamą informaciją apie darbo sąlygas bei teisę į socialinį draudimą ir socialinę apsaugą, kylančią iš minėtų teisių. Tam tikrų praktiškų, tokių kaip neapmokamos atostogos ar prastovos taikymas, išlieka ypač problemišku bei teisiniu požiūriu gali būti vertinamas dviprasmiškai. Viena vertus, tokia praktika, kaip teigia verslo atstovai, iš tiesų gali būti lanksčių susitarimų tarp darbdavių ir darbuotojų išraiška. Kita vertus, tai gali būti susiję ir su darbdavio piktnaudžiavimo savo teise atvejais, ypač – kai į Lietuvą kyla tik atvykę trečiųjų šalių piliečiai neturi pakankamai informacijos, kad turi teisę pagrįstai atsisakyti labiau darbdaviui nei pačiam darbuotojui naudingų susitarimų. Tokios praktikos ne visuomet atitinka darbuotojų interesą darbo teisės ir socialinės apsaugos teisės prasme, labiausiai todėl, kad lemia ir atitinkamų nedraudiminių laikotarpių susiformavimą. Šiame kontekste profesinės sąjungos įgyja svarbų vaidmenį darbuotojų teisių apsaugos užtikrinime, taigi tokia apsauga praktikoje neapsiriboja vien valstybės institucijų veikla¹⁰.

Reikėtų pažymėti, kad ne visa informacija, įskaitant statistinius duomenis, surinkta rengiant šią ataskaitą, yra viešai prieinama. Todėl dalis duomenų buvo gauta glaudaus bendradarbiavimo su valstybės institucijomis metu. Vis dėlto statistika ne visada yra išsami. Pavyzdžiui, pagal *Sodros* pateiktą informaciją, nors statistiniai duomenys apie išduotus A1 pažymėjimus yra prieinami, jie nėra paverčiami statistika, atspindinčia asmenų, kuriems šie pažymėjimai buvo išduoti, skaičių arba A1 pažymėjimų galiojimo vidutinę trukmę. Duomenys apie vidutinę komandiravimo trukmę yra prieinami tik per LDU sistemą ir susiję tik su komandiravimu į Lietuvą. Panaši situacija fiksuojama ir su vairuotojų sertifikavimo statistika, kuri dėl administracinių ar darbdavių elgesio priežasčių (pavyzdžiui, kai jie nepraneša apie pasibaigusius darbo santykius su darbuotojais) neatskleidžia tikslaus trečiųjų šalių piliečių, įdarbintų sektoriuje, skaičiaus, tik sertifikatų skaičių.

¹⁰ Galutinių išvadų šioje ataskaitoje daryti dar negalime, nes nėra pasibaigę ikiteisminiai tyrimai Lietuvoje, o viešai prieinama informacija yra tik labai ribota.

Svarbu pabrėžti, kad rengiant šią ataskaitą nebuvo prieinama informacija apie tai, kaip socialinės apsaugos sistema faktiškai veikia komandiruočių darbuotojų atžvilgiu nelaimingo ar mirtino atsitikimo darbe atveju, ypač – kai kalbama apie trečiųjų šalių piliečius, kokios garantijos tokiu atveju suteikiamos jiems ir jų šeimos nariams, taip pat – apie atliktus nelaimingų atsitikimų darbe tyrimus ir jų rezultatus. Be to, nustatyti reikšmingi informacijos rinkimo trūkumai, susiję su laikinojo įdarbinimo įmonėmis, dalyvaujančiomis darbuotojų komandiravimo schemose. Mūsų vertinimu, ateityje šiai informacijai turėtų būti skiriamas didesnis dėmesys, visų pirma – tobulinant ir plėtojant bent administracinių duomenų apie komandiravimą rinkimą. Taip pat mūsų stebėjimais nėra prieinamos informacijos apie ilgalaikes socialines išmokas, pavyzdžiui, senatvės ar netekto darbingumo pensijas, kurias trečiųjų šalių piliečiai faktiškai yra įgiję, taip pat – apie jų Lietuvoje sukauptus socialinio draudimo įmokų laikotarpius.

Taip pat būtina atsižvelgti į tai, kad, kaip rodo apklausų rezultatai, Lietuvos visuomenė nėra pasirengusi darbuotojų – užsienio piliečių – ilgalaikiai integracijai. Todėl atrodo, kad pasirinktas verslo modelis, grindžiamas reikšmingos darbo jėgos dalies pritraukimu iš užsienio taip, kad šie darbuotojai Lietuvoje praleidžia tik ribotą laiko dalį, ir visuomenės požiūriu atrodo santykinai priimtinas.

Įvertinus visą surinktą informaciją ir ją sistemaiškai išanalizavus, darytina išvada, kad administraciniai pajėgumai, susiję su nacionalinės informacijos valdymu, bendradarbiavimu su kitų valstybių narių institucijomis bei galimų pažeidimų tikrinimu, įskaitant žmogiškuosius, finansinius ir organizacinius išteklius, yra nepakankami. Lietuvoje informacijos apie darbuotojų komandiravimą valdyme ir priežiūroje formaliai dalyvauja kelios institucijos, visų pirma – VDI, *Sodra*, Migracijos departamentas ir kitos nacionaliniu bei Europos Sąjungos lygmeniu veikiančios administracinės institucijos. Vis dėlto, nepaisant šios institucinės įvairovės, jų praktinis išitraukimas gali būti apibūdinamas kaip fragmentiškas ir tam tikrais aspektais ribotas. Atsižvelgiant į tai, ši ataskaita laikytina pirmuoju bandymu sistemingai surinkti ir apibendrinti administracinius, statistinius bei kokybinius, interviu pagrindu gautus duomenis. Deja, dėl duomenų nenuoseklumo ir nepakankamo institucijų tarpusavio bendradarbiavimo reikšmingos dalies turimos informacijos palyginimas nėra įmanomas. Todėl didelė dalis pateiktų išvadų turėtų būti vertinama kaip preliminarios, skirtos nubrėžti tolesnių, išsamesnių tyrimų kryptis, o ne kaip galutiniai vertinimai.

Introduction

The purpose of this Report is to increase knowledge about the posting of workers from and to Lithuania by identifying and exploring a variety of administrative micro-data available at national level and providing new insights about the phenomenon. The focus of the Report is on posting *from* Lithuania, rather than posting *to* Lithuania, as Lithuania is one of the main sending MSs of posted workers.

This Report aims to address key questions by offering further evidence and by complementing the limited EU-level data with compiled administrative information. To this end, the Report addresses the following core research questions each of those questions explored in a dedicated chapter:

- 1) what are **the major trends in the Lithuanian labour market** over the past decade and in earlier periods (*Chapter 1*);
- 2) what is **the extent and defining features of intra-EU posting from and to Lithuania?** (*Chapter 2*);
- 3) what is **the extent and characteristics of ‘irregular’ forms of intra-EU posting involving Lithuania?** (*Chapter 3*).

The Report may be regarded as a first attempt to consolidate statistical data from a range of sources. In addition to quantitative evidence, it draws on qualitative information obtained through interviews conducted with representatives of the following state institutions in the course of preparing the Report: **MSSL, SLI, Vilnius Division; PES, MD, TSA**. Moreover, so-called informal or non-governmental sources — primarily information from trade unions, employers’ organizations, job advertisements published on private websites offering employment opportunities via Lithuanian in other EU and EEA MSs will be evaluated as a source in the context of this Report.

With regard to the employment of foreign nationals in Lithuania, quantitative data from the *Sodra, Migration Department*, and the LDU are analysed. Taking into account that Lithuania primarily functions as a “sending” country, the Report examines the administrative and legislative framework governing the posting of workers from a Lithuanian perspective. Particular attention is paid to sectors in which postings most frequently occur under Article 12.1 and to work carried out in more than two MSs under Article 13.1 of the BR, notably transport and construction, which account for the highest volume of postings originating from Lithuania. The analysis is further supplemented by information from the SLI and other supervisory authorities regarding posted workers and foreign nationals employed in Lithuania, as well as by relevant academic literature and insights from trade unions and employers’ organizations.

The analysis in the Report is also based on the preliminary assumption that TCNs are recruited in Lithuania not only to meet the immediate needs of the domestic labour market or local service provision (as declared formally in legislation, in Lithuanian “*darbo rinkos poreikia?*”), but also with the potential aim of facilitating the subsequent re-export of labour to other EU/EEA MSs. This assumption will be explored through the analysis and comparison of several quantitative data sources, including: statistics on the number of foreign nationals arriving in Lithuania and obtaining specific migration-related documents (*Migration Annals* (Migration Department, 2025)); employment in Lithuania and also posting to Lithuania (from third countries) and figures of foreign nationals employees in Lithuanian labour market (LDU statistics); data on workers, including foreign nationals, posted abroad from Lithuania (as reflected in PD A1s issued under Article 12 of the Regulation) or working in two and more MSs (as reflected in PD A1s issued under 13 of the Regulation); and other data published by Eurostat on road freight transport such as cross-trade and

cabotage services provided by hauliers established in and on the number of drivers' attestations issued/in circulation.

In addition to identifying potential irregularities, the Report analyses the effects of the COVID-19 pandemic on movements of posted workers from Lithuania and evaluates the extent to which Revision Directive, which amended PWD, together with the Mobility Package, has influenced posting practices, including their implications for Lithuanian enterprises and conditions of employment.

1. Major trends in the Lithuanian labour market

In order to provide a clear understanding of the Lithuanian labour market, this chapter outlines its key developments since the country regained independence in the early 1990s. An important point in this context is that for different reasons the population of Lithuania declined steadily from approximately 3.7 million in 1991 to 2.897 million in 2025. This decline is of considerable significance for the working-age population and, consequently, for the labour market.

Since, under Lithuanian law, only individuals who are first employed in Lithuania may be posted from Lithuania to work abroad or only those individuals who are first employed in another country under employment contract may be considered as posted to Lithuania, the issue of employment precedes that of posting. Therefore, prior to presenting the statistical analysis of posted workers (both from Lithuania and to Lithuania) in Chapter 2, this chapter aims to provide an overview of the main trends in the Lithuanian labour market over the past decade, as well as during earlier periods, with a particular focus on immigration patterns.

Lithuania functions predominantly as a sending country for posted workers, and to a much lesser extent as a receiving one. Therefore, need to examine immigration trends also arises from insights gathered during interviews conducted for this Report, which revealed that the major part of workers posted from Lithuania are TCNs, at least in the main sending sectors, both as transportation and construction. As such, the mobility of TCNs emerges as a critical element in understanding the broader dynamics of posting. One of the key objectives of this chapter—and of the Report as a whole—is to assess whether the TCNs may be recruited in Lithuania with the specific intention of subsequently being posted to work in other EU/EEA MSs and if this tendency is confirmed, the extent of such a tendency of phenomenon.

1.1 Main reasons for labour force loss in Lithuania's labour market until 2016

Between 1991 and 2016, the Lithuanian labour market faced several major challenges that significantly shaped its structure and dynamics. The transition to a market economy, which began in 1991, was a long-term and complex process that fundamentally transformed economic and labour institutions over the following decades. This process was compounded by multiple economic crises, including the Russian financial crisis in 1998 and the global economic downturn in 2009, which further undermined labour market stability. These economic pressures coincided with Lithuania's accession to the EU, opening opportunities for labour mobility and contributing to high rates of emigration. Alongside the steady decline of the working-age population, these factors collectively led to a persistent reduction of the workforce. Therefore, during this period, the Lithuanian labour market was shaped by at least the following factors:

- ✓ Multiple economic crises, combined with the possibility of free movement of labour after EU accession, contributed to a shrinking workforce.
- ✓ A continuous decrease in the working-age population was largely driven by emigration.

Prior to Lithuania's accession to the EU in 2004, the national labour market underwent significant upheaval. These challenges included the transition from a centrally planned to a market-based economy and the far-reaching impact of the Russian financial crisis. Between 1998 and 2000, unemployment rose sharply from 14.7% to 18.8%, while GDP contracted by 1.5% in 1999. In this context, labour market policy focused overwhelmingly on addressing high domestic unemployment. Immigration was not only a low priority, but

also largely irrelevant, as there was no evident need for additional labour from abroad in a context of significant labour surpluses.

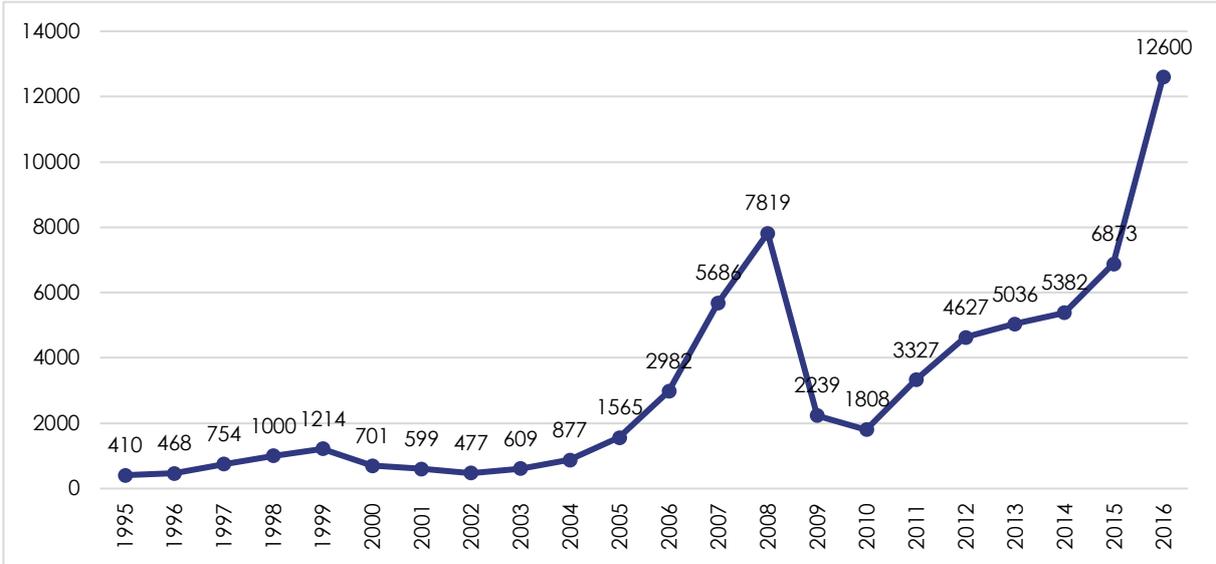
Although the Lithuanian economy began to recover in the early 2000s, it was only after EU accession in 2004 that the legal framework for the posting of workers, in line with EU law, became applicable. Membership in the EU led to the harmonisation of national legislation with the EU acquis, including the principles of free movement of labour and services—key foundations for both workers posting and the coordination of social security systems.

In the years immediately following accession, both labour immigration to Lithuania and the posting of workers from Lithuania remained relatively limited. This was due to a combination of modest demand for foreign labour and the still-nascent economic ties with Western European countries.

Further, from 2004 onwards, EU membership initiated a period of sustained and large-scale labour emigration. This trend was driven by a mismatch between labour supply and demand: on the one hand, limited employment opportunities within Lithuania, and on the other, strong demand for labour in other EU MSs, particularly in Western Europe, where significantly higher wages acted as a strong pull factor. As a consequence, within a relatively short period, Lithuania experienced a marked decline in its working-age population, resulting in a significant reduction with no indication of full recovery. Persistently high levels of emigration, in combination with limited immigration, ongoing population decline, an ageing demographic structure, and one of the highest mortality rates in the EU, have created a complex set of demographic challenges. Labour shortages began to manifest across vital sectors such as construction, transportation, and manufacturing. These shortages were driven not only by domestic demand for labour but also by the steadily increasing requirement among Lithuanian businesses to post workers abroad, utilising the EU's freedom of movement to extend their operational workforce beyond national borders.

In the context of a prevailing demographic deficit, the supply of jobs within the country began to increase, while shortages of both skilled and unskilled labour became increasingly evident. When describing the growth in demand for immigrant labour, it is important to note that during the period 2004–2009, particularly around 2005 and 2007–2008, the need for labour immigrants and the corresponding increase in their numbers was already apparent, driven by rising labour requirements in construction and other sectors. This growth was, however, interrupted by the economic crisis of 2009. As the Lithuanian economy and labour market began to recover, the demand for migrant workers became increasingly pronounced from around 2012 onwards, intensifying sharply in 2016 (Figure 1).

Figure 1. The number of work permits issued to foreigners from 1995 to 2016



Source Žibas et al (2017)

Gradually, the number of work permits issued to foreign nationals started to rise, with notable increases observed during the periods 2006-2008 and after 2011 (Žibas et al, 2017). Significant emigration, demographic challenges, and sudden economic changes have begun to reshape the structure of Lithuania’s labour market. Alongside growing immigration and persistent emigration flows, discussions have emerged not only about the social and economic consequences of emigration but also about the impact of immigration on the social and economic development of the state and society. Employers and business representatives have increasingly raised the issue of the need for labour immigration from so-called third countries. Ultimately, not only has the public discourse surrounding labour migration processes evolved, but so too has the state’s political response to these issues.

Until around 2014, migration policy was based on an *ad hoc* approach; however, between 2014 and 2017, significant political changes occurred, marking a substantial shift from this *ad hoc* principle towards a strategy grounded in long-term objectives. In 2014, the Government of the RL adopted the Guidelines for Lithuania’s Migration Policy (Government 22 January 2014, No. 79), and the MSSSL prepared the Action Plan for the Integration of Foreigners (MSSSL, 31 December 2014, No. A1-683). Furthermore, non-governmental organisations and migration experts developed strategic documents for the integration of TCNs and foreigners granted asylum. In response to labour market changes and needs, the process for issuing work permits to foreign nationals was liberalised, and the List of Shortage Occupations was expanded, facilitating easier employment of foreigners in sectors with high labour demand. Finally, not only was the Law on the Legal Status of Foreigners of the RL (**Law on the LSF**) amended, but numerous other legal acts related to the employment of foreigners in Lithuania were also revised (Žibas et al, 2017).

1.2 Shift in labour migration policies since 2017

This subsection begins with a brief introduction explaining why it is not possible to continue the analysis in a consistent manner using Figure 1 from Section 1.1 of this Report. It should first be emphasised that, until 2016, information on the participation of foreign nationals in the Lithuanian labour market was reasonably reliably reflected by the number of work permits issued, and thus this indicator had analytical value during that period. However, from 2017 onwards, following the introduction of measures to facilitate the employment of foreign nationals—particularly the possibility of working with a national D visa and the

simplification of the issuance of temporary residence permits on the basis of employment, the significance (or weight) of work permits, and consequently the related statistics, gradually declined. As a result, since 2017 it has no longer been possible to statistically assess foreign employment on the basis of the number of work permits issued. Particularly around 2024, the work permit system was effectively abolished (permits are now issued only for seasonal foreign labour and for postings directly from businesses established in non-EU/EEE MSs (or third countries)).

The period 2017–2020 presents additional methodological challenges, due both to frequent changes in legislation and to the limited and fragmented availability of statistical-administrative data. From 2021 onwards, with the systematic application of the LDU system, it became possible to obtain more comprehensive and reliable information on foreign nationals effectively integrated into the Lithuanian labour market. However, this information is no longer linked to work permits, as the legal framework in force at the time, as noted above, had already undergone fundamental changes.

The analysis in this section of the Report is based on overall changes in the number of foreign nationals working in Lithuania, using data mostly from the *Sodra* and the LDU, but also from other sources, such as Eurostat. Particular attention is paid to sectors with the highest levels of foreigners' employment, in order to relate this information to key trends or posting from Lithuania. Data from Migration Annals (Migration Department, 2025) on residence permits issued for employment purposes are used only in the context of the relevant years, primarily to illustrate inconsistencies across different administrative sources and, in other words, to highlight the fragmented picture of foreigners' participation in the Lithuanian labour market. Moreover, interviews conducted with migration and labour market experts have shown that the mere issuance of a temporary residence permit for employment does not necessarily mean that all recipients actually took up employment or worked in Lithuania in the same year. Experts also noted that some individuals may have used the permit as a means to facilitate their own mobility to other EU and EEA MSs. However, there is currently insufficient methodological basis to reliably assess the scale of this phenomenon, particularly in relation to the posting, and therefore the issue will not be further analysed in this Report.

Discrepancies between the number of foreign nationals declaring an intention to work in Lithuania and those actually entering employment, together with the rapidly growing number of TCNs, did not go unnoticed. Consequently, the state decided to introduce the so-called LDU system in 2019.¹¹ It was only from around 2021, when this system began to be applied consistently, that it became possible to obtain a more comprehensive and reliable picture of the position of foreign nationals in the Lithuanian labour market.

Accordingly, this subsection of the Report draws on aggregate data on foreign nationals employed in Lithuania, tracing changes not only since 2017—when major reforms were introduced—but also over the past decade, in order to provide a broader comparative perspective that reflects relevant geopolitical and economic factors. It also examines which legislative initiatives have driven the rapid growth in the number of foreign nationals filling jobs created in Lithuania.

This subchapter addresses:

- ✓ Growing labour shortages, migration policy reforms which were continuously implemented, simplifying the procedures for hiring foreign workers—particularly in sectors facing acute demand.

¹¹ The relevant version of the Collegiate Institutions' Order No. V-401/EV-281/V-395 of 27 September 2019, "On the Submission of Information on Foreign Nationals Employed in Lithuania" (Official Gazette, 30 September 2019, No. 2019-15469), <https://www.e-tar.lt/portal/lt/legalAct/eba7aed0e37311e99681cd81dcca52c/asr>

- ✓ Accepting third countries nationals to attract skilled and unskilled labour in the light of war in Ukraine (2014 and 2022), Belarusian border crisis, and Covid-19 pandemic.

The increase in immigration in 2017 was also influenced by the Government's decision to facilitate the employment of specialists in 27 professions from abroad, with the aim of improving the business environment (Beniušis, 2017). The significant rise in the number of foreigners prompted concerns that the workload for both migration and consular staff attending to the influx of foreigners entering Lithuania would become excessive. Consequently, since 2017, considerations have been made regarding how to strengthen the capacity of these institutions and their personnel. Concurrently, there has been public apprehension that the substantial increase in immigrants ("doors opened too widely to immigrants") could hinder wage growth and provoke social tensions (Beniušis, 2017).

In terms of legal regulation, we consider that the most significant influence on facilitating the employment of foreign nationals was exerted by the amendments to the Law on the LSF, particularly the new consolidated version of the law, which came into force on 1 January 2017.¹² Among other provisions, the law stipulates that foreign nationals are exempt from the obligation to obtain a work permit if they are employed in an occupation included on the list of professions experiencing shortages in the RL, categorised by type of economic activity. At that time, this list was approved semi-annually by the Director of the Lithuanian Labour Exchange, based on labour market monitoring, assessments of the current labour market situation, and forecasts of its developments. For the first half of 2016, this list included four occupations: two in the industrial sector (welder and metal ship hull assembler) and two in the service sector (restaurant cook and driver of a vehicle for international freight transport). The amendments to the law were intended to ensure that foreign nationals occupying shortage occupations in Lithuania could enter the country to work more quickly upon obtaining a national visa. The amendments also proposed that, for such foreign nationals, the assessment of whether their employment met the needs of the Lithuanian labour market should no longer be required when issuing a temporary residence permit. These changes aimed to simplify and accelerate procedures for employers recruiting workers for shortage occupations, as well as to reduce costs, since the issuance of a work permit or the adoption of a decision by the Lithuanian Labour Exchange was no longer subject to a state fee following the law's entry into force.

On 15 April 2017, amendments to the Regulations on the Issuance of Visas, approved by the Minister of the Interior and the Minister of Foreign Affairs, came into force. These amendments established the conditions under which foreign nationals with an occupation included on the list of shortage professions in the RL, as well as permanent employees of foreign-based companies temporarily assigned to work in a Lithuanian enterprise, could obtain a multiple-entry national visa for the RL. It should be noted that the list of shortage occupations, categorised by type of economic activity, has been maintained continuously to this day. This list includes, among others, drivers of vehicles for international freight transport, a number of occupations in the construction sector, and other professions¹³.

In practice, when identifying shortage occupations up to 2025, the assessment focused on whether vacancies registered by employers with the PES were being filled. Where vacancies remained unfilled due to a lack of available workers, the PES calculated the level of business demand for filling those positions and proposed sectoral employment quotas, while also identifying the occupations in shortage. It should be noted at the outset that a quota for third-country workers was introduced only in 2021 with the aim of regulating inflows.

¹² The explanatory memorandum for Draft Law No. XIIP-4306 (registered on 18 April 2016) on the amendment and supplementation of Articles 2, 17, 33, 35, 36, 40, 43, 44, 44.1, 45, 46, 50, 57, 58, 62, and 63 of the Law on the LSF (No. IX-2206), as well as the addition of Articles 6.1 and 45.1, <https://e-seimas.lrs.lt/portal/legalAct/lt/TAK/4f7d0450052911e687e0fbad81d55a7c?ifwid=12vnt1di33>; The Law of the RL on the Amendment of the Law on the LSF (No. IX-2206), Law No. XII-2609, adopted on 14 September 2016 (Official Gazette, 19 September 2016, No. 23714), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/854f2dd37bd811e6a0f68fd135e6f40c?positionInSearchResults=0&searchModelUUID=8f01c195-57e8-458f-a7a0-5855d65e3d55>

¹³ Order No V-128 (14 06 2024) issued by the Director of the Employment Service under the MSSL Regarding the amendment to Order No V-223 of 23 November 2023 "On the Approval of the List of Shortage Occupations in the RL by Type of Economic Activity for 2024.", (TAR, 2024-06-14, No 10899), <https://www.e-tar.lt/portal/lt/legalAct/0cec7eb02a3a11efbdae558de59136c>

However, in practice the quota system never functioned as an actual “cap” on employment in a given year. Under the legal framework, businesses were consistently allowed to recruit beyond the annual quota by offering slightly higher wages or by obtaining the relevant additional permits from the PES, including for occupations not formally classified as shortage occupations. As a result, the quota system effectively served as a facilitative mechanism rather than a restrictive one and did not perform a limiting role *de facto*¹⁴.

Important amendments entered into force on the 1st of July 2024, an employer who undertakes to employ a foreign national, or all employers in cases of joint employment, must meet the following stricter requirements established in Article 44 of the Law on the LSF¹⁵:

- hold all licences or permits required under Lithuanian law if the employment concerns a licensable activity;
- not have been sanctioned for providing false information, failing to report changes in a foreign national’s data, or unlawfully assisting a foreign national to obtain residence rights in Lithuania, unless more than one year has passed since the penalty was settled;
- have no grounds for refusal of a temporary residence permit as provided for in Article 35(1)(16) or (19) of the Law;
- have been carrying out the relevant economic activity for at least six months;
- not be considered a fictitious company and not pose a risk of illegal migration.

If any of these requirements are not met by the employer, the commitment to employ the foreign national will not be accepted, but only temporarily - for only six months from the date the non-compliance is identified.

As of 1 January 2025, decisions concerning the compliance of a foreign national’s employment with the needs of the national labour market are no longer adopted. TCNs wishing to work in Lithuania are required to obtain a temporary residence permit for employment purposes from the Migration Department. The Law on the LSF no longer provides for a list of shortage occupations by type of economic activity approved by the Employment Service, to which an annual quota had previously applied. Moreover, as of 1 January 2025, the quota applies to all occupations and job functions across all sectors of economic activity and is applicable exclusively to TCNs seeking to obtain a temporary residence permit in Lithuania for employment purposes (pursuant to Article 44.1.2) of the Law on the LSF). The quota does not apply in cases where such a temporary residence permit is being amended rather than newly issued. Once the established quota has been exhausted, a temporary residence permit for employment purposes may still be issued provided that the foreign national’s remuneration is not lower than 1.2 times the most recently published average gross monthly wage in the national economy for the previous calendar year, and that the foreign national’s occupation is included in the list of high value-added occupations in shortage in Lithuania (Delfi, 2025).

Therefore, as a result of the legal amendments outlined above, which were designed to address economic needs, support business demand, and enable Lithuania’s adaptation to the region’s evolving geopolitical context, a clear trend has emerged in recent years. Over the past decade, the number of foreign nationals in Lithuania has increased steadily, even as the country’s total population declined from 2 944.5 thousand in 2014 to 2 897.2 thousand in 2025. While the number of foreign nationals residing in Lithuania has steadily

¹⁴ Interview with an expert on immigrant labour in the PES, December 2025.

¹⁵ The Law of the RL (20 06 2024) amending Articles 5, 21-1, 26, 28, 33, 35, 36, 40, 44, 44-1, 49-5, 50, 53, 57, 57-1, 58, 59, 61, 62, 62-1, 63, 94, 95, 100, 103, 105-2, 128, 133, 137, 138, 139, 140-1, 140-5, 140-25, 140-26 and 140-27 of the Law on the LSF (No IX-2206) and repealing Article 61¹ thereof. No XIV-2784 (TAR, 2024-06-27, Nr. 11777). <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/2a5f1f742f9e11efb121d2fe3a0eff27?positionInSearchResults=0&searchModelUUID=64b0e10e-2b71-4a8d-976d-dcf45c996fcb>

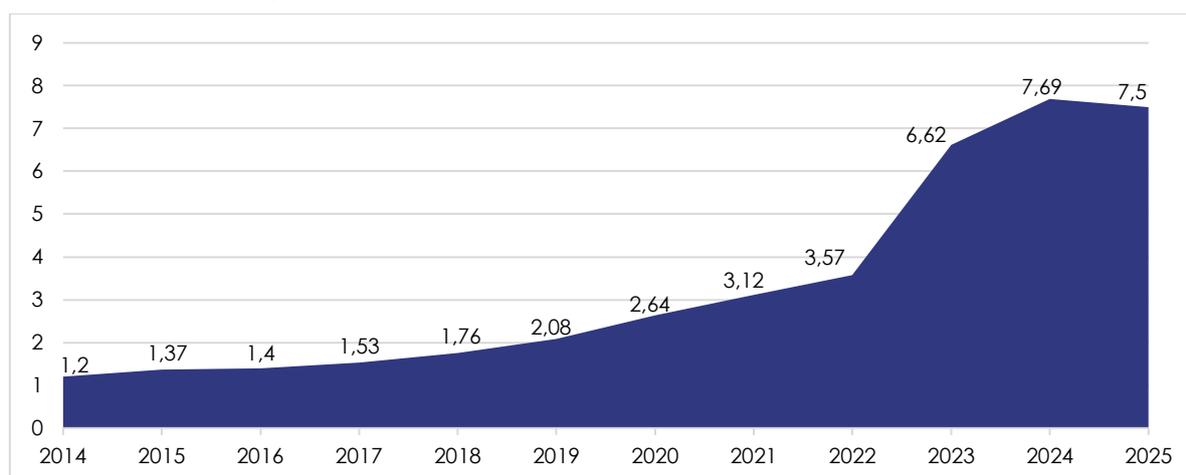
increased from 35.5 thousand in 2014, when foreigners made up only 1.20% of the total population, to 217.3 thousand in 2025, accounting for 7.50% of the country's population (see table below) (Migris, 2023). The information presented below (Table 1, Figure 2 and Table 2) covers the period up to 2017 and aims to illustrate how the aforementioned changes in Lithuania were reflected in the growth of the foreign national population over the past decade, clearly highlighting the accelerated increase from 2018 onwards, i.e., from the first year in which the 2017 legislative amendments promoting the arrival of foreign nationals began to be implemented.

Table 1. Number of foreign nationals residing in the RL and their share in the total population, %

Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Population, including:	2944,5	2921,9	2888,6	2849,3	2810,1	2794,0	2794,3	2795,2	2806,0	2860,0	2886,5	2897,2
<i>Foreign nationals</i>	35,5	40,0	40,3	43,6	49,4	58,0	73,8	87,3	100,2	189,4	221,8	217,3
Share of foreign nationals in the total population (%)	1,20	1,37	1,40	1,53	1,76	2,08	2,64	3,12	3,57	6,62	7,69	7,50

Source Migration Department, 2025

Figure 2. Share of foreign nationals in the total population in Lithuania in 2014-2025, %



Source Migration Department, 2025

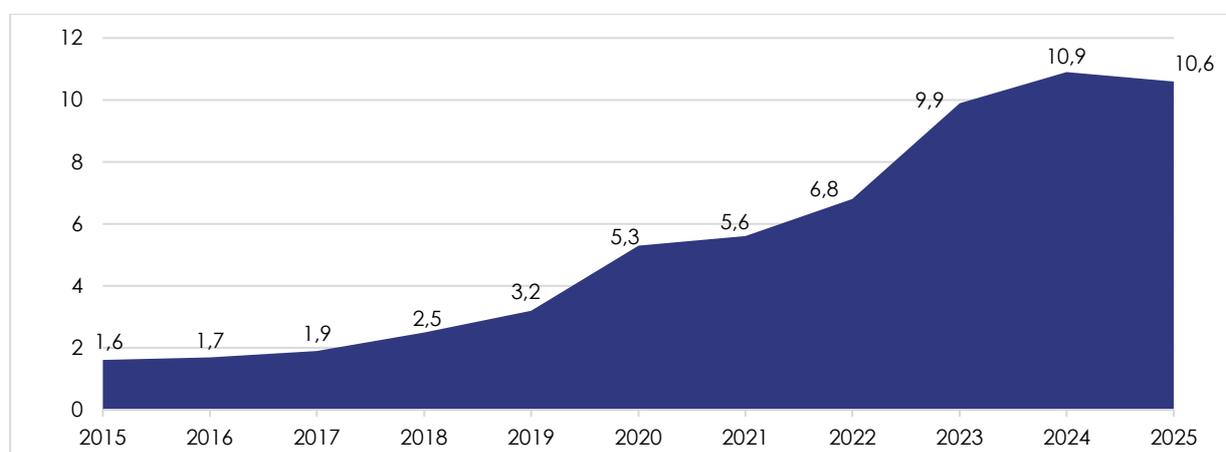
The majority of these foreign nationals were ‘ordinary workers’. According to data from the Migration Department, nearly 50% of all foreign nationals residing in Lithuania have come to the country to work in various shortage occupations. Furthermore, the number of working foreign nationals (insured under all categories of state social insurance) in Lithuania has been increasing steadily, particularly over the past decade, rising from 1.6% of all insured persons to 10.6% by 2025 (Table 2).

Table 2. Individuals insured by all types of state social insurance in Lithuania by citizenship, 2015–2025

Year	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Persons											
Citizenship of the RL	1 201 781	1 197 509	1 205 477	1 189 262	1 195 767	1 191 859	1 172 418	1 203 603	1 188 911	1 183 188	1 181 167
Non-RL citizenship	19 607	20 759	23 487	30 225	39 659	66 115	68 987	87 366	131 323	145 184	140 389
Total	1 221 388	1 218 268	1 228 964	1 219 487	1 235 426	1 257 974	1 241 405	1 290 969	1 320 234	1 328 372	1 321 556
%											
Citizenship of the RL	98,4	98,3	98,1	97,5	96,8	94,7	94,4	93,2	90,1	89,1	89,4
Non-RL citizenship	1,6	1,7	1,9	2,5	3,2	5,3	5,6	6,8	9,9	10,9	10,6
Total	100,0										

Source Information provided by Sodra in the course of preparing this Report.

Figure 3. Individuals (non-RL citizenship) insured by all types of state social insurance in Lithuania in 2015–2025, %



Source Information provided by Sodra in the course of preparing this Report.

According to Migration Annals 2018–2024 (Migration Department, 2025), the number of temporary residence permits issued annually to foreign nationals intending to work in Lithuania¹⁶, was as follows¹⁷: in 2018 – 12 472 in 2018; 21 279 in 2019; 22 774 in 2020; 27 747 in 2021; 37 490 in 2022; 56 604 in 2023; and 67 369 in 2024.

These figures are significant as they clearly demonstrate the year-on-year growth in the number of new temporary residence permits issued for employment purposes in Lithuania over the 2018–2024 period. As the Migration Annals do not provide a sector-based classification, we are unfortunately unable to assess the sectors in which foreign nationals intending to work have been granted the relevant permits. Therefore, the analysis of foreign nationals' integration by sector is presented later in this Report and is based solely on the most recent data from the LDU system and *Sodra*.

¹⁶ Exact wording in the Migration Annals – „A foreign national is deemed to intend to work in the Republic of Lithuania where he or she holds a permit to work in the Republic of Lithuania, or where a decision has been adopted that the employment of the foreign national meets the needs of the labour market of the Republic of Lithuania.”

¹⁷ As the report focuses on the labour market related to the posting of workers, it does not include foreign nationals who, in the relevant year, were granted temporary residence permits to work under an employment contract with a higher education or research institution registered in Lithuania as lecturers or researchers (including scientific research and experimental development activities), nor highly qualified workers. These types of temporary residence permits account for a relatively smaller share overall.

In addition, over the past decade, geopolitical and economic developments have led to a steady annual increase in the number of foreign nationals arriving in Lithuania for reasons other than employment—such as family reunification, studies, temporary protection, or other grounds, which also grant them the right to work. The number of international students in Lithuania is also on the rise. As of 1 September 2023, a total of 5,385 foreign nationals held temporary residence permits on the basis of studies or scientific research. In 2022, at the same time, there were 4,405 such individuals. A total of 49,870 foreign nationals made use of the temporary protection mechanism activated by the EU in response to the Russian aggression against Ukraine. The majority of these individuals are Ukrainian citizens and their family members. As of 1 September 2023, 12,126 foreign nationals held temporary residence permits in Lithuania on the basis of family reunification.

Since 2023, one tenth of those employed in Lithuania were foreign nationals working under employment contracts (Lietuvos bankas, 2025). The total number of employed persons in Lithuania in 2024 amounted to 1.464 million, representing an increase of 1.6% only if compared to 2023. This growth was significantly driven by the successful integration of foreign nationals into the Lithuanian labour market. In 2024, over 150,000 foreign nationals were employed under work contracts in Lithuania, accounting for slightly more than one tenth of all employed persons. Over the course of the year, the number of employed foreigners increased by nearly one tenth. Almost one third of the newly arrived employed individuals in Lithuania were citizens of the EU, primarily from Romania, Latvia, and Poland (Lietuvos bankas, 2025).

These are most commonly international long-haul freight and passenger transport drivers, as well as workers in the construction and other industrial service sectors.

1.3 Foreign nationals/employees at the Lithuanian labour market

1.3.1 Foreign employees by sectors of economic activity

In 2024, while the overall economic growth of the EU stood at just over 1%, Lithuania’s GDP grew by an impressive 2.6%. Lithuania’s improving living standards have also contributed to a net positive return migration trend: for the fifth consecutive year, more Lithuanian citizens have returned to the country than have left. However, according to MD, the pace of return migration remains insufficient to fully meet the increasing demand for labour (Migration Department, 2025). This economic expansion continued to drive business development, which, in turn, sustained a growing demand for labour.

The statistics presented in this section are based on data from *Sodra*, including information from the Open *Sodra* database, as well as from the LDU system. *Sodra* data relate to the number of employees working in Lithuania—including foreign nationals (also their citizenship) who are covered by all forms of social insurance. Meanwhile, the LDU system, administered by the Employment Service, collects more detailed information on the integration of foreign nationals into the Lithuanian labour market according to the following criteria: a) legal basis of stay; b) sectors of economic activity, including the number of TCNs and EU citizens; c) subgroups of main occupations, including the number of TCNs and EU citizens; d) citizenship.

According to data available at the time of this Report drafting (2025), foreign nationals are estimated to comprise approximately 11.6% of the total workforce across all sectors of economic activity. In the transport and storage sector (NACE H) specifically, formal data from *Sodra* indicate that foreign nationals account for nearly 50% of the workforce. Moreover, information gathered during interviews suggests that

their share in the long-haul freight segment may be as high as 80–85%.¹⁸ In comparison, *Sodra* statistics estimate the proportion of foreign workers in the construction sector (NACE F) at 28.2%. These are followed by sectors where the share of foreign nationals exceeds 8%: accommodation and food service activities (NACE I, 13.1%), information and communication (NACE J, 12.4%), and administrative and support service activities (NACE N, 11.1%), manufacturing (NACE C, 8.3%).

An important trend in Lithuania is the emergence of a dual phenomenon. On the one hand, transport and construction sectors are characterised by a particularly high proportion of foreign nationals among their workforce. On the other hand, as reported during interviews conducted for the preparation of this Report, TCNs constitute the majority of posted workers from Lithuania to EU and EEA countries. Below (Table 3), we present statistical evidence partially supporting this observation.

Table 3. Number of insured persons (working under employment contract) in Lithuania by economic activity in March 2025

Economic activity	Total insured and employed workforce	Foreign nationals ¹⁹ among them	% of foreigners employed in the sector
H – Transport and storage	153 176	76 774	50,1
<i>Code 8332 - Drivers of heavy goods vehicles and freight transport vehicles</i>	<i>95 542²⁰</i>	<i>70 771²¹</i>	<i>74</i>
F – Construction	107 776	30 383	28,2
U – Activities of extraterritorial organisations and bodies	9	2	22,2
I – Accommodation and food service activities	48 539	6 376	13,1
J – Information and communication	52 164	6 445	12,4
N – Administrative and support service activities	72 603	8 036	11,1
C – Manufacturing	218 171	18 005	8,3
S – Other service activities	19 952	1 077	5,4
K – Financial and insurance activities	28 675	1 381	4,8
A – Agriculture, forestry and fishing	23900	1 120	4,7
M – Professional, scientific and technical activities	62388	1 947	3,1
G – Wholesale and retail trade; repair of motor vehicles and motorcycles	212 520	5 318	2,5
E – Water supply; sewerage, waste management and remediation activities	14 841	256	1,7
T – Activities of Households as employers; Undifferentiated goods- and services-producing activities of households for own use	131	2	1,5
R – Arts, entertainment and recreation	26 211	395	1,5

¹⁸ Interviews with the experts from the transportation sector.

¹⁹ Including EU citizens.

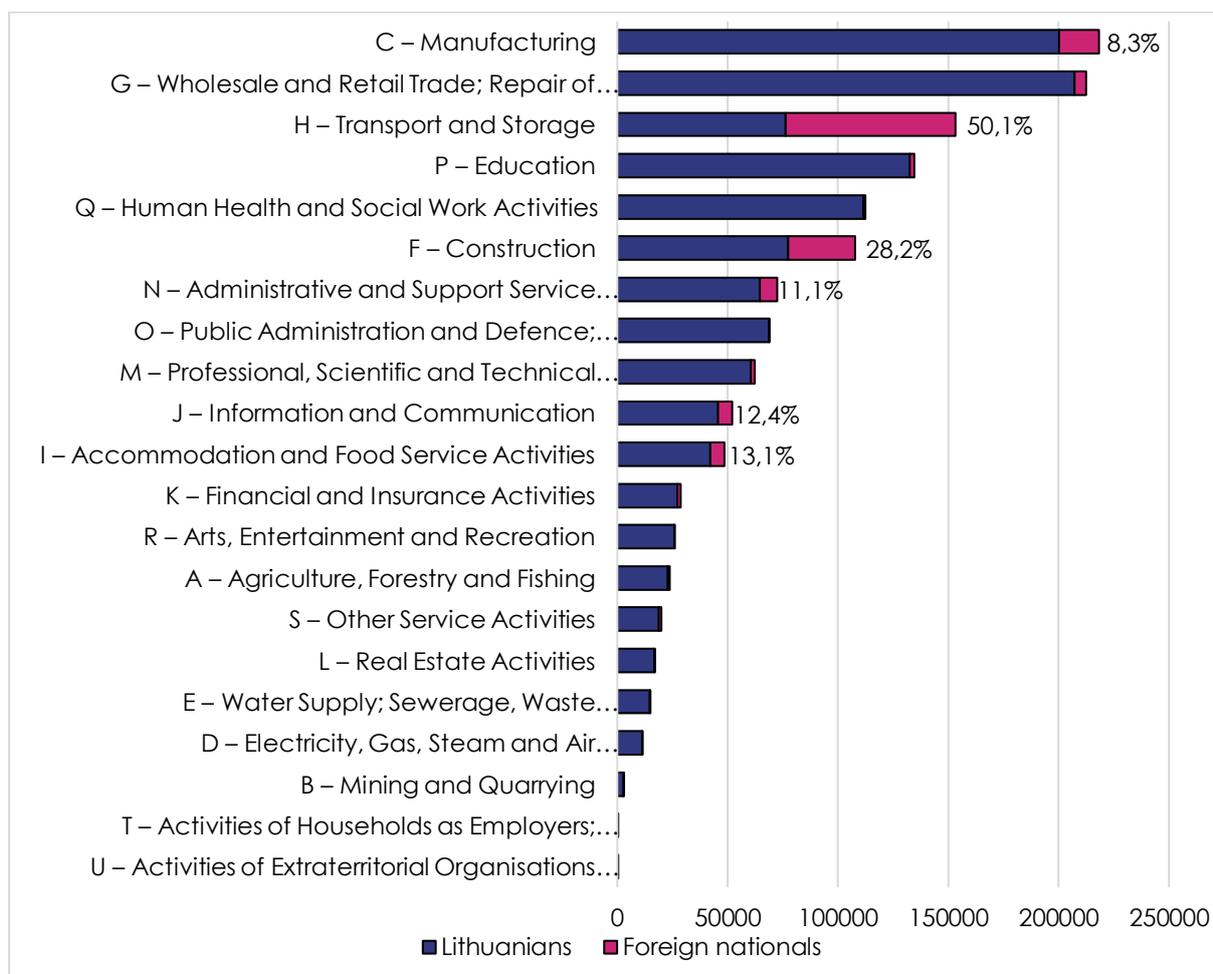
²⁰ This data refers to individuals insured under the open *Sodra* scheme in the NACE 4941 economic activity category, "Freight transport by road," as of March 2025.

²¹ According to PES data provided via e-mail, as of 1 January 2025.

Economic activity	Total insured and employed workforce	Foreign nationals ¹⁹ among them	% of foreigners employed in the sector
P – Education	134 558	1890	1,4
B – Mining and quarrying	2 811	36	1,3
L – Real estate activities	17 076	213	1,2
Q – Human health and social work activities	112 397	901	0,8
D – Electricity, gas, steam and air conditioning supply	11 220	78	0,7
O – Public administration and defence; Compulsory social security	68 702	15	0,0
TOTAL	1 387 820	160 650	11,6

Source Sodra, PES, own calculations.

Figure 4. Foreign nationals as a percentage of all individuals insured in Lithuania by economic activity in March 2025



Source Sodra, PES, own calculations

To illustrate the historically low scale of foreign workers employed in Lithuania, the table below presents the number of work permits issued to foreigners in 2015 and 2025.

Table 4. Employed²² foreign nationals by economic activity in Lithuania in 2015 and 2025

Economic activity	2025	2015	Change in %	Absolute difference 2015-2025
H – Transport and storage	76 774	5 105	1404	71 669
F – Construction	30 383	593	5024	29 790
C – Manufacturing	18 005	373	4727	17 632
N – Administrative and support service activities	8 036	67	11894	7 969
J – Information and communication	6 445	27	23770	6 418
I – Accommodation and food service activities	6 376	224	2746	6 152
G – Wholesale and retail trade; repair of motor vehicles and motorcycles	5 318	385	1281	4 933
M – Professional, scientific and technical activities	1 947	22	8750	1 925
P – Education	1 890	12	15650	1 878
K – Financial and insurance activities	1 381	4	34425	1 377
A – Agriculture, forestry and fishing	1 120	4	27900	1 116
S – Other service activities	1 077	21	5029	1 056
Q – Human health and social work activities	901	6	14917	895
R – Arts, entertainment and recreation	395	7	5543	388
E – Water supply; sewerage, waste management and remediation activities	256			
L – Real estate activities	213	5	4160	208
D – Electricity, gas, steam and air conditioning supply	78	18	333	60
B – Mining and quarrying	36			
O – Public administration and defence; compulsory social security	15			
U – Activities of extraterritorial organisations and bodies	2			
T – Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use	2			
TOTAL	160 650	6 873	2237	153 777

Source K. Žibas et al (2017); PES

1.3.1.1 Reliance of the transport sector on migrant labour

As is particularly evident when examining the present sectoral distribution of employed foreign nationals in Lithuania, the transport sector emerges as structurally reliant on foreign labour. Long – haul drivers have always been important part of labour immigrants. As described above, when before 2017-2018 work permits were more important criterion of measuring integration into labour market of foreigners, there was a significant increase in the proportion of work permits issued to long-haul drivers, rising from 68% of all work permits in 2011 to 80% in 2014.

²² The term "employed" in the context of significant changes occurring between 2015 and 2025, particularly with respect to the application of employment requirements for foreign nationals and the recording of foreign workers in Lithuania, refers to the following:

a) For the year 2015 – persons issued with a work permit, most of whom were also employed under an employment contract;

b) For the year 2025 – persons employed under an employment contract.

According to the most recent data from *Sodra* (November 2025), a total of 88,152 drivers were employed in Lithuania, of whom 53,811 (61.04%) were foreign nationals, while Lithuanian citizens accounted for approximately 39% of the workforce. By nationality, the second and third largest groups of drivers were citizens of Belarus (approximately 28%) and Ukraine (approximately 11%), further underscoring the transnational character of employment in this sector. For comparative purposes, in January 2024 Lithuania employed 88,214 drivers, of whom 53,510 (60.7%) were foreign nationals. In January 2023, out of 80,583 drivers, 30,610 (38%) held foreign citizenship. While no statistically significant shift was observed between 2023 and 2024, the proportion of foreign drivers increased by 23.04 percentage points between 2023 and 2025, indicating a sustained and intensifying dependence on foreign labour within the transport sector.²³ When considering the data presented in Table 3, foreign nationals constitute 50.1% of the total number of employees in the transport and storage sector in Lithuania as of March 2025. This proportion is even higher within the category of heavy goods vehicle and freight transport drivers, where foreign nationals account for nearly 80% of the workforce.

When preparing the report, information specifically relating to employed drivers of heavy goods vehicles and freight transport vehicles was obtained only from the PES (Table 5). When comparing the above-mentioned *Sodra's* data with the data in Table 5, it is evident that the majority of drivers working in Lithuania are drivers of heavy goods vehicles and freight transport vehicles.

Table 5. Foreign nationals employed in the RL under employment contracts, by occupational subgroup 'drivers of heavy goods vehicles and freight transport vehicles' in 2020-2026 (on 1 January)

	2020	2021	2022	2023	2024	2025	2026
Employed foreign nationals	4 134	11 793	22 027	35 185	71 773	70 771	77 503

Source PES (data provided through e-mail communication), the LDU

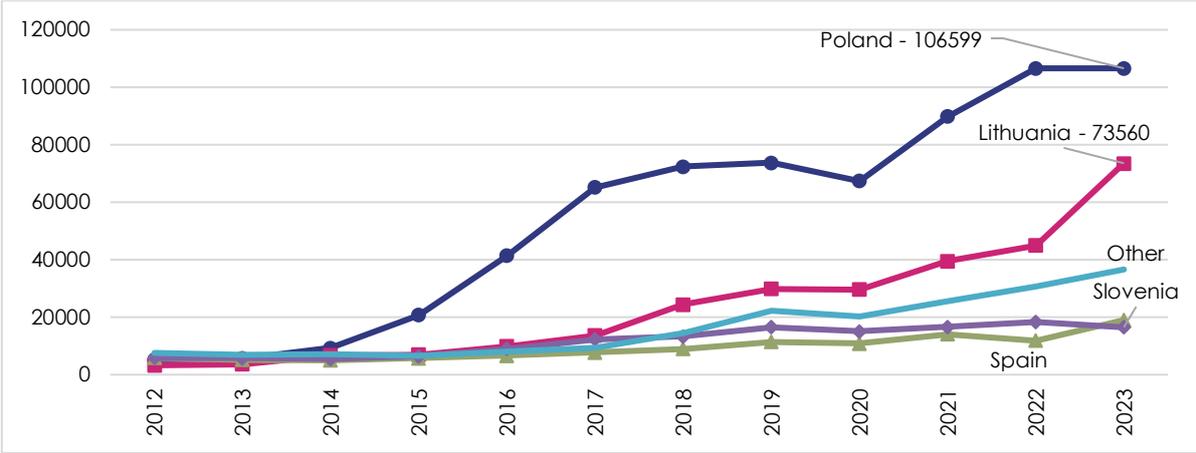
This high level of reliance on foreign drivers is further reflected in administrative data on driver attestations within the EU-27. Specifically, both the number of driver attestations issued annually in Lithuania and the number of valid Lithuanian-issued driver attestations in circulation have increased steadily since 2012, with particularly rapid growth observed from 2015 onwards. By 2023, Lithuania ranked second in the EU—after Poland—in terms of both the number of driver attestations issued during the year (73,560) and the total number of valid driver attestations in circulation (109,899). Poland recorded higher absolute figures, issuing 106,599 driver attestations in 2023, with 160,644 valid attestations in circulation. As illustrated in Figures 5 and 6 below, other MSs issued significantly fewer driver attestations than Lithuania and Poland.

In order to properly assess the scale of driver attestations issued in Lithuania during the year, it is necessary to consider these figures in relation to the employed population of the two leading MSs. In 2023, Lithuania had a population of approximately 2.86 million (2.89 million in 2024 and 2.90 million in 2025), whereas Poland's population amounted to approximately 36–38 million. Thus, although Poland's population is more than ten times larger than that of Lithuania, the difference in the number of driver attestations issued during the year is considerably smaller. This suggests that, in our assessment, in relative terms, the annual issuance of driver attestations in Lithuania is disproportionately high. In 2023, there were approximately 16.8 million employed persons aged 20–64 in Poland, compared with around 1.36 million in Lithuania²⁴. When calculating the number of driver certificates issued in 2023 per 1,000 employed persons aged 20–64, Poland recorded 6.4 certificates per 1,000 employed persons, whereas Lithuania, accordingly, recorded 54.1 certificates.

²³ Additional written communication with the MSSL, January 2026.

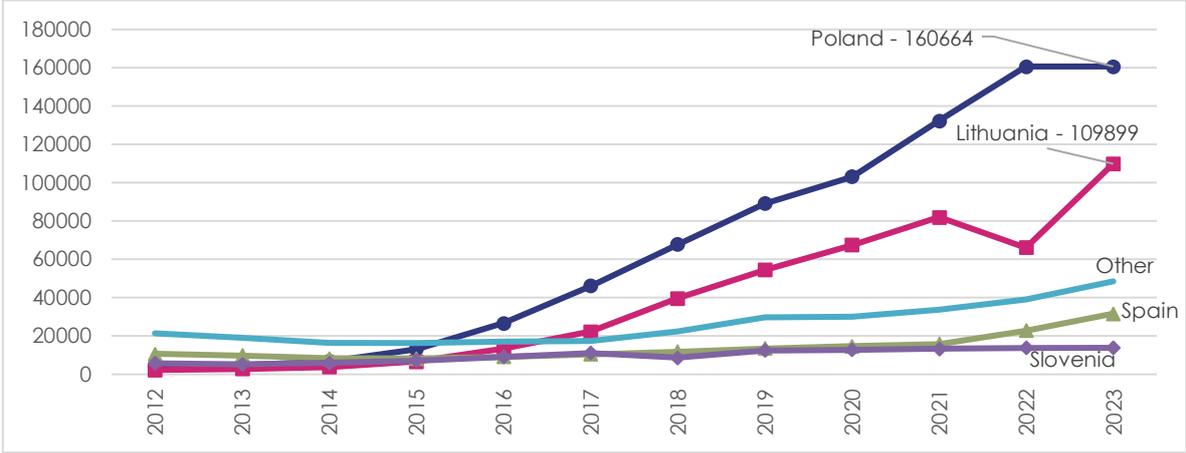
²⁴ Employment and activity by sex and age - annual data, https://ec.europa.eu/eurostat/databrowser/view/lfsi_emp_a_custom_19423808/default/table

Figure 5. Number of driver attestations issued in 2012-2023 (at the end of the year)



Source https://transport.ec.europa.eu/document/download/87bf9b74-2216-4605-bbd1-da915f5ca1a6_en?filename=driver-attestations-in-road-freight-transport.pdf

Figure 6. Number of driver attestations in circulation in 2012-2023 (at the end of the year)



Source https://transport.ec.europa.eu/document/download/87bf9b74-2216-4605-bbd1-da915f5ca1a6_en?filename=driver-attestations-in-road-freight-transport.pdf

Table 6. Number of valid and issued driver attestations issued in Lithuania, 2021–2025

Year	Number of valid driver attestations at the end of the year	Number of driver attestations issued during the year
2021	81 933	39 649
2022	70 034	45 027
2023	109 042	72 899
2024	108 531	61 467
2025	121 988	51 126

Source the TSA

According to the TSA, it is not possible to determine whether the number of valid driver attestations corresponds to the number of TCN drivers working for Lithuanian carriers. The TSA notes that if a carrier no longer uses a driver’s services—for example, if the driver is employed by another carrier—and notifies

the TSA accordingly, the driver's attestation is cancelled. However, carriers do not always fulfil this obligation. Consequently, the TSA considers that the number of valid driver attestations continues to increase, as more attestations are issued than are cancelled, or the maximum validity period of five years expires. Furthermore, the TSA points out that there may be cases where a TCN driver works for multiple Lithuanian carriers. In such instances, each carrier must obtain a separate attestation for that driver. In other words, the number of attestations does not reflect the number of unique drivers. Based on these arguments, the TSA confirmed during the preparation of this Report that they do not currently have data on the number of unique driver attestations.²⁵

When discussing the system for reporting driver postings through IMI, the TSA notes that the data in this system can also "distort the true picture." According to the TSA, completing these declarations represents a significant administrative burden for carriers. As a result, when sending a driver on a trip, carriers often submit declarations covering, for example, six months and all EU/EEA MSs. In doing so, carriers protect themselves by including countries where the driver may not actually be posted. In other words, carriers tend to declare more countries or longer periods than strictly necessary to mitigate potential liability if the driver's trip is extended or takes them to a country not listed in the IMI declaration.

Consequently, even if a driver has not actually been to a particular country, or if they have but did not meet the criteria for posting, they are still statistically classified as posted in the IMI reporting system (presence in the country alone is not sufficient to constitute posting). Moreover, if in a specific inspection the driver does meet the posting conditions, the IMI declaration requirements will already have been fulfilled - since the declaration covering the driver's time abroad is already submitted in the system. According to the TSA, there is no legal requirement for an IMI declaration to exactly match the actual timing or duration of the posting. In practice, this means that although a declaration may de jure cover six months, the driver may only be posted for three days; for business purposes, it is important that the declaration ensures coverage for those specific three days.

During interviews conducted in the preparation of this Report, contradictory views were expressed regarding the increasing number of TCN workers in the sector. The TSA explained the growth observed in 2023 as being linked to the war in Ukraine, "when some drivers were unable to return," whereas a representative of the employers' association argued that it was primarily due to the implementation of the Mobility Package, which required more drivers. The TSA also noted that, from 2024 onwards, the number of driver attestations issued has begun to decline. This suggests that either staff turnover (i.e., the arrival of new drivers) or *migration of drivers between companies in Lithuania is decreasing*²⁶, returning towards the levels observed in 2022. As noted during the interview and in the preparation of the Report, there are 7,664 licensed carriers operating in Lithuania, meaning licensed companies engaged in the transport of goods²⁷. In terms of fleet size, there are 66,245 vehicles²⁸ operated by these licensed carriers, each holding a Community licence authorising the transport of goods between EU Member States. Equally important are the number of valid attestations at the end of each year, as well as trends in the annual changes in attestations issued.

²⁵ Interview and additional written communication in December 2025.

²⁶ It is perhaps no coincidence that the Law on the LSF in Lithuania provides, albeit in a provision that has been gradually tightened in recent years, that a foreign national may change employers no more than four times (previously, no more than six employers). While this legal provision permits such practice and indirectly signals that employers do not always retain the foreign workers they hire or bring in, more detailed information on the phenomenon and its justification could not be obtained—neither through interviews with representatives of state institutions, nor through discussions with trade unions or employers' organisations. More specifically, the interviews did not indicate that this is perceived as a significant problem in Lithuania.

²⁷ Interview and additional written communication with the TSA in January 2026.

²⁸ Road freight transport by maximum permissible laden weight of vehicle, 2024 (million tonne-kilometres), [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Road_freight_transport_by_maximum_permisible_laden_weight_of_vehicle_2024_\(million_tonne-kilometres\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Road_freight_transport_by_maximum_permisible_laden_weight_of_vehicle_2024_(million_tonne-kilometres).png)

In summary, according to the TSA, the operation of this declaration system creates the impression that Lithuanian carriers and their drivers are among the most active. While Lithuanian carriers do occupy a significant share of the international transport market, the TSA emphasises that the way postings are declared, and the resulting figures, do not accurately reflect the real situation. Consequently, according to the TSA, these data should be interpreted very cautiously and critically.

Lithuania together with other 4 countries (Poland, Lithuania, Romania, Spain and the Netherlands), is one of the top 5 cabotage performers among the EU countries. Also, Lithuania was the second largest provider of cabotage transport services, accounting for 13.7% of the total EU cabotage in 2023, rising to 14.7% in 2024. Lithuania performed most of its cabotage in countries with which it had no land borders. The largest share of Lithuania's cabotage performance took place in Germany (39.5% in 2023 and 36.7% in 2024). France came second, with 34.5% in both 2023 and 2024. Italy was the third largest cabotage market for Lithuanian hauliers both in 2023 and 2024 (8.5% and 9.8%, respectively)²⁹. Furthermore, according to Eurostat data, the stock of goods vehicles in Lithuania has been steadily increasing. The average annual growth rate was 4.5% between 2020 and 2023, rising sharply to 9.3% in 2023–2024.³⁰

Especially significant growth of foreigners has been observed in the transport sector, which is distinguished today by its orientation towards service exports rather than the domestic market. Approximately 80% of the sector's revenues are generated across different MSs of the EU. Moreover, the sector is highly dependent on foreign labour and includes some of the largest employers in the country: according to 2025 data, several companies in this sector employ close to, or even more than, 2,000 workers (Kerbelyte, 2025). These changes have been driven not by legal regulation solely, but rather by labour shortages in the domestic labour market and by the broader geopolitical environment in the region, including the Belarusian crisis and the war in Ukraine, to which Lithuanian businesses (particularly in the transport and logistics sectors) have adapted or which they have strategically leveraged.

Based on the data analysed, it can be concluded that the transport and logistics sectors in Lithuania are increasingly and unequivocally reliant on foreign workers which is not the case in other sectors.

1.3.1.2 Migrant labour in other sectors

According to data from the PES, in 2024 more than four-fifths of foreign nationals working in Lithuania were employed in medium-skilled occupations. The second most common occupation after drivers was construction work, with approximately 21,000 foreign nationals employed in this sector in 2024. Compared to 2023, the number of foreign construction workers increased by around 15% in 2024 (Statybų naujienos, 2025).

The construction sector warrants separate discussion, as it was more dominant prior to the 2009 economic crisis. However, it began to decline already at the onset of the crisis, and between 2011 and 2014, when the share of work permits issued for employment in construction constituted only 1-2% of all permits issued. By comparison, in 2007, non-EU nationals employed in this sector accounted for 28% of all work permits issued (Erentaitė et al, 2012). In the manufacturing sector, as in previous years, the majority of foreign workers were employed as metal ship hull assemblers and welders. However, the share of work permits issued for these occupations remained relatively low, accounting for only around one-tenth (7–9%) of all permits issued (Petrušauskaitė et al, 2015). As shown in Table 4, recent data indicate that there are 30,383 employees employed in the sector.

²⁹ https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Road_freight_transport_statistics_-_cabotage

³⁰ https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Road_freight_transport_by_vehicle_characteristics

Other sectors with a high demand for immigrant labour have included wholesale and retail trade, manufacturing, as well as accommodation and food services, information and communication, administrative and support service activities, manufacturing (see Tables 3 and 4 and Figure 4 above). Here, we should also highlight the sectors in which, over the past decade, the number of employed TCNs has increased more than two hundredfold (!): financial and insurance activities, information and communication, and agriculture, forestry and fishing. In the administrative and support service activities. While in education as well as human health and social work activities the increase exceeded 100 times.

More specifically, common occupations within these economic sectors comprise welders, restaurant chefs, metal ship hull assemblers, and construction workers of various specialisations. Examining this labour distribution, the proportion of high-skilled professions remains very limited; the numbers of business consultants, institutional managers, and engineers continue to be low (Žibas et al, 2017).

Between 2021 and 2024, 23,600 highly qualified foreign nationals were employed in Lithuania, and between 2021 and 2023 they accounted for as much as one quarter of all highly qualified specialists employed in the country during that period. Findings from the ‘Work in Lithuania’ survey confirm that companies’ decisions to hire specialists from abroad are primarily driven by labour market challenges, namely the shortage of specific skills and of local specialists in the Lithuanian labour market. One-third of the companies surveyed also reported employing foreign nationals to ensure the necessary foreign language skills for their operations. Some businesses remain hesitant about international recruitment, believing that highly qualified foreign specialists will not remain in Lithuania. However, data from *Sodra* indicate that such concerns are unfounded, as highly qualified foreign specialists remain in their first job in Lithuania for an average of 19.5 months (Lrt.lt, 2025).

1.3.2 Foreign employees by nationality/citizenship

For more than a decade, the structure of the immigrant workforce in Lithuania has been dominated by nationals of Ukraine and Belarus. At the same time, particularly since the outbreak of the war in Ukraine, restrictive migration policy measures have been specifically applied to Russian citizens. These measures are also reflected in emerging trends, whereby immigrants from Eastern and Central Asia have begun to replace those from Russia. However, recently the growth in medium-skilled workers was largely driven by citizens from Central and South Asia, predominantly from India, Uzbekistan, and Tajikistan. In 2024, less than 8% of all employed foreigners were engaged in low-skilled activities. More than half of the foreigners employed in low-skilled occupations were citizens of Ukraine, while slightly more than one quarter were citizens of EU MSs, primarily from Romania, Bulgaria, Latvia, and Poland (Lietuvos bankas, 2025). To compare, as of 1 September 2023, a total of 97,925 foreign nationals held temporary residence permits in Lithuania on the basis of lower-skilled employment.

However, it would be misleading to assume that stricter legal regulations imposed on Russian nationals have resulted in a decline in their absolute numbers within the Lithuanian labour market. According to data from the PES, as of 1 January 2021, there were 834 Russian citizens integrated into the Lithuanian labour market. By 1 January 2025, this number had increased to 4,466, and by 1 April 2024 it stood at 4,516. These figures indicate that the restrictions imposed on the employment of Russian nationals have not led to a reduction in their absolute presence as labour immigrants.

It is important to emphasise that immigration flows from TCNs were not significantly reduced by the COVID-19 pandemic, nor by the departure of Ukrainian nationals from Lithuania due to conscription following the outbreak of war in 2022 and thereafter. On the contrary, when examining the past decade, Lithuania has experienced unprecedented inflows of labour migrants as well as other categories of immigrants, including war refugees, asylum seekers, and recipients of temporary protection.

Although representatives of state institutions interviewed during the preparation of this Report referred to a "decline in migration" as a consequence of the COVID-19 pandemic and Russia's war against Ukraine, this perceived decline is more accurately understood as a stagnation in the expected growth of immigration. According to respondents, immigration levels might have increased more under normal circumstances, had it not been for the pandemic and multiple overlapping geopolitical crises—including the annexation of Crimea, the influx of refugees via the Belarusian border, the political crisis in Belarus, and Russia's full-scale invasion in Ukraine since 2022.³¹

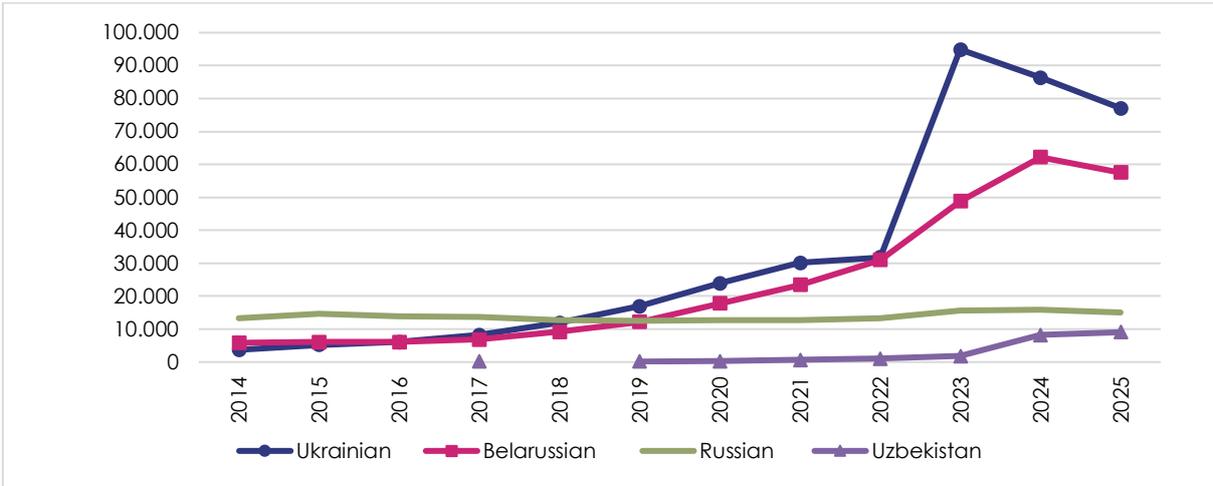
Table 7. Number of foreign nationals residing in Lithuania by citizenship, at the beginning of the year (ranked by the highest number as of the beginning of 2025), 2014-2025

Citizenship	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
UKRAINIAN	3 713	5 164	6 050	8 217	11 892	16 927	23 923	30 139	31 790	94 891	86 352	77 080
BELARUSSIAN	5 846	6 113	6 101	6 862	9 229	12 204	17 769	23 440	31 028	48 804	62 165	57 511
RUSSIAN	13 331	14 648	13 897	13 662	12 810	12 529	12 649	12 809	13 367	1 5706	15 888	14 978
UZBEKISTAN				144		146	221	675	998	1 834	8 253	9 052
INDIAN				505	685	826	949	1 057	1118	1 454	4 668	7 207
TADZHIKISTAN				44		114			398	1 412	5 701	6 678
KYRGYZ				55		49			723	1 960	6 205	5 324
AZERBAIJANI				388		382			639	1 353	3 833	4 713
KAZAKHSTANI				364	357	399	488	686	833	1 215	3 116	3 277
TURKISH				297		416			661	946	1 915	2 369
NO CITIZENSHIP			3 466	3 320	3 193	3 074	2 904	2 694	2 498	2 380	2 283	2 236
PAKISTANI				171		132			200	244	926	2 165
GEORGIAN	326	431	426	394	352	369	471	650	703	1 244	2 019	1 816
LATVIAN	718	861	955	976	1 057	1 100	1 423	1 205	1361	1333	1 259	1 545
MOLDOVAN				313	284	490	695	894	862	1066	1 361	1 299
GERMAN	550	677	708	707	752	768	972	926	1074	1031	902	1 037
BANGLADESHI				21		45			53	72	379	1 032

Source Migration Department, 2025

31 Interview with a representative of the Migration Department, August 2025.

Figure 7. Ukrainian, Belarussian, Russian, and Uzbekistan citizens, residing in Lithuania in 2014-2025 (at the beginning of the year)



Source Migration Department, 2025

Although the number of Ukrainians has been steadily increasing since 2011, this growth has been particularly notable since 2017. According to the MI, the introduction of the visa-free regime to Ukrainian citizens from 11 June 2017 may have encouraged a greater number of Ukrainians to travel to Lithuania (Beniušis, 2017). Although the visa-free regime does not grant the right to work in EU countries, including Lithuania, without the appropriate permits, and is only valid for short-term - up to 90 days within a 180-day period - for purposes such as business, tourism, family visits, cultural and sporting events, short-term studies, training, or medical treatment, there have been frequent instances where Ukrainians arriving lawfully as tourists secured employment and subsequently applied for work permits (Beniušis, 2017). These trends in our view indicate that even Ukrainian nationals who initially arrived in Lithuania for purposes other than employment subsequently applied for work permits. In doing so, they contributed to the overall increase in labour immigration flows, despite not having entered the country initially for work-related reasons.

Today Ukrainian citizens presently constitute the largest group of TCNs residing in Lithuania. This trend is rooted not only in the recent war, but also in a broader context of geopolitical shifts and economic factors dating back to 2014. The Russian Federation's large-scale invasion of Ukraine on 24 February 2022 triggered a severe humanitarian crisis, forcing millions of Ukrainians to flee their homes. Many of these displaced individuals sought refuge in the EU, including in Lithuania, which became one of the host countries providing international protection. In response to the displacement that occurred after 2022, the EU invoked the Temporary Protection Directive (2001/55/EC) via Council Implementing Decision 2022/382. Lithuania has implemented this framework, granting Ukrainian nationals the right to legal residence, employment and other essential protections.

Since 2020, and at the time of drafting this Report in 2025, Belarusians have constituted the second-largest group of immigrants to Lithuania. It is observed that, although the number of immigrants from Belarus remained relatively stable during the period 2011–2015 (fluctuating between 1,431 and 1,942 annually), a record number of arrivals from this country was registered in 2016, reaching 4,409. By 2020, the number of Belarusians had caught up with and surpassed the number of Russians residing in Lithuania, and in the subsequent years it continued its growth and went on to exceed the number of Russians by an even wider margin. Therefore, it may be concluded that the significant presence of Belarusians in the Lithuanian labour market is primarily a result of the political crisis in Belarus in 2020 and Lithuania's strategic response, which included providing humanitarian protection, facilitating targeted migration, and supporting the relocation of Belarusian civil society and businesses. Economic incentives, along with existing ties between the two countries, have further reinforced this trend.

Although in recent years the Law on Restrictive Measures has significantly limited immigration from the Russian Federation and Belarus, leading to a shift in the top three nationalities of foreign workers, Belarussians still occupy the second place and Russians - third place in terms of immigrant nationality. Russian nationals are in turn followed by Uzbeks, who now constitute the fourth-largest group among newly arriving foreigners and the third-largest group of TCN employees in Lithuania (see Tables 8-9 and Figures 8-9 below).

All legal and humanitarian measures, driven by the complex economic, humanitarian, and political crises affecting the Lithuanian region, have had a considerable impact on migration flows into Lithuania. They have contributed to the broader trend of a growing number of foreign nationals in the country, as reflected in the rising participation of TCNs in the Lithuanian labour market. A persistent trend is that more than half of all foreign nationals residing in Lithuania are labour migrants.

Table 8. Employees³² by citizenship in 2015–2025³³ (ranked by the highest number at the beginning of 2025)

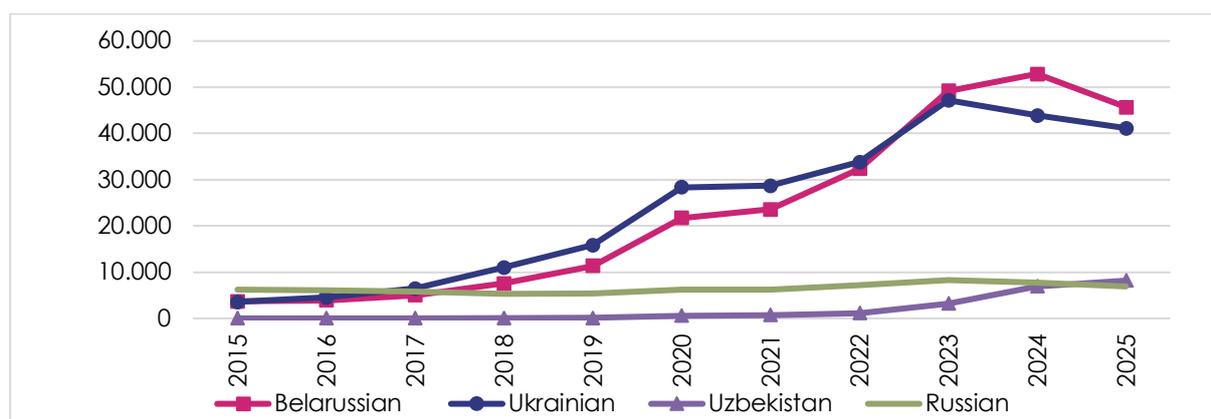
Citizenship	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Lithuanian	1 201 781	1 197 509	1 205 477	1 189 262	1 195 767	1 191 859	1 172 418	1 203 603	1 188 911	1 183 188	1 181 167
BELARUSSIAN	3 688	3 916	5 017	7 532	11 394	21 687	23 575	32 361	49 216	52 876	45 687
UKRAINIAN	3 578	4 496	6 481	11 042	15 873	28 380	28 709	33 816	47 178	43 865	41 100
UZBEKISTAN	64	68	65	63	81	572	723	1 168	3 231	6 947	8 161
RUSSIAN	6 212	6 038	5 759	5 301	5 364	6 184	6 236	7 164	8 279	7 798	6 975
TADZHIKISTAN	13	15	13	22	45	207	252	520	2 640	4 805	6 006
INDIAN	114	120	124	209	294	414	485	684	1 451	3 527	5 574
KYRGYZ	36	33	24	29	40	297	372	1 256	3 783	5 530	4 508
AZERBAIJANI	151	146	131	148	137	237	274	516	1 974	3 286	3 526
KAZAKHSTANI	185	182	171	155	196	398	434	693	1 742	2 719	2 369
PAKISTANI	203	212	85	69	51	47	46	53	95	460	1 277
GEORGIAN	251	245	225	185	235	466	491	679	1 400	1 420	1 223
MOLDOVAN	136	178	289	361	465	840	844	847	1 151	1 213	1 094
TURKISH	127	118	112	123	161	212	251	391	848	1 048	1 068
LATVIAN	374	411	455	461	480	555	587	658	719	760	851
NO CITIZENSHIP	951	944	943	916	916	880	815	859	807	801	788
PHILIPPINE	17	19	15	36	54	81	90	122	273	396	719
POLISH	350	376	385	399	411	432	428	470	719	531	548

Source Sodra, 2025

³² As classified in Sodra's database, these are "persons insured under all types of the social security system".

³³ The table covering the years 2020–2025 was drafted on the basis of data obtained from Sodra's database. Initially while drafting the table, only entries for 2020 with values exceeding or approaching 400 were included. Exceptions were made in cases where, in the later years, a sudden and/or significant increase in numbers was observed — as in the case of Kyrgyzstan — which warranted inclusion despite lower initial figures.

Figure 8. Ukrainian, Belarussian, Russian, and Uzbekistan citizens, working in Lithuania in 2015-2025 (at the beginning of the year)



Source Sodra, 2025

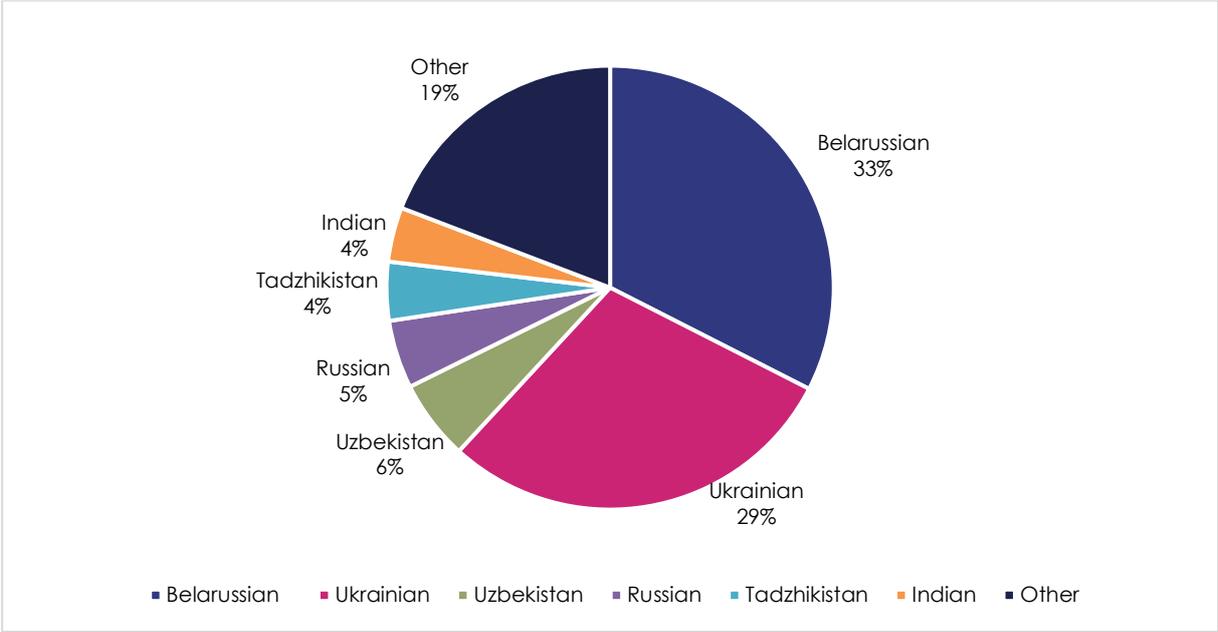
The Table below presents structure of employed TCN by citizenship. If among TCN residing in Lithuania, Ukrainians constitute the majority, among employed TCN a slightly larger share (32.5%) constitute Belarussians, although the share of Ukrainians remains high – at the beginning of 2025, it constituted more than 29%. As mentioned above, Russians, who had long been the leaders in the Lithuanian labour market among TCN, are increasingly being replaced by workers from Asian countries: at the beginning of 2025, citizens of the former soviet Asian countries – Uzbekistan, Tajikistan, Kyrgyzstan, and Tajikistan – accounted for 15% of all TCNs working in Lithuania. Citizens of India and Pakistan accounted for another 5% (Table 9).

Table 9. Foreign employees in Lithuania by nationality in 2025

Citizenship	Number of employed	Share of all employed foreigners, %
BELARUSSIAN	45 687	32,54%
UKRAINIAN	41 100	29,27%
UZBEKISTAN	8 161	5,81%
RUSSIAN	6 975	4,96%
TADZHIKISTAN	6 006	4,27%
INDIAN	5 574	3,97%
KYRGYZ	4 508	3,21%
AZERBAIJANI	3 526	2,51%
KAZAKHSTANI	2 369	1,68%
PAKISTANI	1 277	0,90%
GEORGIAN	1 223	0,87%
MOLDOVAN	1 094	0,77%
TURKISH	1 068	0,76%
LATVIAN	851	0,60%
NO CITIZENSHIP	788	0,56%
PHILIPPINE	719	0,51%
POLISH	548	0,39%
OTHER	8 915	6,35%
TOTAL	140 389	100%

Source Data obtained from Sodra during the preparation of this Report

Figure 9. Foreign employees in Lithuania by nationality in 2025



Source Data obtained from Sodra during the preparation of this Report

An analysis of statistics based on nationality reveals distinct trends regarding the proportion of foreigners residing in Lithuania for employment purposes. For certain nationalities, a significant share of residents are employed, while for others, the proportion is notably lower. For instance, in 2025, 79.44% of Belarussian nationals residing in Lithuania were employed. The figures were even higher among Uzbek nationals (90.15%), Tajiks (89.93%), and Kyrgyz nationals (84.67%).

This may suggest that individuals of these nationalities rarely settle in Lithuania with their families. It is likely that the majority of arrivals are men who engage in temporary employment in economic sectors traditionally dominated by male labour. Moreover, many of those who arrive in Lithuania for work, formally employed by employers operating within Lithuanian territory, may spend a substantial portion of their time outside the country — not only due to being posted abroad from Lithuania, but also because they spend at least part of their rest time in their country of origin. Such tendencies are indirectly supported by discussions in academic literature, for example in J. Usonis’s work, which explores the issue of long-haul drivers’ right to rest in their country of origin rather than in Lithuania (Petrylaitė et al, 2022). It should also be noted that Lithuania’s social protection system, including social assistance measures, is relatively modest and does not provide strong incentives for non-working individuals to remain in the country.

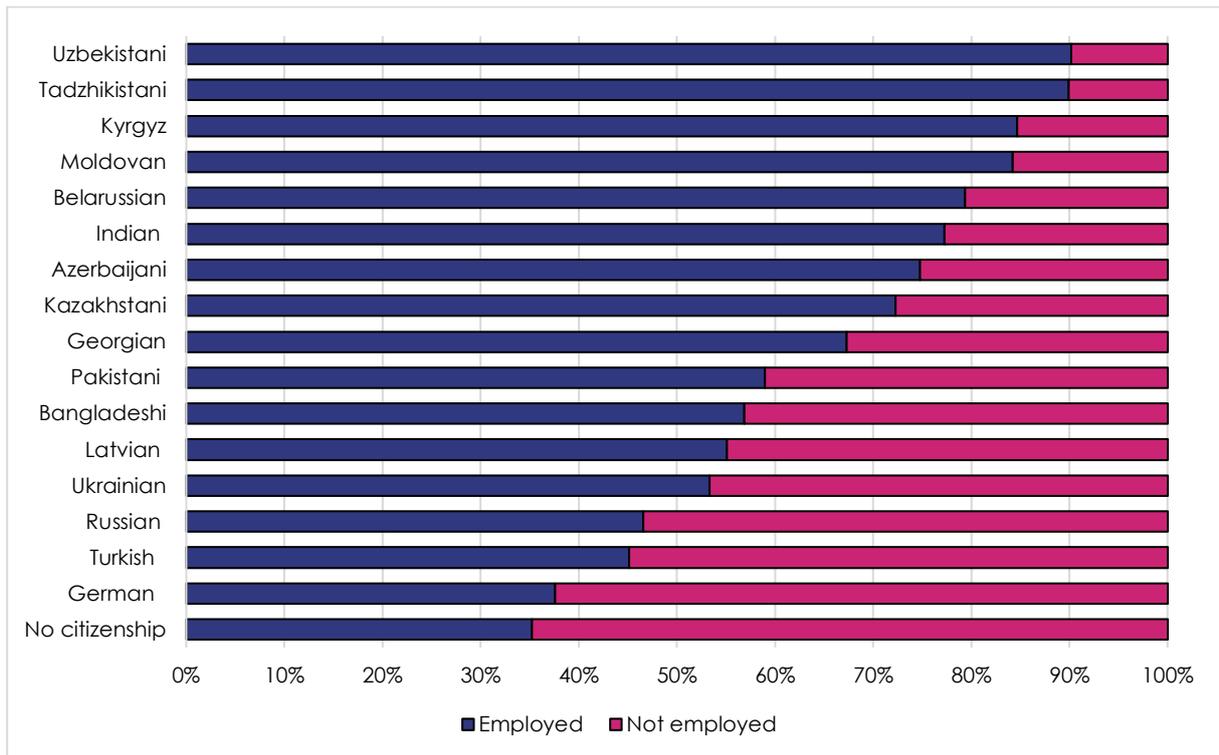
Table 10. Share (%) of employed foreign nationals among those residing in Lithuania, by nationality, 2015-2025

STATUS	Share of employed among those residing in 2025	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Residing	UKRAINIAN 53,32%	5 164	6 050	8 217	11 892	16 927	23 923	30 139	31 790	94 891	86 352	77 080
<i>Employed</i>		3 578	4 496	6 481	11 042	15 873	28 380	28 709	33 816	47 178	43 865	41 100
Residing	BELARUSSIAN 79,44%	6 113	6 101	6 862	9 229	12 204	17 769	23 440	31 028	48 804	62 165	57 511
<i>Employed</i>		3 688	3 916	5 017	7 532	11 394	21 687	23 575	32 361	49 216	52 876	45 687

STATUS	Share of employed among those residing in 2025	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Residing	RUSSIAN 46,56%	14 648	13 897	13 662	12 810	12 529	12 649	12 809	13 367	1 5706	15 888	14 978
Employed		6 212	6 038	5 759	5 301	5 364	6 184	6 236	7 164	8 279	7 798	6 975
Residing	UZBEKISTAN 90,15%			144		146	221	675	998	1 834	8 253	9 052
Employed		64	68	65	63	81	572	723	1 168	3231	6 947	8 161
Residing	INDIAN 77,34%			505	685	826	949	1 057	1 118	1 454	4 668	7 207
Employed		114	120	124	209	294	414	485	684	1 451	3 527	5 574
Residing	TADZHIKISTAN 89,93%			44		114			398	1 412	5 701	6 678
Employed		13	15	13	22	45	207	252	520	2 640	4 805	6 006
Residing	KYRGYZ 84,67%			55		49			723	1 960	6 205	5 324
Employed		36	33	24	29	40	297	372	1256	3 783	5 530	4 508
Residing	AZERBAIJANI 74,81%			388		382			639	1 353	3 833	4 713
Employed		151	146	131	148	137	237	274	516	1 974	3 286	3 526
Residing	KAZAKHSTANI 72,29%			364	357	399	488	686	833	1 215	3 116	3 277
Employed		185	182	171	155	196	398	434	693	1 742	2 719	2 369
Residing	TURKISH 45,08%			297		416			661	946	1 915	2 369
Employed		127	118	112	123	161	212	251	391	848	1 048	1 068
Residing	NO CITIZENSHIP 35,24% employed		3 466	3 320	3 193	3 074	2 904	2 694	2 498	2 380	2 283	2 236
Employed		951	944	943	916	916	880	815	859	807	801	788
Residing	PAKISTANI 58,98%			171		132			200	244	926	2 165
Employed		203	212	85	69	51	47	46	53	95	460	1277
Residing	GEORGIAN 67,34%	431	426	394	352	369	471	650	703	1 244	2 019	1 816
Employed		251	245	225	185	235	466	491	679	1 400	1 420	1 223
Residing	LATVIAN 55,08%	861	955	976	1 057	1 100	1 423	1 205	1 361	1 333	1 259	1 545
Employed		374	411	455	461	480	555	587	658	719	760	851
Residing	MOLDOVAN 84,21%			313	284	490	695	894	862	1 066	1 361	1 299
Employed		136	178	289	361	465	840	844	847	1 151	1213	1 094
Residing	GERMAN 37,60%	677	708	707	752	768	972	926	1074	1031	902	1 037
Employed		244	239	239	240	241		285	316	351	352	390
Residing	BANGLADESHI 56,87%			21		45			53	72	379	1 032
Employed							23	28	30	54	164	587

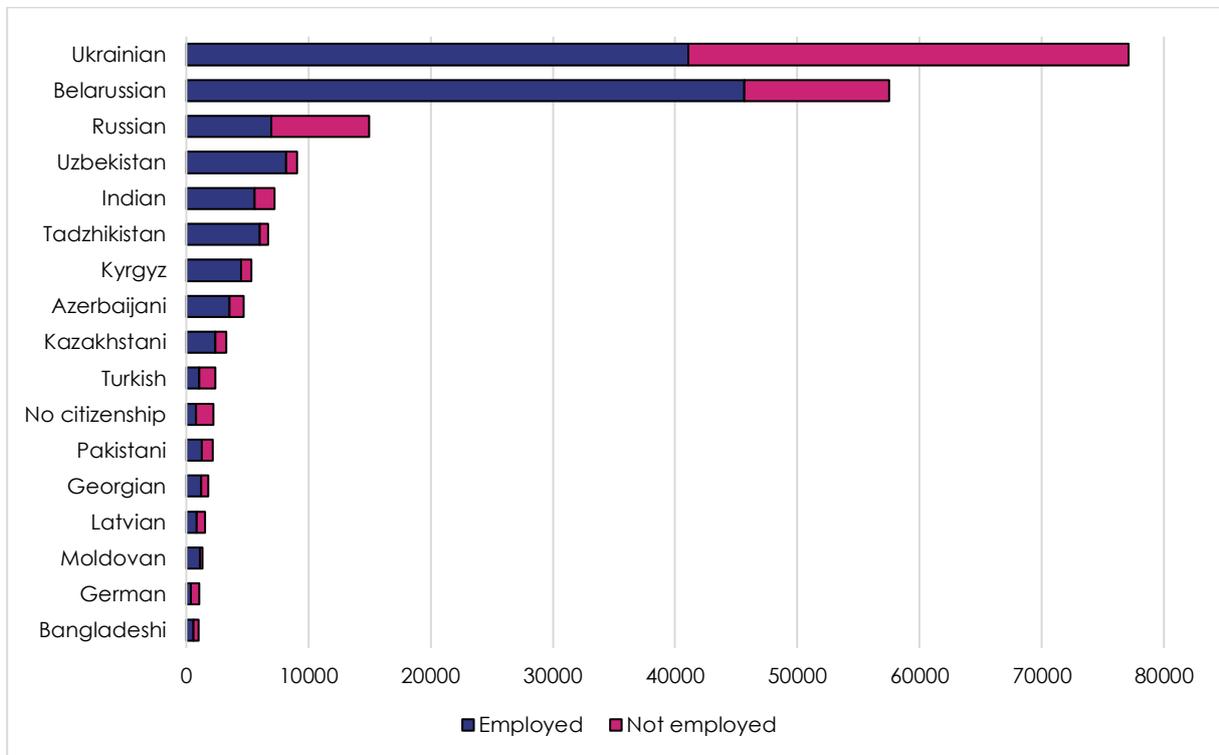
Source Data obtained from Sodra during the preparation of this Report; MD, 2025

Figure 10. Proportion of Employed Foreign Nationals Among Foreigners who are Residents in Lithuania, Ranked by Nationality, at the Beginning of 2025 (%)



Source Data obtained from Sodra during the preparation of this Report; MD, 2025

Figure 11. Foreign nationals residing in Lithuania by employment status at the beginning of 2025, persons



Source Data obtained from Sodra during the preparation of this Report; MD, 2025

According to the Bank of Lithuania (Lietuvos bankas, 2025), several years of rapidly rising wages have encouraged not only citizens of third countries but also residents from more developed EU states to enter the Lithuanian labour market. In 2024, highly qualified specialists accounted for over one tenth of all foreign nationals employed under work contracts. However, their proportion among all employed foreigners has nearly tripled over the past four years.

More than half of all highly qualified specialists were citizens of Ukraine and Belarus, primarily working in the information and communication sector (3,000) and business and administrative activities (1,500). During 2024, the number of highly qualified foreign specialists increased by approximately 2,000, with around two fifths of this growth attributed to EU citizens (Lietuvos bankas, 2025).

1.3.3 Foreign employees by gender

It should also be stated female labour migration to Lithuania was never actively encouraged. The labour immigration policy implemented in Lithuania has shaped a migration structure that predominantly favours male workers: annually published lists of shortage occupations primarily create opportunities for male-dominated labour migration. Sectors at the forefront of economic development tend to be those dominated by male professions, while in the domestic labour market, female labour is relatively inexpensive. As a result, employers have little incentive to recruit even cheaper female labour from abroad. The only economic sector in which work permits are issued exclusively to female workers is the light industry sector. However, the number of permits issued in this area used to be really low. For example, in 2012 ranging only from 27 to 59 per year and related almost exclusively to a single garment manufacturing company employing female nationals from Sri Lanka (Erentaitė et al, 2012). Vilnius and Klaipėda, as in previous periods, remain among the key centres of attraction for labour migrants (Petrušauskaitė et al, 2015). In recent years, the number of foreign women working in Lithuania has increased; nevertheless, it can still be argued that their share remains relatively low, with the exception of Ukrainian nationals (see Figures 12 and 13 below).

Statistical data on the issuance of work permits or foreigners integrated in the Lithuanian labour market, provided by the PES, indicate that labour (economic) migration is overwhelmingly dominated by male migrants. This trend has remained consistent with previous years and did not change neither during the post-2009 economic crisis period, nor during the recent decades. Between 2011 and 2014, the proportion of work permits issued to men accounted for 96–97%, while the share issued to women remained low (Table 11).

Table 11. Labour migrants from third countries by gender, 2011–2016

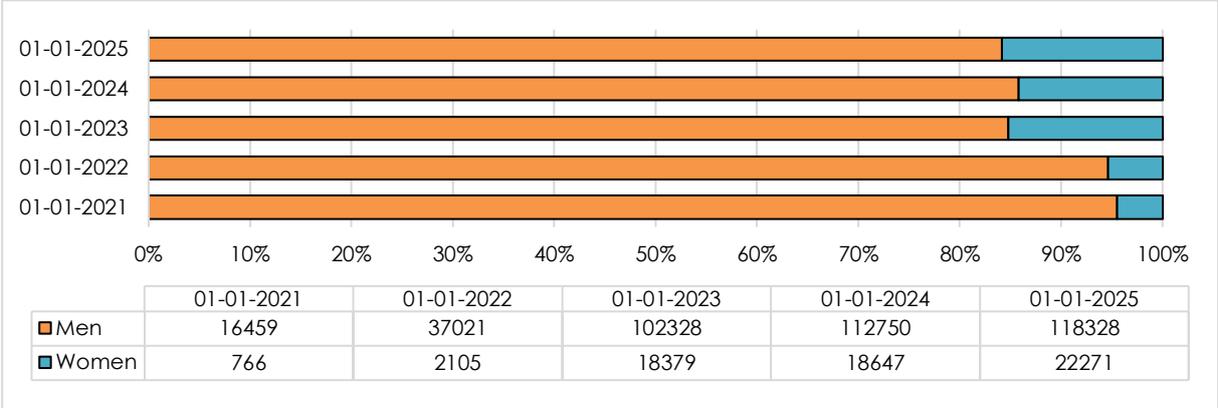
Year	Men	Women
2011	3 185	142
2012	4 494	133
2013	4 874	162
2014	5 236	146
2015	6 708	165
2016	12 390	210

Source Žibas et al (2017)

The situation did not change during recent years as well. Until 2022, women accounted for less than 5% of all working foreign nationals. The situation changed with the start of Russia’s invasion to Ukraine and a significant increase in the number of immigrants/war refugees from Ukraine arriving to Lithuania. It should

be noted that the situation has likely changed to some extent in 2023–2025, primarily due to the presence of Ukrainian women in the Lithuanian labour market (see Figures 12 and 13).

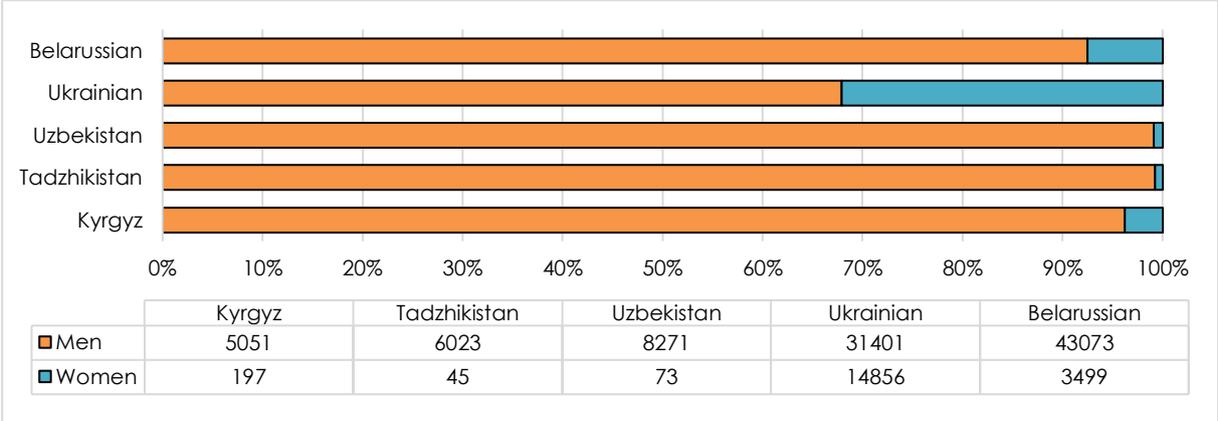
Figure 12. Foreign employees (TCN) in Lithuania by gender in 2021-2025, at the beginning of a year, %



Source PES

In order to confirm the claim that the proportion of women is increasing due to Ukrainian citizens, below we present information on the gender distribution of employed foreign nationals by selected citizenships.

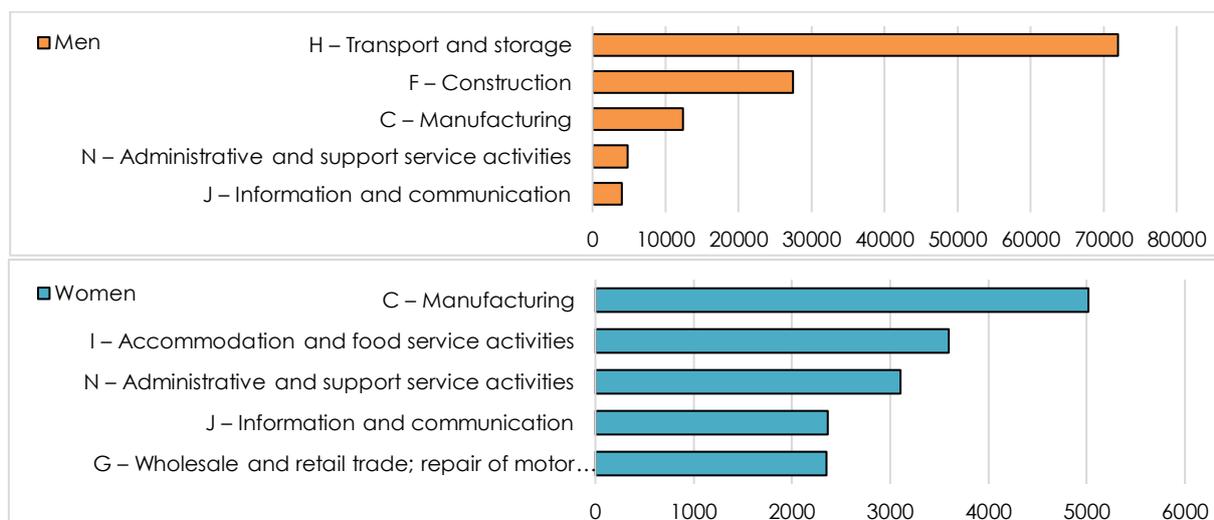
Figure 13. Foreign employees in Lithuania by gender and selected citizenships in 2025, at the beginning of a year, %



Source PES

If men are the most often working in the transport and construction sectors, the most ‘popular’ sectors among women are manufacturing, accommodation and food service activities, and administrative and support service activities (see figure below).

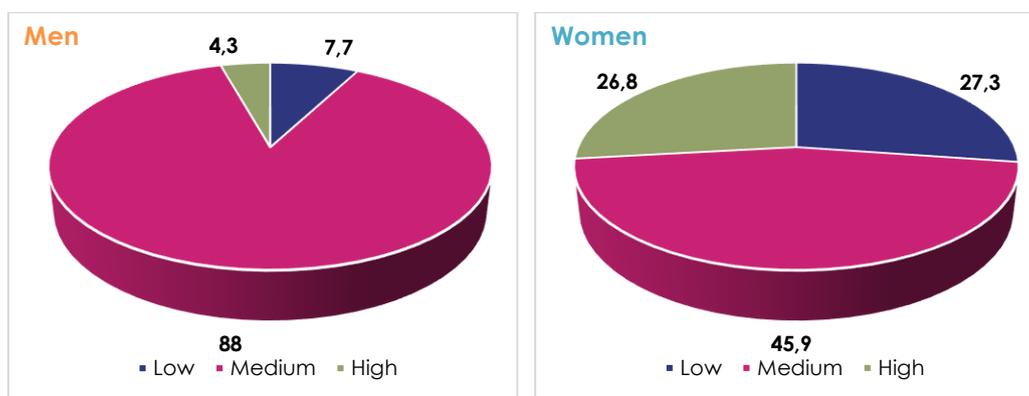
Figure 14. Five the most popular sectors of employment among foreign employees by gender in Lithuania in 2025, at the beginning of a year



Source PES

Interesting to note that not only are the economic sectors dominated by men and women rather different, but so are their qualifications. According to PES information, the professional qualifications of most foreign nationals men working in Lithuania are classified as average, while foreign nationals women are more evenly distributed in terms of their qualifications (see Figure 15).

Figure 15. Distribution of foreign employees by gender and professional qualification in Lithuania in 2025, at the beginning of a year, %



Source PES

According to the PES information:

- majority of **men and women**, attributed to **high** professional qualification, are:
 - ✓ IT and communications systems specialists, and
 - ✓ business and administration professionals;
- majority of **men**, attributed to **medium** professional qualification, are:
 - ✓ drivers and mobile machine operators, and
 - ✓ construction and related professions workers;

- majority of **women**, attributed to **medium** professional qualification, are:
 - ✓ service personnel (hairdressers, beauticians, waiters, etc.), and
 - ✓ food producers, tailors, and other related professionals;
- majority of **men**, attributed to **low** professional qualification, are:
 - ✓ auxiliary construction, industrial, and transport workers;
- majority of **women**, attributed to **low** professional qualification, are:
 - ✓ cleaners and assistants.

1.4 Conclusions

To conclude, Lithuania’s increasing reliance on labour from third countries cannot be viewed in isolation from the broader geopolitical crises that have shaped regional developments in recent years. Rather than passively reacting, Lithuania actively responded to these external pressures by opening its labour market to foreign workers. This approach that has notably contributed to the growth of immigration in specific sectors, most prominently in transport and among medium qualification male immigrants.

The results of employer surveys indicate that, while the employment of foreign workers is viewed as an appropriate measure to address labour shortages during periods of economic growth (58% of surveyed employers agreed with this statement), employer perceptions of migrant integration measures are more negative than positive. These survey results suggest that the majority of employers view the employment of foreign nationals arriving to work in Lithuania merely as a temporary solution to labour market challenges, without considering the possibility of these workers settling in the country long-term (Žibas et al, 2015). Within the transport sector, particularly among long-haul drivers who spend most of their time on the road, who constitute the biggest part of labour immigrants, there is typically limited connection to a stable, socially rooted place of residence in Lithuania (Petrušauskaitė et al, 2015). In our view, it is also important to highlight that a significant share of those employed in this sector are Belarusian nationals, many of whom spend the majority of their rest periods and holidays, including unpaid leave and idle time in Belarus rather than in Lithuania. This suggests a high likelihood that, despite the evident demand for migrant labour in the transport sector, strong and lasting social ties with Lithuania are generally not established.

The main economic sectors in which labour migrants are most frequently employed have remained largely unchanged since the end of the 2009 economic crisis. In both 2015 and 2025, the majority of foreign workers were employed in the transport and construction sectors. In 2025, the transport sector employed 47.8% of all foreign nationals working in Lithuania, amounting to a total of 76,774 individuals. Of these 76,774 individuals, as of 1 October 2025, 75,801 were drivers of heavy lorries and freight transport vehicles (code 8332) and in January 1st 2026 77 503 (LDU). Therefore, numbers substantially and significantly increasing. Despite the relatively modest overall numbers of foreign workers, demand persists in key sectors such as transport and construction. However, as this chapter has shown, third-country labour remains largely a temporary fix rather than a sustainable, long-term policy objective. The prevailing “employers’ interests” model (Petrušauskaitė et al, 2015) responds to immediate labour shortages but lacks a forward-looking strategy for the integration or long-term settlement of migrant workers and their families (Žibas et al, 2017). In response to labour shortages, particularly following the significant liberalisation of immigration policy in 2017-2018, the recruitment of TCNs increased sharply, especially in the transport sector. While this liberal framework remained largely in place until mid-2024, it has since been moderated by growing security concerns, resulting in more restrictive labour immigration measures.

Lithuania's geographical and political position as a border state of the EU further contextualises these developments. The country's labour market expansion has been shaped not only by domestic needs but also by its engagement in transnational labour mobility and participation in EU-wide supply chains. Persistent domestic labour shortages have increasingly pushed employers to source labour from outside the EU, both for local employment and for posting to other EU/EEA MSs.

Overall, this chapter has traced the evolution of Lithuania's approach to labour immigration, highlighting the reactive and short-term nature of current immigration and employment policies, which continue to rely heavily on external labour to address immediate workforce gaps. The following chapter will build on these findings by examining posting and posting of TCNs, both to meet domestic demand and to serve broader European labour markets.

2. The extent and defining features of intra-EU posting from Lithuania

2.1 Posting of workers – legal framework and definitions

Acquis Communautaire regarding PWD were transposed into the Lithuanian law primarily 20 years ago, i.e. by the LC (amendment of the LC (2002) by Law No X-294 dated 30th of June, 2005 (valid since 14th of July 2005)³⁴ and by a special Law No X-199 on Guarantees for Posted Workers dated by 12th of May 2005.³⁵ Presently the PWD and all its amendments are transposed into national legislation and regulated by the new LC dated by the 14th of September 2016 Law No XII-2603 (valid since the 1st of July 2017)³⁶. While previous LC and Law on Guarantees for Posted Workers are no longer in force. Revision directive has been transposed as well into LC on the 28th of June 2022 by Law No XIV-1189 (and came into force on the 1st of August 2022).

Furthermore, this Report will only refer to the provisions of the new LC those were in force at the time of drafting this Report. Labour relations of posting of workers are regulated in Article 9 and section two of the LC.

Together different aspects related to posting of workers are regulated by the following legal acts:

- ✓ **Order No V-253** of 8 June 2010 of the Director of the *Sodra* “**On the Approval of the Procedures for the Implementation of the Provisions of the EU Regulations on the Coordination of Social Security Systems Relating to the Determination of the Applicable Legislation**” (further - Order No V-253 or Order related to issuing and revoking PD A1s)³⁷;
- ✓ Interinstitutional **Order No V-401/EV-281/V-395** of 27 September 2019 “**On the Procedure for Submitting Information on Foreign Nationals Working in Lithuania and the Notification Form on Foreign Nationals Working in Lithuania**” (further – Order No V-401/EV-281/V-395).
- ✓ **Order No EV-241** of the Chief State Labour Inspector of 31 August 2016 “**On the Approval of the Description of Procedures for the Actions of the Inspector of the SLI to Establish Genuine Posting**” (the Order No EV-241)³⁸
- ✓ At the same time, it should be mentioned that the **Law on the LSF No IX-2206** (dated by the 29th of April, 2004)³⁹, as discussed in the previous chapter, is important as a significant part of posted employees from and to Lithuania are TCNs. This law establishes the lawful grounds for the stay and employment of foreigners in the territory of the RL and the requirements for such stay. It is important that employees posted from Lithuania should be employed under employment contract and their *regular* (work) place should be in Lithuania.

34 Žin., 2005, No 85-3138

35 Žin., 2005, No 67-2406

36 TAR, 2016-09-19, Nr. 2016-23709.

37 Order No V-253 of 8 June 2010 of the Director of the Sodra “On the Approval of the Procedures for the Implementation of the Provisions of the EU Regulations on the Coordination of Social Security Systems Relating to the Determination of the Applicable Legislation” (Žin., 2010, Nr. 70-3536), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.375620>

38 Order of the Chief State Labour Inspector No EV-241 of 31 August 2016 “On the Approval of the Description of Procedures for the Actions of the Inspector of the SLI of the RL to Establish Genuine Posting” (TAR, 2016-08-31, No 22972), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/475bfa406fb611e6a421ea2bde782b94/XSrcUnrGA?ifwid=i3h7vw2c5>

39 Žin., 2004, No 73-2539. This report focuses on the New Editorian version of the law as from the 1st of March 2021 - (TAR, 2020, No 2020-24582), currently applicable consolidated version: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.232378/asr>

2.2 Posting from Lithuania: legal regulation

The parties to an employment contract according to the LC are the employee (worker) and the employer (Article 21.1). An employee (worker) is a natural person who undertakes to perform a job function for remuneration under an employment contract with an employer (Article 21.2 of the LC). While an employer is a person for whose benefit and under whose subordination a natural person has undertaken to engage in remunerated employment and perform certain job functions under an employment contract (Article 21.1 of the LC). Article 107.1 of the LC defines posting of workers as a performance of job duties at a place other than the permanent place of work. Thus, under Lithuanian law, a posted employee is defined as a natural person who is hired under an employment contract and is bound by organisational and legal ties to his/her employer, to whom he/she is subordinate. These provisions are significant, as, under Lithuanian law, only employees who are in a relationship of subordination can be posted to another, and solely by their employer.

Under the LC, subordination to the employer means that the employee performs work functions under the employer's authority to supervise and direct the entire work process or any part of it. The employee is obliged to follow the employer's instructions or the rules established in the workplace (Article 32.2). An employment contract is considered concluded when the parties agree on the essential terms of the contract (Article 42.1, LC). The employer is required to notify the territorial office of the *Sodra* about the conclusion of the employment contract and the hiring of the employee, in accordance with the established procedure, no later than one working day before the employee's planned start date. This requirement does not apply only if the person is hired under an employment contract that specifies a workplace outside the RL and the employee is subject to the social security legislation of a country other than Lithuania (Article 42.2), therefore not applicable to employees that are posted abroad from Lithuania in terms of labour law. The employment contract enters into force when the employee begins working (Article 42.3).

Employees may be posted abroad only if they have had an employment relationship with their employer for a minimum of one month prior to the posting (Point 5 of Order No V-253). This rule applies as a condition for applying for and obtaining a PD A1 under Article 12.1 of the BR, correspondingly point 5 of the same Order, rather than under Article 13.1 of the BR, correspondingly point 14 of the Order V-253. Consequently, for employees sent from Lithuania to EU or EEA countries under Article 13.1 of the BR, where the concept of posting may be used in the context of labour law rather than strictly for the purposes of social security legislation, the requirement to remain in an employment relationship for at least one month does not apply. However, the permanent place of work must be in Lithuania both for employees posted under Article 12.1 and 13.1 of the discussed Regulation.

Article 9.1 of the LC provides that when an employee is temporarily assigned to work abroad by an employer based in Lithuania, the provisions of Lithuanian labour law will continue to apply to their terms of employment, but only to the extent that those terms are not already governed by the mandatory legal provisions of the host (foreign) country. In other words, if the laws of the country where the employee is posted to include mandatory employment conditions (e.g. wage, working hours, etc.), latter provisions will take precedence. It is explained in Article 9.3 of the LC, that mandatory provisions shall consist of laws, other legal acts, and/or collective agreements or arbitration decisions that have been deemed universally applicable and may not be deviated from by agreement of the parties under the legislation of the country of applicable law. Article 107.2 of the Code states that during posting, the employees shall retain their remuneration and obliges employers to reimburse extra costs (transport, travel, accommodation and other expenses) if employee incurs them during the posting.

Besides information that employers are required to provide to all employees according to Article 44.1 of the LC, posted workers should be provided with additional specific information (Article 107.6). Therefore, all

employees before they are posted from Lithuania to another EU or EEA country, or vice versa, must receive also the following data from their employers (Article 107.7):

- 1) the size of the remuneration to which the employee is entitled under the law of the State of posting;
- 2) the size of the daily subsistence allowance and benefits to cover the actual travel, accommodation and meal expenses incurred in connection with the posting, if applicable;
- 3) a link to the official national website of the Host State containing information on posted workers.

2.3 Posting from Lithuania: issuing and revoking PD A1s

As described above, employees posted (in labour law terms) abroad from Lithuania are issued an PD A1 pursuant to the BR, which confirms that Lithuanian social security legislation remains applicable to them, thereby exempting them from the obligation to pay social security contributions in the host MS for the duration of their posting. In Lithuania PD A1 is issued in accordance with the Order No V-253⁴⁰ under one of the **three following arrangements** depending whether employee is posted (or sent to another MS):

- 1) under a contract between the employer and a client established in another country, for the provision of services or performance of work;
- 2) to work at a branch, representative office, or another company within the employer's corporate group; or
- 3) as a temporary agency worker assigned to a different workplace.

The PD A1 is being issued by Vilnius division and the statistics is collected by the same entity. However, Vilnius division data base does not specify how many PD A1s under which of 3 arrangements mentioned above are being issued. Self-employed person can be/and are issued PD A1 if providing services in other EU/EEA MSs as well, however, they cannot, as per legislation, be considered as posted by an employer, since they do not have any employment contract and therefore no such legal relationship of subordination exists.

Typically, this involves a posting initiated by the employer under one of free arrangement mentioned previously that is responsible for notifying the Vilnius Department and submitting the necessary documents for the PD A1 to be issued. In contrast, self-employed individuals decide independently to provide their services temporarily abroad and are legally responsible for notifying the Vilnius Division themselves and submitting the relevant documentation. We note that, in practice, there may be cases in which the employer ought to formalise employment relations, yet an individual is sent abroad while operating as a self-employed person. However, where such arrangements de facto correspond to an employment relationship and exhibit the characteristics of posting, such activity should be considered unlawful. Determinations of this nature can only be made following inspections conducted by the competent authorities on their own initiative or by self-employed individuals themselves in cases of violations of their rights. Complaints in such instances, if any, are likely to be very few, as self-employed activity is de jure based on the consent of both parties, making it difficult to establish the existence of an employment relationship. Therefore, below in the text of the Report when we use a word “workers” or/and “employee” these notions do not include self-employed. Moreover, notions “workers” and “employee” are used as synonyms in this Report.

For the purposes of analysing intra-EU posting, particular attention is given to PD A1s issued under Articles 12.1 and 13.1 of BR. Nevertheless, persons operating under self-employment legal ground may also be, in

⁴⁰ Order on the Approval of the Procedures for the Implementation of the Provisions of the EU Regulations on the Coordination of Social Security Systems Relating to the Determination of the Applicable Legislation (Žin., 2010, No 70-3536), dated 8 June 2010.

certain cases, linked to posting-related mobility. This aspect will be further explored in Chapter 3 of the Report, where we attempt to assess the scope of irregular posting.

In the following section of this Charter of the Report, we will focus primarily on posted employees (referred to in the reports of *Sodra's* Vilnius Division as “3.1”) and individuals employed in two or more countries (referred to as “3.2” in the same reports). Accordingly, **the analysis will concentrate mainly on the trends related to posting, where:**

- ✓ Firstly, **the employment contract concluded in Lithuania remains valid and in force.** The employment relationship continues under an uninterrupted contract governed by Lithuanian law, and no new contract is established with the host country entity.
- ✓ Secondly, **the Lithuanian employer retains the obligation to ensure the fulfilment of contractual responsibilities.** This means the employer remains accountable for all rights and obligations arising from the employment contract, including remuneration, working conditions, and social guarantees, irrespective of the employee’s temporary posting abroad.
- ✓ Thirdly, **the Lithuanian employer preserves the right to terminate the employment relationship.** In other words, the employer must retain the legal authority to dismiss the employee, and any host entity is not permitted to terminate the employment contract of the posted worker.
- ✓ Fourthly, **the Lithuanian employer continues to determine the nature and scope of the work performed.** This includes managerial authority to assign tasks and provide instructions during the posting period, thereby ensuring ongoing oversight and supervision of the employee’s activities abroad.
- ✓ Fifthly, **the employer remains responsible for the payment of mandatory Lithuanian state social insurance contributions for the posted employee,** signifying that Lithuanian social security legislation continues to apply throughout the duration of the posting.

The following section examines the main trends in the issuance of PD A1 forms over the period from 2019 to 2024, with particular attention to their distribution across different sectors. It is important to emphasise that the figures presented below do not correspond to the number of individuals classified as posted workers, as a single person who has been posted multiple times during the period may be issued more than one PD A1. Moreover, in practice, PD A1 forms may be issued retroactively (Clause 24, Order No V-253), so that the data for a given year may include information relating to postings carried out in previous years. It is also important to note, as highlighted by the Vilnius Division during the interviews. Should be mentioned that during the preparation of this Report, it was not possible to obtain data on how many PD A1s are issued per individual on average, either overall or by sector. This is because the relevant national institutions do not collect such information, nor data PD A1s’ average duration. Consequently, the number and trends of PD A1s issued, as presented and analysed below, may not fully correspond to the actual timing of work carried out in another MS. In some cases, the work may have taken place in previous years. Hence, the figures presented in this subsection should be regarded as approximate or provisional.

Therefore, some degree of deviation is possible, and the trends discussed in the following section should be regarded as preliminary and interpreted with caution given the limitations and uncertainties in the data. As a result, we must assume that the trends presented here are approximate rather than definitive, and indicative rather than fully representative of the actual situation. While the average or aggregated number of PD A1s issued may correspond to a more realistic situation, the figures for specific years may differ from the actual data. Unfortunately, there is no available method to verify these discrepancies.

For this reason, we consider it meaningful not only to present annual figures but also to aggregate the data for the entire period under review and to calculate relevant total number distributed during the period of 2019-2024 as this may provide a more reliable overview of general tendencies.

2.4 Number of PD A1s Issued and Key Trends, 2019–2024

The total number of PD A1s issued between 2019 and 2024 increased by 34.05%, rising from 95,074 in 2019 to 127,434 in 2024. As noted earlier, this figure represents the number of PD A1s issued, not the number of individual recipients - employees. The majority of PD A1s were issued to individuals employed in two or more MSs (under Article 13.1 of the BR). In this category, 62,725 PD A1s were issued in 2019, increasing to 90,296 in 2024 — representing a growth of 43.94% over the period. The total number of PD A1s issued to posted employed persons under Article 12.1 of the BR rose by 10.02%, from 31,850 in 2019 to 35,044 in 2024.

Therefore, it is important to investigate the factors that contributed to the substantial number and rapid increase in PD A1s issued to employed persons working in two or more States under Article 13 of the BR. At the same time, it is equally relevant to examine the reasons behind the slowdown in growth and the slight decline observed in 2024. Additionally, it is worth noting that the growth by 10.02%, in the number of PD A1s issued to posted employed persons over the period under Article 12.1 was smaller but steady and consistent over the same period.

While PD A1s issued to posted employed persons under Article 12.1 of the BR reached their highest number in 2024, totalling 35,044, the highest number of PD A1s issued to employed persons working in two or more States under Article 13.1 of the BR was recorded in 2023, amounting to 91,326.

These figures indicate that the majority of workers employed or working in two of more MSs fall under Article 13.1 of the BR rather than Article 12.1 of the BR (see respectively lines 3.1 and 3.2 in Table 12 below).

Even higher percentage growth in the issuance of PD A1s is observed self-employed persons (176.13%), self-employed individuals working in two or more MSs (1118.18%), mariners (390.14%), and those working both as employed and self-employed persons in different States (66.67%). However, as shown in the table below, these figures are relatively insignificant in absolute terms. Consequently, only self-employed are relevant in terms of this Report as will be analysed in greater depth in Chapter 3 describing likely ‘irregular’ forms of intra-EU posting involving Lithuania.

Table 12 below presents the aggregated figures for the period 2019 to 2024. This aggregation is intended to mitigate the effects of random fluctuations and to provide a more robust and comprehensive picture of observable trends.

Table 12. Number of PD A1s Issued, 2019–2024

Categories ⁴¹	2019	2020	2021	2022	2023	2024	Growth 2019-2024	Total*
3.1. Posted employed person (Article 12.1 of the BR)	31 850	30954	32 568	33 882	34 539	35 044	+10,02%	198 837

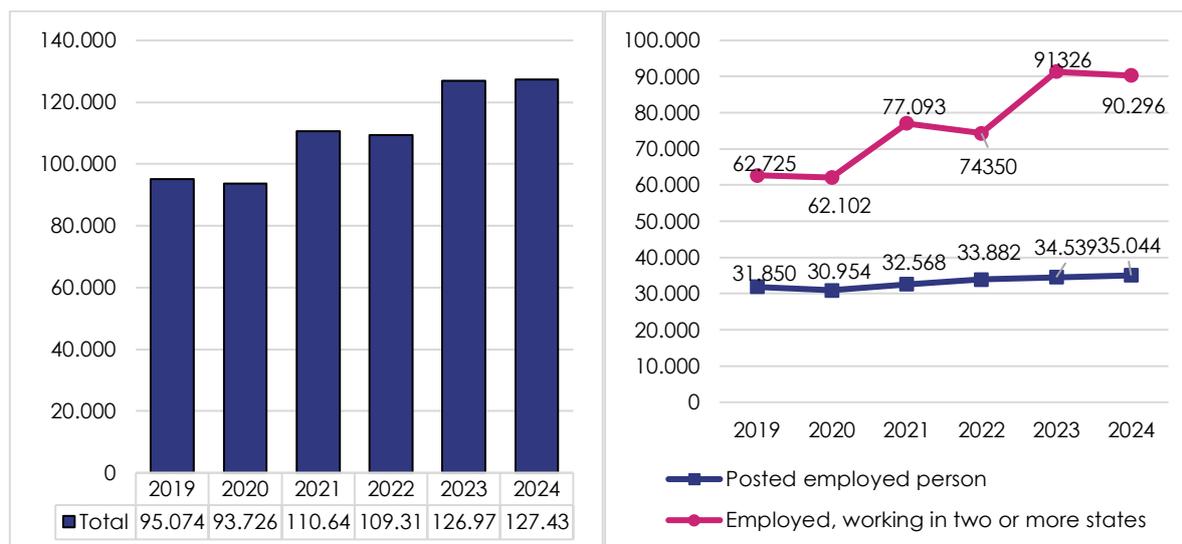
41 Corresponding to field 3 of PDA1 concerning the status of the holder

Categories ⁴¹	2019	2020	2021	2022	2023	2024	Growth 2019-2024	Total*
3.2. Employed, working in two or more States (Article 13.1 of the BR)	62 725	62102	77 093	74350	91326	90 296	+43,94%	457 892 ⁴²
3.3. Posted self-employed person (Article 12.2 of the BR)	155	146	224	157	246	428	+176,13%	1 356
3.4. Self-employed, working in two or more States (Article 13.2 of the BR)	11	48	41	78	116	134	+1 118,18 %	428
3.5. Civil servant	7	5	7		6			25
3.6. Contract staff	0	0						0
3.7. Mariner	294	428	642	775	622	1441	+390,14 %	4 202
3.8. Working as an employed person and as a self-employed person in different States	28	13	38	67	54	57	+66,67 %	257
3.10. Flight or cabin crew member	1							1
3.11 Exception	3	30	13		11	5		62
3.12. Working as an employed / self-employed person in only one MS	NI/0?				59	29		88
Total	95 074	93 726	110 641	109 316	126 979	127 434	+34,05 %	663 170

* During 2019-2024

Source Sodra (data received under special request)

Figure 16. Number of PD A1s Issued in 2019–2024, including those issued to posted under Art.12.1 and Art.13.1



Source Sodra (data received under special request)

42 In the table Sectors – A1 according to Article 13, there is also a higher number as it includes also self-employed.

2.5 Impact of the COVID-19 Pandemic on the Reporting Period

This reporting period includes the outbreak and duration of the COVID-19 pandemic. By Resolution No. 152 of 26 February 2020 "On the Declaration of a State-Level Emergency", the Government declared a national emergency. Subsequently, by Resolution No. 207 of 14 March 2020, "On the Declaration of Quarantine in the Territory of the RL", the Government introduced the third (full preparedness) level of civil protection readiness and imposed a nationwide quarantine.

Therefore, the state of emergency due to the pandemic officially began in March 2020 and continued until 1 May 2022, as established by Government Resolution No. 378 of 20 April 2022 "On the Repeal of Government Resolution No. 152 of 26 February 2020" (Register of Legal Acts, 21 April 2022, No. 2022-08126). Meanwhile, the quarantine declared under Resolution No. 207 was lifted on 17 June 2020; however, the emergency regime under Resolution No. 152 remained in effect until the end of April 2022.

For the purposes of this Report, the pandemic period is defined as spanning the years 2020 to 2022. Although both 2020 and 2022 may be considered only partially affected by the pandemic, the year 2020 is treated as part of the pandemic phase, while 2022 is regarded as the onset of the post-pandemic period. Accordingly, changes in the number of PD A1s issued between 2020 and 2022 are analysed as indicative of both the impact of the pandemic and in case of year 2022 - the initial stages of recovery. The year 2022 is considered the primary year of recovery, with 2023 and 2024 representing subsequent phases of continued post-pandemic recovery.

2.6 Analysis of change – total number of issued PD A1s (without sectoral breakdown)

This section provides an analysis of the changes in the total number of PD A1s issued, without disaggregating the data by economic sector. Primarily, the percentage change between 2020 and 2019, reflecting the initial impact of the pandemic, was evaluated, as shown in the Table 13 below. Additionally, the percentage change between 2019 and 2023 illustrates the difference between the pre-pandemic and post-pandemic periods, with 2023 marking the first full year unaffected by the COVID-19 pandemic, thereby allowing for a clearer assessment of post-pandemic labour mobility trends. In contrast, 2022 can be considered only partially post-pandemic. Consequently, the differences in post-pandemic changes between 2022 and 2023 were also examined. Furthermore, the overall change during the analysed period of 2019 to 2024 was assessed, identifying the years with the lowest and highest number of PD A1s issued.

Table 13. Trends and variations in PD A1s issuance from 2019 to 2024

To whom issued	Year of lowest number	Year of highest number	% change in 2020 vs 2019 (pandemic impact)	% change 2020 vs 2022 (post-pandemic impact)	% change 2020 vs 2023 (post-pandemic impact – full calendar year)	% change pre- and post-pandemic: 2019 vs 2023	% change 2019 vs 2024
3.1. Posted employed person (Article 12.1 of the BR)	2020 30 954	2024 35 044	- 2.81 31 850 (2019) 30 954 (2020)	+ 9,46% 30 954 (2020) 33 882 (2022)	+11,58% 30 954 (2020) 34 539 (2023)	+ 8,44 % 31 850 (2019) 34 539 (2023)	+10,02% 31 850 (2019) 35 044 (2024)
3.2. Employed, working in two or more States (Article 13.1 of the BR)	2020 62 102	2023 91 326	- 0.993% 62 725 (2019) 62 102 (2020)	+ 19,73% 62 102 (2020) 74350 (2022)	+47,06% 62 102 (2020) 91326 (2023)	+45,59% 62 725 (2019) 91 326 (2023)	+43,94% 62 725 (2019) 90 296 (2024)

To whom issued	Year of lowest number	Year of highest number	% change in 2020 vs 2019 (pandemic impact)	% change 2020 vs 2022 (post-pandemic impact)	% change 2020 vs 2023 (post-pandemic impact – full calendar year)	% change pre- and post-pandemic: 2019 vs 2023	% change 2019 vs 2024
3.3. Posted self-employed person (Article 12.2 of the BR)	2020 146	2024 428	- 5.81% 155 (2019) 146 (2020)	+12,33 % 146 (2020) 164 (2022)	+68,49% 146 (2020) 246 (2023)	+58,71% 155 (2019) 246 (2023)	+176,13% 155 (2019) 428 (2024)
3.4. Self-employed, working in two or more States (Article 13.2 of the BR)	2019 11	2024 134	+ 336.36% 11 (2019) 48 (2020)	+ 62,5% 48 (2020) 78 (2022)	+141,67% 48 (2020) 116 (2023)	+ 954,55 % 11 (2019) 116 (2023)	+1118,18 % 11 (2019) 134 (2024)
3.5. Civil servant	2023 6	2021 7	- 28.57% 7 (2019) 5 (2020)	NI or 0 in 2022	+20% 5 (2020) 6 (2023)	- 14,29% 7 (2019) 6 (2023)	7 (2019) NI or 0 (2024)
3.7. Mariner	2019 294	2024 1441	+ 45.58% 294 (2019) 428 (2020)	+ 81,07% 428 (2020) 775 (2022)	45,33% 428 (2020) 622 (2023)	+ 111,56% 294 (2019) 622 (2023)	390,14 % 294 (2019) 1441 (2024)
3.8. Working as an employed person and as a self-employed in different States	2020 13	2022 67	-53.57% 28 (2019) 13 (2020)	415,38% 13 (2020) 67 (2022)	315,38% 13 (2020) 54 (2023)	+ 92,86% 28 (2019) 54 (2023)	103,57 % 28 (2019) 57 (2024)
3.11. Exception 2019	2019 3	2020 30	+ 900 % 3 (2019) 30 (2020)	NI or 0 in 2022	- 63,33% 30 (2020) 11 (2023)	+ 266,67 % 3 (2019) 11 (2023)	66,67 % 3 (2019) 5 (2024)
In total/average	2020 93 726	2024 127 434	- 1,42 % 95 074 (2019) 93 726 (2020)	16,63% 93 726 (2020) 109 316 (2022)	35,47% 93 726 (2020) 126 979 (2023)	33,56% 95 074 (2019) 126 979 (2023)	34,05 % 95 074 (2019) 127 434 (2024)

Source Sodra (data received under special request)

Both under Articles 12.1 and 13.1 of the BR, which receive the greatest attention in this section, the fewest PDA1s were issued in 2020 (due to Covid-19 pandemics). The recovery had already begun in 2022, with the number of PDA1s issued under Article 13.1 increasing by 19.73% compared with year 2020, while those issued under Article 12.1 grew by 9.46%. This growth trend continued through to 2024. At the same time, it appears that in 2023, the number of PDA1s issued under Article 13.1 was higher than in 2024, likely influenced by the tightening of immigration requirements in 2024, which possibly contributed to lower employment level of TCNs and correspondingly - a reduction of their postings.

The fact that the highest number of PD A1s issued under Article 13.1 of the BR occurs in 2023 (issued 91 326 PD A1s in 2023) rather than 2024 (issued 90 296) may have been influenced by the tightening of immigration requirements in middle 2024, which likely contributed to a reduction in the posting of TCNs and may also have affected the submission of applications for the issuance of PD A1s. Nevertheless, we do not possess any data to support such categorical assertions. Accordingly, we present only all conceivable theoretical scenarios, which cannot be verified, but which may be related to the transport sector, which exhibits the highest rates of PD A1 issuance under Article 13.1 of the BR, as will be shown in the Report below. As described in the first Chapter of this Report, the number of certificates issued to drivers also decreased in 2024 (see Table 6). Therefore, we believe there might be correlation between data regarding PD

A1s issued under Article 13.1 of the BR and issued drivers attestation decrease. Nevertheless, as presented in the first chapter of this Report, based on information from PES and LDU, the employment of TCNs in the transport sector continued to increase in both 2024 and 2025. This trend may be attributable either to high staff turnover or dismissals, or to the avoidance of submitting applications for the issuance of PD A1s. As previously noted, we do not have the means to verify these assumptions; however, they cannot be disregarded, particularly in light of statements from a representative of the employers' association, who observed that, in practice, "the Mobility Package requires the employment of an increasing number of workers."⁴³

During interviews while preparing this Report, some state institutions referred vaguely to a "decrease" in postings and immigration of foreigners during the Covid pandemic-19. While this information does not clearly correspond the trend as all numbers of labour immigrants grew during and after the pandemic, except for posted workers here relatively small decline observed in 2020 only. It appears that smaller than "could be" increase was considered as a "decline".

2.7 Analysis of changes in the total number of issued PD A1s (including sectoral breakdown)

2.7.1 Issuance of PD A1s pursuant to Article 12.1, 2019–2024

This part of the Report presents data and trends regarding the issuance of PD A1s under Article 12.1 of the BR for the period from 2019 to 2024. The information reflects developments across three main economic sectors, indicating the number of documents issued during the reporting period within the following areas:

- 1) In Agriculture, hunting and fishing (NACE A);
- 2) Industry (NACE B to F), including construction (NACE F); and
- 3) Services (manly NACE G, I, H, J, H, K, L, M, N, P, Q, R and S).

Over the period 2019–2024, a total of **200,110** of **PD A1s** were issued across all three economic sectors: the **services sector** accounted for the highest number of issued documents, with **105,517 PD A1s**, representing **52.7%** of all PD A1s issued under Article 12 during this period. This exceeded the number issued in the **industry sector**, which recorded **94,282 PD A1s** over the period. While agriculture, hunting, and fishing account for only a small number of PD A1s issued – 315 in total over the period.

Table 14. PD A1s number under Art. 12.1 of the BR by sectors in Lithuania, issued during 2019-2024

Sector/Year	2019	2020	2021	2022	2023	2024	In total*
A – Agriculture, hunting and fishing	40	11	158	24	33	49	315
B-F – Industry total, of which:	17 136	16 359	16 351	15 539	13 371	15 526	94 282
<i>F – Construction</i>	11 817	12 915	13 021	12 250	10 912	11 838	72 753
Services total, of which	14 833	14 730	16 275	18 401	21 381	19 897	105 517
<i>G – Wholesale and retail trade</i>	36	32	116	636	596	191	1 607
<i>I – Accommodation and food service activities</i>	0	826	10549	11 179	3 645	12 488	38 687

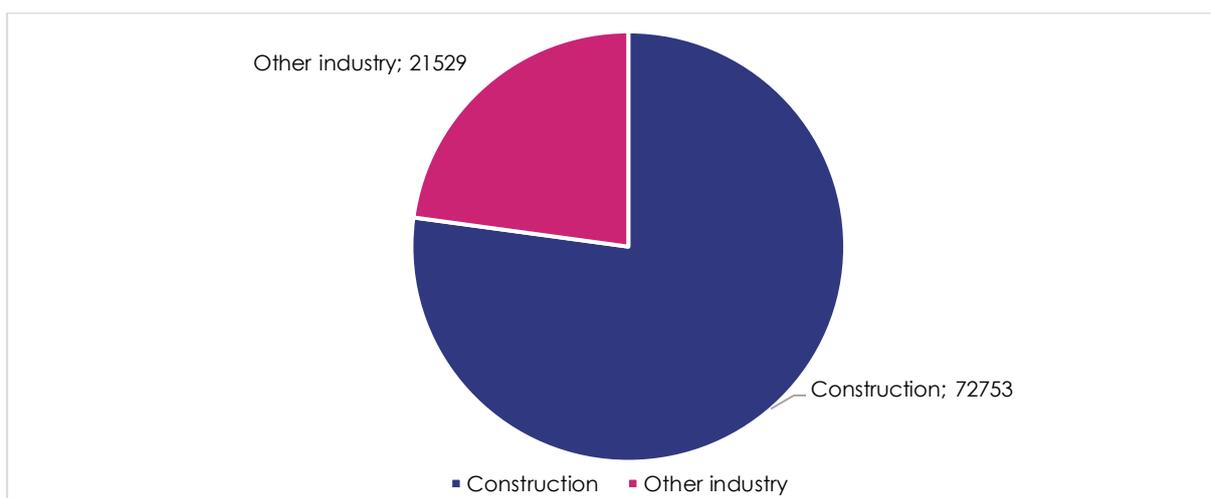
43 Interview conducted in June 2025.

Sector/Year	2019	2020	2021	2022	2023	2024	In total*
<i>H and J – Transportation and storage; Information and communication, of which</i>	560	731	859	850	1 378	811	5 189
<i>H – 49.4 – Freight transport by road</i>	143	167	287	318	351	147	1 413
<i>K, L, M and N – Financial and insurance; Real estate; Professional, scientific and technical; Administrative and support service activities, of which</i>	262	489	4291	5 112	15 542	5 396	31 092
<i>N – 78.2 – Temporary employment agency</i>	0	0	0	0	0	0	0
<i>P, Q, R and S – Education, health and social work, arts and other services, of which</i>	0	0	457	624	220	1 011	2 312
<i>Q – Human health and social work activities</i>	0	0	0	0	0	0	0
In Total (article 12)	32 005	31100	32784	33 964	34 785	35 472	200 110

* During 2019-2024
Source Sodra (data received under special request)

Within the industry sector, **construction (NACE F)** emerged as the dominant subsector, with **72,753 PDA1s** issued—constituting **77.2%** of all documents issued within the industry sector and the largest sector by the number of PD A1s issued under Article 12 over the period 2019-2024. The volume of PD A1s issued in the construction sector is also substantial in the broader context, accounting for **36.4%** of all PD A1s issued under Article 12 across all sectors during the 2019–2024 period. Thus, as it is visible from the Table 14, although the service sector is more numerous in terms of the number of PD A1s, no subsector within it exhibits figures **as high as those observed in the construction sector**, which is part of the industrial sector.

Figure 17. PD A1s issued under Art. 12.1 of the BR by industry sectors, issued in Lithuania during 2019-2024



Source Sodra (data received under special request)

Within the **services sector**, a total of **105,517 PD A1s** were issued between 2019 and 2024, as previously noted. Below is a breakdown of these figures by subsector, presented in descending order according to the number of PD A1s issued:

- 38,687 in accommodation and food service activities (NACE I);
- 31,092 in financial and insurance activities; real estate; professional, scientific and technical activities; and administrative and support service activities (NACE K, L, M and N);
- 5,189 in transportation and storage and information and communication (NACE H and J), of which 1,413 were specifically issued for freight transport by road (NACE H – Group 49.4);
- 2,312 in education, health and social work, arts, and other service activities (NACE P, Q, R and S);
- 1,607 in wholesale and retail trade (NACE G).

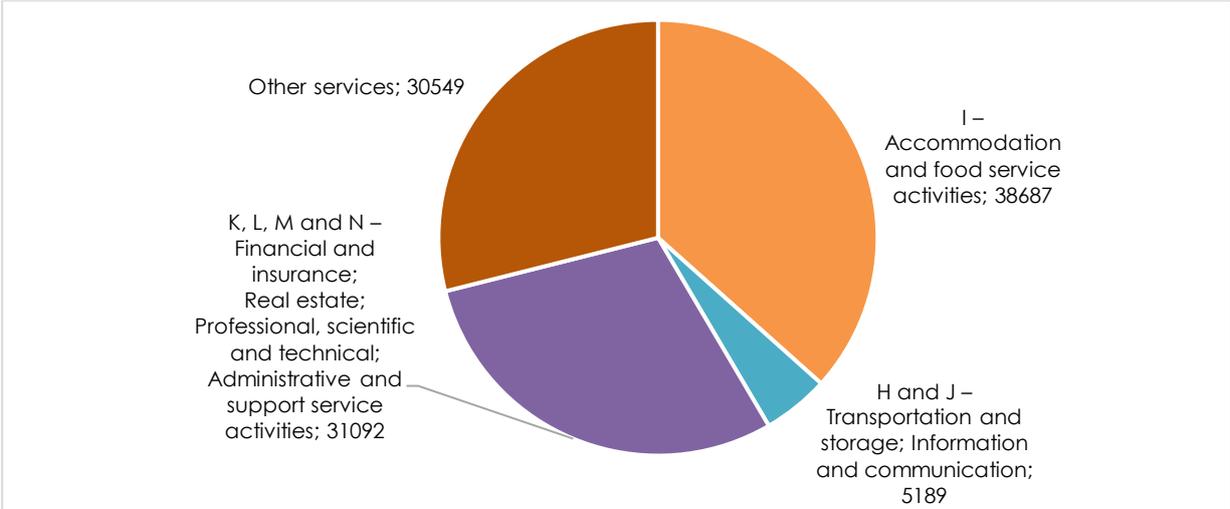
It should be noted that the **Vilnius division** does not collect specific data on the number of PD A1s issued in the **Temporary Employment Agency** subsector (**NACE N – Group 78.2**). As a result, it is not possible to analyse or present trends for this particular group in the current Report, due to the absence of reliable data. From around 2023 onwards, temporary employment agencies have been obliged to inform the SLI on their activities monthly, including the posting of workers from Lithuania. However, the SLI database is not yet reliable. There is no systematic verification of whether the excel tables are completed correctly by temporary employment agencies. For example, where “X country” is indicated next to a particular company, it is unclear whether the agency is posting an X country’s national or posting of a worker to X country. Moreover, the system likely contains numerous errors; therefore, this database cannot be relied upon for analytical purposes.

In the sections below, we focus on the **three main subsectors within the services sector** where the highest number of PD A1s were issued under Article 12 during the reporting period.

Accommodation and food service activities subsector (NACE I), a total of 38,687 PD A1s were issued in the 2019–2024 period. This represents 36.7% of all PD A1s issued within the services sector, and 19.3% of all them issued under Article 12 of the BR across all sectors. A very similar trend can be observed in the combined subsectors of **financial and insurance activities; real estate; professional, scientific and technical activities; and administrative and support service activities (NACE K, L, M and N)**. Here, 31,092 PD A1s were issued in the same period, accounting for 29.5% of all PD A1s issued in the services sector and 15.5% of all PD A1s issued under Article 12 overall.

A significantly smaller share of PD A1s was issued in the **transportation and storage; information and communication** subsectors (**NACE H and J**). However, this sector remains noteworthy in the context of this Report, as it provides valuable insight into the situation within **freight transport by road (NACE H – Group 49.4)**.

Figure 18. PD A1s under Art. 12.1 of the BR by services sector, issued in Lithuania during 2019-2024



Source Sodra (data received under special request)

As will be discussed later in the section analysing PD A1s issued under Article 13.1 of the BR, the figures within the same – transport - sector differ substantially, highlighting an important distinction in the regulatory application (Article 12 or 13 of the Regulation). During the 2019–2024 period, only 5,189 PD A1s were issued in the transportation and information subsectors, representing 4.9% of all PD A1s issued within the services sector under Article 12, and just 2.6% of the total number of PD A1s issued under Article 12 across all sectors.

When discussing the period of the Covid-19 pandemic, it is important to note that, in the **industry sector overall**, there was a **4.5% decrease** in the number of PD A1s issued in 2020 compared to 2019, and **4.6%** in 2021 compared to 2019. In contrast, the **construction sector** experienced growth: the number issued **increased by 9.3% in 2020** and by approximately by **10.2% in 2021**, both in comparison with 2019. If again we compare pre-pandemic year (2019) and pandemic year (both 2020 and 2021 year) in the services, there was a **slight decrease of approximately 0.7%** in 2020 compared to 2019 and an **increase of approximately 9.7%** in 2021 compared to 2019.

The pandemic years proved particularly significant for the **accommodation and food service activities sector** (NACE I). In 2019, no PD A1s were issued in this sector; however, the number rose sharply to 826 in 2020 and further increased to 10,549 in 2021. This upward trend continued into the post-pandemic period, peaking at 12,488 PD A1s issued in 2024. At present, it remains unclear whether this pronounced increase reflects a temporary legal adjustment during the pandemic—when mobility within services likely required formal documentation—or whether it signals the emergence of a new, structurally embedded pattern of posting within the services sector.

Notably, this sector also exhibits considerable fluctuations. Apart from the absence of PD A1s in 2019, there was a significant decline in 2023, when the number of PD A1s issued dropped sharply from 11,179 in 2022 to 3,645 in 2023, representing a decrease of 67.4%. Subsequently, there was a rapid rebound in 2024, with issuance rising by 242.5% compared to 2023.

These patterns suggest either an uneven demand for services or the possible existence of informal arrangements, whereby cross-border mobility occurs without recourse to PD A1s. Another possible explanation for these substantial fluctuations is that the services were rendered beforehand, whereas the PDs A1 were, at least to some extent, requested or issued during the subsequent year

A similar trend was observed in the **transportation and storage; information and communication sector** (NACE H and J), where the number of PD A1s increased steadily throughout the pandemic period and even accelerated post-pandemic, although a decline was recorded in 2024. When comparing the number of PD A1s issued in 2020 and 2021 with the pre-pandemic baseline of 2019, a notable increase is evident. In 2020, the number rose from 560 (2019) to 731, representing an increase of approximately 30.5%. In 2021, while further growing to 859, it remained 53.4% higher than in 2019. These figures suggest a significant and sustained upward trend in the issuance of PD A1s during the pandemic period, especially in sectors with high demand for mobility and cross-border service provision. The freight transport by road sector (NACE H – Group 49.4) recorded a relatively small number of PD A1s issued under Article 12.1 of the BR. Although a steady increase occurred throughout the 2019–2024 period, the overall volume remains minimal.

The number of PD A1s issued in the **financial and insurance; real estate; professional, scientific and technical activities; and administrative and support service activities** sector (NACE K, L, M and N) also experienced substantial growth, which did not diminish even during the pandemic period, but increased instead. When comparing 2019 and 2024, the number of PD A1s issued in this sector increased more than twentyfold, indicating a significant and sustained expansion in cross-border activity within these fields. When comparing the number of PD A1s issued in 2020 and 2021 with the pre-pandemic year of 2019 in the respective sector, a significant and accelerating growth trend is evident. In 2020, the number of PD A1s increased from 262 (in 2019) to 489, representing a growth of approximately 87%. This upward trajectory became markedly more pronounced in 2021, with the number of PD A1s rising to 4,291, which constitutes an increase of around 1,638% compared to 2019.

At the same time, the significant decline observed in 2024 compared to 2023 raises important questions - both with regard to the overall services sector and, in particular, within the following areas: **wholesale and retail trade** (NACE G); **transportation and storage; information and communication** (NACE H and J), including **freight transport by road** (NACE H – Group 49.4); as well as **financial and insurance; real estate; professional, scientific and technical activities; and administrative and support service activities** (NACE K, L, M and N).

To conclude, the number of **PD A1s issued in the services sector under Article 12 of the BR over the period from 2019 to 2024 increased more than by 30%**, reflecting a notable expansion in the scale and intensity of cross-border posting within this area. Such an increase suggests a shift in posting patterns or regulatory practices within the sector, which began during the pandemic period and continued in its aftermath. This trend warrants further investigation into the underlying causes - be they structural changes, increased demand for cross-border service provision, or administrative responses to pandemic-related mobility requirements.

2.7.2 Issuance of PD A1s pursuant to Article 13.1 of the BR 2019–2024

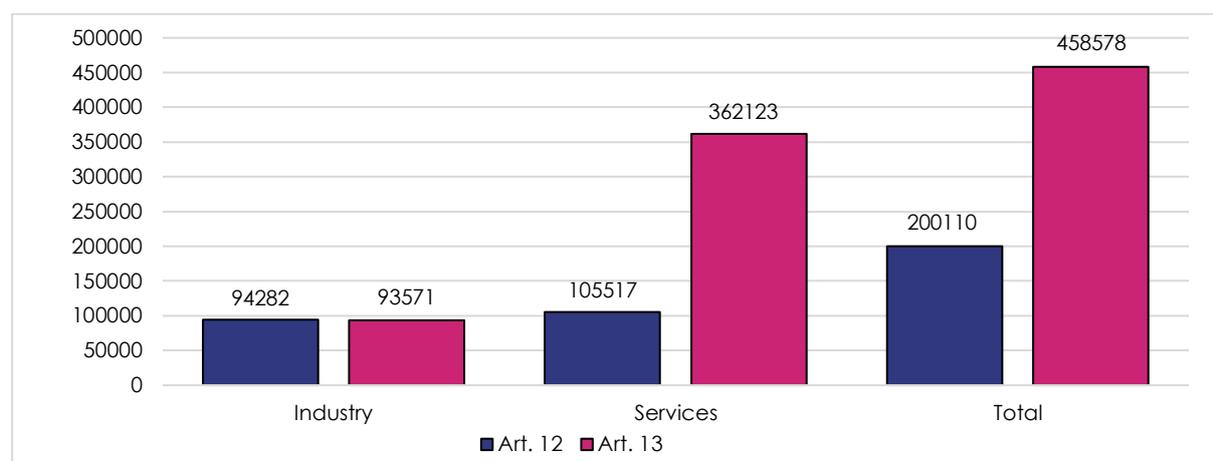
This part of the Report presents data and trends regarding the issuance of PD A1s under Article 13 of the BR for the period from 2019 to 2024. The information reflects developments across three main economic sectors, indicating the number of documents issued during the reporting period within the following areas:

- 1) In Agriculture, hunting and fishing (NACE A);
- 2) Industry (NACE B to F), including construction (NACE F); and
- 3) Services (mainly NACE G, I, H, J, H, K, L, M, N, P, Q, R and S).

The total number of PD A1s issued under Article 13 of the BR is significantly higher compared to those issued under Article 12. During the period 2019-2024, a total of 458,577 such documents were issued, including those for the self-employed, or 457,892 if considering only employed individuals.

Out of these, 93,571 PD A1s were issued in the industry sector (NACE B to F), and 362,123 in services. Therefore, documents issued in the services sector accounted for approximately 79.08% of all PD A1s issued under Article 13 of the BR during the 2019-2024 period. While agriculture, hunting, and fishing account for only a small number of PD A1s issued – 2 884 in total over the period accounted for approximately 0,628 % of all PD A1s issued under Article 13 of the BR during the period.

Figure 19. PD A1s issued under Art. 12.1 and Art. 13.1 of the BR, issued in Lithuania during 2019-2024



Source Sodra (data received under special request)

Table 15. PD A1s issued under Art. 13.1 of the BR by economic activity sectors in Lithuania in 2019-2024

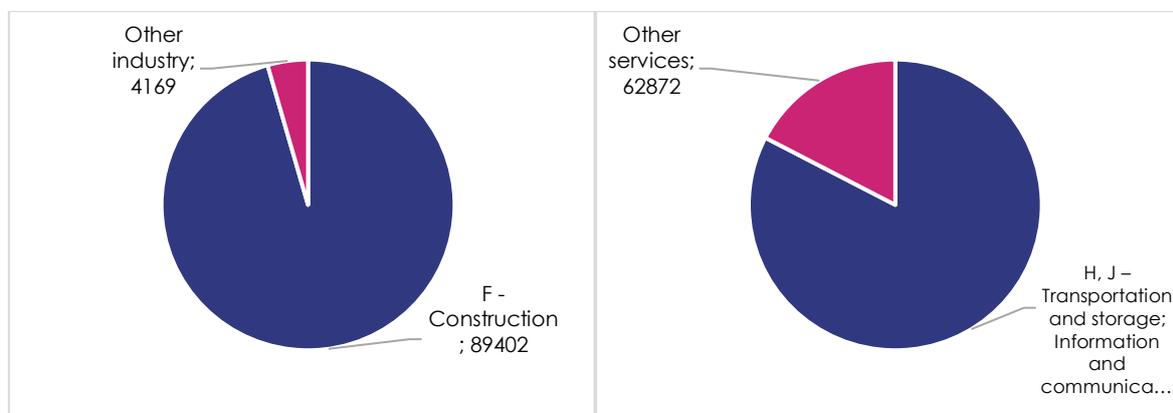
Sector/Year	2019	2020	2021	2022	2023	2024	In total*
A – Agriculture, hunting and fishing	414	494	484	500	480	512	2 884
B-F – Industry total, of which	11 381	11 534	14 247	16 647	17 862	21 900	93 571
<i>F – Construction</i>	10 962	10 400	13 639	15 889	17 298	21 160	89 402
Services total, of which	50 969	50 135	62 442	57 348	73 154	68 075	362 123
<i>G – Wholesale and retail trade</i>	22		36	8	197	81	344
<i>I – Accommodation and food service activities</i>			5161	7 162	8 119	10 154	30 596
<i>H, J – Transportation and storage; Information and communication, of which</i>	46 649	42 309	44 294	45 183	63 981	56 835	299 251
<i>H – Group 49.4 – Freight transport by road</i>	1		44 292	45 181	63 931	59 822	213 227
<i>K, L, M and N – Financial and insurance; Real estate; Professional, scientific and technical; Administrative and support service activities, of which</i>			242	75	813	105	1 235

<i>N – 78.2 – Temporary employment agency</i>							
<i>P, Q, R and S – Education, health and social work, arts and other services</i>			12 709	4 920	44	900	18 573
In Total (article 13): EMPLOYED AND SELF EMPLOYED	62 764	62 163	77 172	74 495	91 496	90 487	458 577
EMPLOYED ONLY	62 725	62 102	77 093	74 350	91 326	90 296	457 892

* During 2019-2024
Source Sodra (data received under special request)

With regard to the industry sector (NACE B to F), the vast majority of documents were issued in the construction sector (NACE F), making up as much as 95.54% of all documents issued in the industry sector.

Figure 20. PD A1s issued under Art. 13.1 of the BR by industry sectors (left) and by services sectors (right), issued in Lithuania during 2019-2024



Source Sodra (data received under special request)

At present, we find the data relating to Article 13 of the BR to be insufficiently clear, incomplete, and, at times, internally inconsistent. As such, we refrain from drawing any definitive conclusions at this stage. It is plausible that these irregularities are attributable to methodological shortcomings in data collection or inaccuracies in the compilation of statistical tables.

For example, while an overall increase by 1.34% in the **industry sector** is observable in 2020—coinciding with the onset of the COVID-19 pandemic—the **construction sector** (NACE F) experienced a decline by 5.1% when comparing data from 2019 and 2020. However, it remains unclear which specific sub-sector(s) accounted for the overall growth in 2020, if not construction. A narrowly focused examination of the construction sector alone would therefore not suffice for a comprehensive understanding of the dynamics at play. More generally, the data as currently presented appear difficult to reconcile, and a coherent narrative is not readily apparent.

A discernible trend does suggest the dominance of freight transport by road within the data concerning Article 13.1 of the BR. However, the figures associated with this sub-sector raise further concerns. In 2019, only a single PD A1 was reported, and no data are available for 2020. This absence renders it unclear whether data collection was omitted entirely that year, or whether the number of documents issued was in fact zero - an outcome that appears highly implausible. By 2021 - a year still significantly affected by the pandemic - the number of PD A1s issued in this sub-sector abruptly increased to 44,292, a figure only marginally lower (by two documents) than the total number issued across both the transportation and storage and

information and communication sectors (NACE H and J). This reinforces the broader trend: transport and construction consistently emerge as the leading sectors in terms of PD A1s issuance.

This tendency is further corroborated by qualitative data, particularly interviews, which indicate that approximately 80% of workers in the transport sector are TCNs. This underscores the relevance and necessity of systematically collecting disaggregated data on TCNs within the Lithuanian labour market.

Therefore, in our view, the trends relating to PD A1s, issued under Article 13.1 of the BR, as recorded by the Vilnius Division, should be regarded as largely approximate and incomplete.

Further in this Report we will take a closer look at developments in the road transport sector. As since 2016/2017, there has been a marked increase in the number of TCNs employed in the transport sector in Lithuania. This trend is reflected in transport statistics, notably in the growth of cabotage and cross-trade operations carried out by Lithuanian transport companies, as well as in the sharp rise in the number of PDs issued under Article 13 of the BR for the transport sector. As cabotage and cross-trade operations may be regarded as forms of posting under labour law, these developments suggest the emergence of a business model in Lithuania based on the recruitment of TCNs who are, to a large extent, posted within the EU and are, in principle, entitled to the wages and working conditions applicable in host countries. The Report therefore will further examine whether this entitlement is realised in practice.

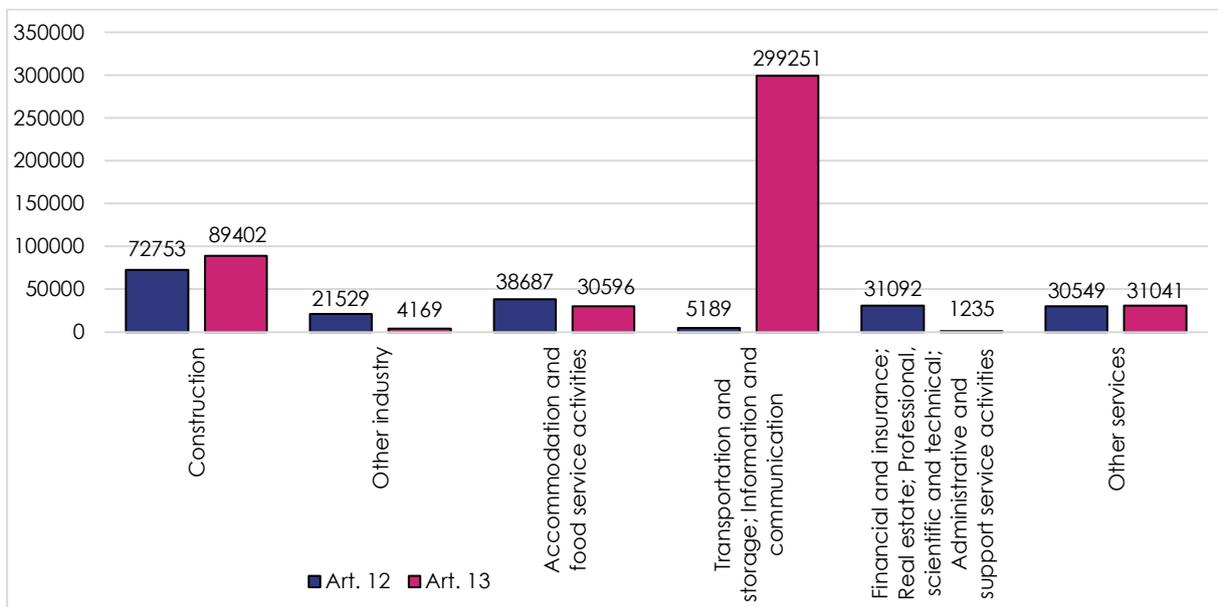
Table 16. PD A1s by economic activity sectors under Art. 12.1 and Art. 13.1 of the BR, issued in Lithuania in 2019-2024

Article	Sector/Year	2019	2020	2021	2022	2023	2024	Total*
12.1	A – Agriculture, hunting and fishing	40	11	158	24	33	49	315
13.1		414	494	484	500	480	512	2 884
12.1	B-F – Industry total, of which	17 136	16 359	16 351	15 539	13 371	15 526	94 282
13.1		11 381	11 534	14 247	16 647	17 862	21 900	93 571
12.1	<i>F – Construction</i>	11817	12915	13 021	12 250	10 912	11 838	72 753
13.1		10 962	10 400	13 639	15 889	17 298	21 160	89 402
12.1	Services total, of which	14 833	1 4730	16 275	18 401	21 381	19 897	105 517
13.1		50 969	50 135	62 442	57 348	73 154	68 075	362 123
12.1	<i>G – Wholesale and retail trade</i>	36	32	116	636	596	191	1 607
13.1		22		36	8	197	81	344
12.1	<i>I – Accommodation and food service activities</i>	0	826	10 549	11 179	3 645	12 488	38 687
13.1				5 161	7 162	8 119	10 154	30 596
12.1	<i>H and J – Transportation and storage; Information and communication, of which</i>	560	731	859	850	1 378	811	5 189
13.1		46 649	42 309	44 294	45 183	63 981	56 835	299 251
12.1	<i>H – Group 49.4 – Freight transport by road</i>	143	167	287	318	351	147	1 413
13.1		1		44 292	45 181	63 931	59 822	213 227
12.1	<i>K, L, M and N – Financial and insurance; Real estate; Professional, scientific and technical; Administrative and support service activities, of which</i>	262	489	4 291	5 112	15 542	5 396	31 092
13.1				242	75	813	105	1 235
12.1		0	0	0	0	0	0	0

13.1	<i>N – Group 78.2 – Temporary employment agency</i>								
12.1	<i>P, Q, R and S – Education, health and social work, arts and other services, of which</i>	0	0	457	624	220	1 011	2312	
13.1				12709	4 920	44	900	18 573	
Article 12	In Total	32 005	31 100	32 784	33 964	34 785	35 472	200 110	
<i>self-employed</i>	<i>in total</i>	<i>155</i>	<i>146</i>	<i>224</i>	<i>157</i>	<i>246</i>	<i>428</i>	<i>1 356</i>	
Article 13	In Total	62 764	62 163	77 172	74 495	91 496	90 487	458 577	
<i>self-employed</i>	<i>in total</i>	<i>11</i>	<i>48</i>	<i>41</i>	<i>78</i>	<i>116</i>	<i>134</i>	<i>428</i>	
	IN TOTAL	84 788	84 443	79 305	108 459	126 281	125 959	609 235	

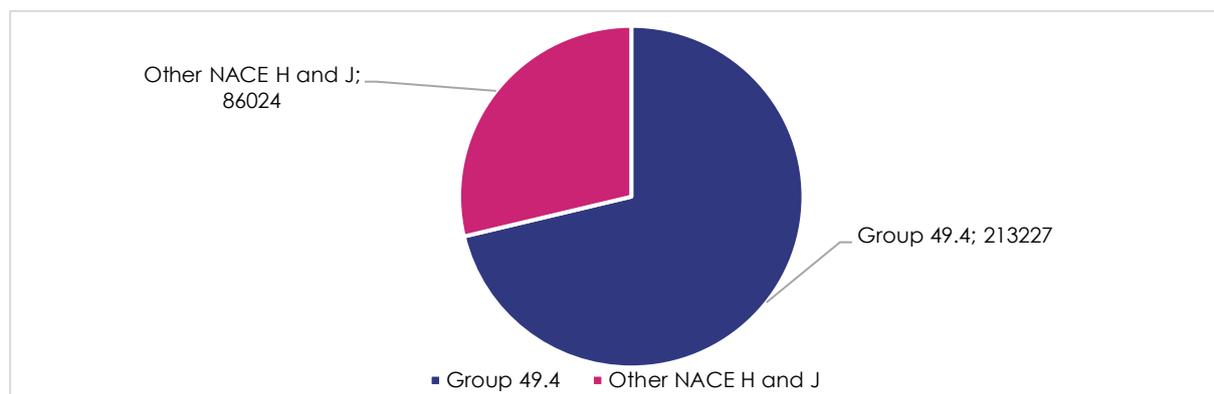
* During 2019-2024
Source Sodra (data received under special request).

Figure 21. PD A1s issued under Art. 12.1 and Art. 13.1 of the BR by economic activity sectors, issued in Lithuania during 2019-2024



Source Sodra (data received under special request)

Figure 22. Share of Freight transport by road (Group 49.4) among all PD A1s, issued under Art. 13 of the BR in the Transportation and storage and Information and communication (NACE H and J) sectors in Lithuania during 2019-2024



Source Sodra (data received under special request)

Although *Sodra* does not hold information on the number of employees for whom PD A1s have been issued, given the identified dominance of TCNs in this sector, the statistics on driver attestations—discussed earlier in this Report (Section 1.3.1.1)—are particularly relevant. Therefore, in order to assess the number of workers who are TCNs and who, in practice, are posted or engaged in work in two or more MSs within the transport sector, PD A1 data should be compared with the number of driver attestations issued in the corresponding years.

Table 17. Number of valid and issued driver attestations, PD A1s issued under Art. 3.1 of the BR and foreign nationals (drivers of heavy goods vehicles and freight transport vehicles) employed 2021–2024

Year	Number of valid driver attestations at year-end	Number of drivers' attestations issued during the year	PD A1s issued under Article 13.1 <i>H – Group 49.4 – Freight transport by road</i>	Number of foreign nationals (drivers of heavy goods vehicles and freight transport vehicles) employed in the beginning of a year ⁴⁴
2021	81 933	39 649	44 292	11 793
2022	70 034	45 027	45 181	22 027
2023	109 042	72 899	63 931	35 185
2024	108 531	61 467	59 822	71 773
2025	121 988	51 126	NI	70 771

Source PES, the LDU, Table 5

The data presented in Table 17 indicates that the annual numbers of PD A1s are close to the number of TCN workers employed in this sector. However, comparing numbers of drivers' attestations issued during the year and number of employed foreigners who are drivers of heavy goods vehicles and freight transport vehicles we see that in 2021-2023 - number of drivers' attestations issued during the year or valid drivers' attestations in the end of the year is much higher than number of employed respective drivers – foreigners in the beginning of the year. This fact might witness twofold conclusions. Firstly, that data is not comparable. On the other hand, a possible explanation for this trend is high drivers' turnover and the

⁴⁴ Unfortunately, we did not obtain average yearly number of drivers of heavy goods vehicles and freight transport vehicles.

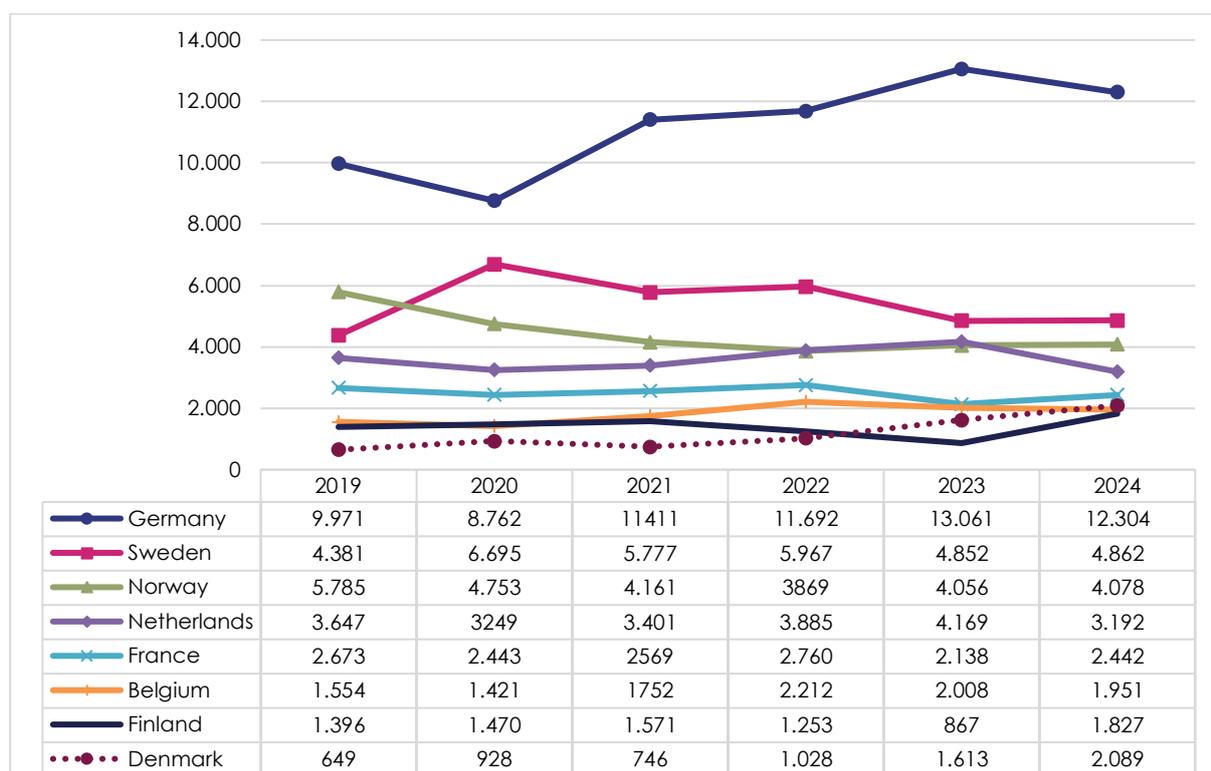
widespread practice of working for more than one employer in the sector. A representative of the TSA indicated during the interview that, “in recent years, the number of cases in which a driver is employed by multiple employers, or changes employers, has decreased”. As we see from the Table 17 this tendency is a bit changing in 2024-2025. This development may be linked to amendments to the Law on the LSF, which during recent years reduced the maximum number of permitted employer changes from six to four. In such cases, each employer is required to obtain a driver attestation for its employee. However, we do not have any empirical evidence or data regarding those considerations. This observation may be partially supported by the fact that, in both 2024 and 2025, the number of driver attestations issued during the year was lower than the number of drivers employed. Although this Report is unable to provide clear explanations for the observed discrepancies between these figures, we consider that the identified differences warrant closer examination in future research.

2.7.3 Analysis of PD A1s issued under Art. 12.1 of the BR by sectors and destination countries

The table and figures below present information on the sectors and destination countries to which workers are posted from Lithuania. It is important to note that this data is collected exclusively on the basis of Article 12.1 of the BR only as in the information provided by *Sodra*, there is no indication of which countries are involved in the issuance of PD A1 forms under Article 13.1 of the BR. Therefore, this section will address only PD A1 forms issued for employees who are posted to other countries and for whom PD A1 forms are issued under Article 12.1 of the Regulation.

The figure below presents information on the issuance of PD A1 forms during the 2019–2024 period to the eight countries for which the highest number of PD A1 forms were issued: Germany, Sweden, Norway, the Netherlands, France, Belgium, Finland, Denmark. With few exceptions, Germany consistently stands out as the dominant destination country.

Figure 23. Number of PD A1s issued under Art. 12.1 of the BR by country, issued in Lithuania during 2019-2024



Source Sodra (data received under special request)

Notably, Sweden stands out not only as one of the primary destination countries to which workers are posted from Lithuania, but also due to the increase in postings to Sweden during the pandemic period, contrary to the general trend of decline to other countries. While similar growth during the pandemic years can be observed in some other countries - such as Denmark and the Netherlands - the scale in those cases remains comparatively limited.

Table 18. 8 receiving MSs⁴⁵ by the most sending/posting sectors⁴⁶

MS/sector	2019	2020 ⁴⁷	2021	2022	2023	2024	In total Art. 12*	% of PD A1s in entire industry	In total Art. 13*
	Article 12								
B-F – Industry total, of which	17 136	16 359	16 351	15 539	13 371	15 526	94 282		93 571
<i>Germany</i>	4 084	3 438	4 083	3 993	4 595	4 303	24 496	26,0%	NI
<i>Sweden</i>	3 523	5 415	4 403	3 937	3 089	2 397	22 765	24,1%	NI
<i>Norway</i>	2 884	1 359	1 831	2 009	1 360	3 174	12 617	13,4%	NI
<i>France</i>	2 278	2 131	1 863	2 149	1 475	1 630	11 526	12,2%	NI

⁴⁵ 8 as we analysed only those 7 member states where there were issued more than 1000 A1 in 2019 + Denmark.

⁴⁶ A1 numbers under article 12.1 of the BR – only employed (self-employed excluded as according to Lithuanian legislation cannot be posted by an employer, moreover because A1 issued to self-employed are minor numbers) and only Art. 12.1, as information by country under Art. 13.1 of the BR is not collected

⁴⁷ It should be noted that in 2020, when the Covid-19 pandemic began in March, the number of postings to all countries experienced a slight decline, with the exception of Sweden and Denmark, where the number of issued A1 forms increased. Also, it is worth noting that the increase in PD A1s issued in the construction sector is also observed in relation to other countries in 2020. In addition to Sweden and Denmark, this number increased due to workers being posted to Germany and France in 2020.

<i>Belgium</i>	1 075	996	1 197	1 152	779	897	6 096	6,5%	NI
<i>Netherlands</i>	1 003	1 182	990	978	785	919	5 857	6,2%	NI
<i>Finland</i>	879	696	933	489	224	665	3 886	4,1%	NI
<i>Denmark</i>	200	318	222	220	139	276	1 375	1,5%	NI
F – Construction⁴⁸									
	2019	2020⁴⁹	2021	2022	2023	2024	In total Art. 12*	% of PD A1s in entire industry	In total Art. 13*
	Article 12								
	11 817	12 915	13 021	12 250	10 912	11 838	72753 (77,2% of PD A1s in entire industry)	77,2%	89 402
<i>Germany</i>	2 682	3242	3 693	3 695	4 102	4 036	21 450 (29.5% of PD A1s in entire Construction)	87,6%	NI
<i>Sweden</i>	3 263	4849	3 935	3 664	2 890	2 276	20 877 (28.7% of PD A1s in entire Construction)	91,7%	NI
<i>Norway</i>	1 696	1 002	647	897	961	969	6 172	48,9%	NI
<i>Netherlands</i>	856	990	974	913	680	895	5 308	90,6%	NI
<i>France</i>	687 ⁵⁰	780	1190	986	573	1005	5 221	45,3%	NI
<i>Belgium</i>	714	508	825	916	740	839	4 542	74,5%	NI
<i>Finland</i>	670	561	837	443	217	586	3 314	85,3%	NI
<i>Denmark</i>	191	282	166	187	96	171	1 093	79,5 %	NI
Services total, of which									
	2019	2020	2021	2022	2023	2024	In total Art. 12*	% of PD A1s in entire service sector	In total Art. 13*
	Article 12								
	14 833	14 730	16 275	18 401	21 381	19 897	105 517		362 123
<i>Germany</i>	5 897	5 382	7 345	7 715	8 509	8 038	42 886	49,4%	NI
<i>Netherlands</i>	2 652	2 076	2 418	2 917	3 400	2 304	15 767	18,1%	NI
<i>Norway</i>	2 902	3 394	2 331	1 862	2 697	899	14 085	16,2%	NI
<i>Sweden</i>	880	1 308	1 403	2 059	1 785	2 500	9 935	11,4%	NI
<i>Denmark</i>	447	610	443	809	1469	1807	5 585	6,4%	NI
<i>Belgium</i>	496	436	567	1 089	1 271	1 095	4 954	5,7%	NI
<i>Finland</i>	506	766	630	766	625	1 173	4 466	5,1%	NI
<i>France</i>	418	314	716	621	697	966	3 732	4,3%	NI

48 The construction sector clearly dominates in the issuance of A1 forms across all eight countries, accounting for an average of 76.36% of the entire industry sector. The notable exceptions are Norway and France, where A1 forms issued within the construction sector constitute 48.91% and 45.29% of the total A1 issued in industry for a respective country. It should also be noted that Lithuania reports particularly high proportions of A1 forms issued for employees posted to Sweden and the Netherlands in the construction sector, with figures exceeding 90% of the total industry-related A1 certificates. On the other hand, the statistics from Sodra do not specify the industry sectors to which employees are posted from Lithuania to Norway and France. It should also be noted that in 2020 there was an increase in the issuance of PD A1s for work in the construction sector from Lithuania to the following countries: *Germany, Sweden, Netherlands and France*.

49 When the Covid-19 pandemic began in March 2020, the number of postings to all countries experienced a slight decline, with the exception of Sweden and Denmark, where the number of issued A1 forms increased. Also, it is worth noting that the increase in PD A1s issued in the construction sector is also observed in other countries in 2020. In addition to Sweden and Denmark, this number increased in 2020 due to workers being posted to Germany and France.

50 There is no clarity regarding which other areas of 'industry' Lithuanian employees are posted to in France. The data lacks accuracy."

<i>I – Accommodation and food service activities⁵¹</i>	2019	2020	2021	2022	2023	2024	In total Art. 12*	% of PD A1s in entire NACE I	In total Art. 13*
	Article 12								
	0	826	10 549	11 179	3645	12 488	38 687 (36,7% of PD A1s in entire services)		
<i>Germany</i>	NI/0	NI or 0	5 553 ⁵²	5 916	1 307	6 003	18 779	56,7%	NI
<i>Norway</i>	NI/0	823 ⁵³	1 726	1 456	1 660	535	6 200	18,7%	NI
<i>Sweden</i>	NI/0	NI or 0	1 113	1 642	292	1 827	4 874	14,7%	NI
<i>Finland</i>	NI/0	NI or 0	446	559	27	915	1 947	5,9%	NI
<i>Belgium</i>	NI/0	NI or 0	331	597	11	807	1 746	5,3%	NI
<i>Netherlands</i>	NI/0	NI or 0	532	544	58	546	1 680	5,1%	NI
<i>France</i>	NI/0	NI or 0	444	3	38	752	1 237	3,7%	NI
<i>Denmark</i>	NI/0	NI or 0	186	159	220	314	879	2,7%	NI
H and J – Transportation and storage; Information and communication									
	2019	2020	2021	2022	2023	2024	In total Art. 12*	% of PD A1s in entire NACE H and J	In total Art. 13*
	Article 12								
	560	731	859	850	1 378	811	5189 (4,9% of PD A1s in entire services)		
<i>Norway</i>	398	433	396	269	197	192	1 885	39,28 %	NI
<i>Germany</i>	77	70	244	239	392	381	1 011	21,07 %	NI
<i>Finland</i>	6	144	92	108	105	112	567	11,81 %	NI
<i>Netherlands</i>	2 ⁵⁴	1	13	10	502	1	529	11,02%	NI
<i>Sweden</i>	17 ⁵⁵	44	58	106	79	88	392	8,17%	NI
<i>Belgium</i>	NI/0	NI or 0	34	94	66	30	224	4,66%	NI
<i>Denmark</i>	37		NI/0	20	9	2	68	1,41%	NI
<i>France</i>	NI/0	NI/0	3	19	8	NI or 0	30	0,62 %	NI
H - Group 49.4 – Freight transport by road									
	2019	2020	2021	2022	2023	2024	In total Art. 12*	% of A1 in entire NACE H	In total Art. 13*
	Article 12								
	143	167	287	318	351	147	1413 (1,3% of A1 in entire services)		
<i>Germany</i>	48	64	167	142	203	114	738	65,1%	NI
<i>Belgium</i>	15 ⁵⁶	26	31	92	64	28	256	22,6%	NI

51 It is unclear whether such discrepancies in the statistics, where adjacent years are left blank, are due to inaccuracies in the data or reflect actual changes occurring in practice in accommodation and food service activities.

52 Once again, this confirms that there are errors in Sodra tables, as the total number in accommodation and food service activities is lower than in Germany alone in 2021.

53 It is unclear whether there had been no postings or issuance of PD A1s in the accommodation and food service activities sector prior to that time, or whether such instances in case of Norway and other countries simply had not been recorded.

54 Sodra's data's accuracy should be verified as it is not plausible for the number of entries under „Freight Transport by Road“ to exceed the total reported figures for Transport and Storage overall. A thorough review should be conducted to identify and correct any potential discrepancies.

55 Sodra's data's accuracy should be verified as it is not plausible for the number of entries under „Freight Transport by Road“ to exceed the total reported figures for Transport and Storage overall. A thorough review should be conducted to identify and correct any potential discrepancies.

56 Information about freight transport by road, not information about transport and storage in general.

Sweden	21 ⁵⁷	27	23	20	13	NI or 0	104	9,2%	NI
Norway	16	16	18	24	18	NI or 0	92	8,1%	NI
France	17 ⁵⁸	12	3	19	8	NI or 0	59	5,2%	NI
Netherlands	9 ⁵⁹	6	13	8	21	NI/0	57	5,0%	NI
Finland	5	9	10	10	1	1	36	3,2%	NI
Denmark	3		3	NI/0	9	2	17	1,5%	NI

<i>K, L, M and N – Financial and insurance; Real estate; Professional, scientific and technical; Administrative and support service activities</i>	2019	2020	2021	2022	2023	2024	In total Art. 12*	% of A1 in entire NACE K, L, M and N	In total Art. 13*
		262	489	4291	5 112	15542	5 396		31092 (29.5% of A1 in entire services)
Germany	1	1	1 388	1 310	6 445	1 377	10 522	33,8%	
Netherlands	NI/0	NI or 0	1848	2318	2833	1680	8 679	27,9%	
Denmark	217	363	252	633	1233	1457	4 155	13,4%	
Sweden	19	107	100	108	1392	388	2 114	6,8%	
Belgium	NI/0	NI or 0	184	364	882	189	1 619	5,2%	
Norway	NI/0	NI or 0	128	108	825	44	1 105	3,6%	
France	NI/0	NI or 0	242	85	625	21	973	3,1%	
Finland	NI/0	NI or 0	76	68	481	96	721	2,3%	

Total, of which	2019	2020	2021	2022	2023	2024	In total Art. 12*	% of A1 in entire economy	In total Art. 13*		
	Article 12, including self-employed										
	32 005	31 100	32 784	33 964	34 785	35 472	200 110				458 578
	Article 12, excluding self-employed										
	31 850	30 954	32 560	33 807	34 539	35 044	198 754				
GERMANY	9 971	8 762	11 411	11 692	13 061	12 304	67 204	33,8%	NI		
Sweden	4 381	6 695	5 777	5 967	4 852	4 862	32 534	16,4%	NI		
Norway	5 785	4 753	4 161	3869	4 056	4 078	26 702	13,4%	NI		
Netherlands	3 647	3249	3 401	3 885	4 169	3 192	21 543	10,8%	NI		
France	2 673	2 443	2569	2 760	2 138	2 442	15 025	7,6%	NI		
Belgium	1 554	1 421	1752	2 212	2 008	1 951	10 898	5,5%	NI		
Finland	1 396	1 470	1 571	1 253	867	1 827	8 384	4,2%	NI		
Denmark	649	928	746	1 028	1 613	2 089	7 053	3,5%	NI		

* During 2019-2024.

Source Sodra (data received under special request)

It is also noteworthy that in several countries the **construction sector experienced growth in 2020**, a period otherwise marked by widespread restrictions on mobility during the first year of Covid-19 pandemic. This suggests that, in certain sectors—particularly construction—and in key destination countries such as **Germany and Sweden**, where the highest numbers of PDA1s were issued, **travel and other pandemic-related restrictions during Covid pandemic had a relatively limited impact** on posting activity. By

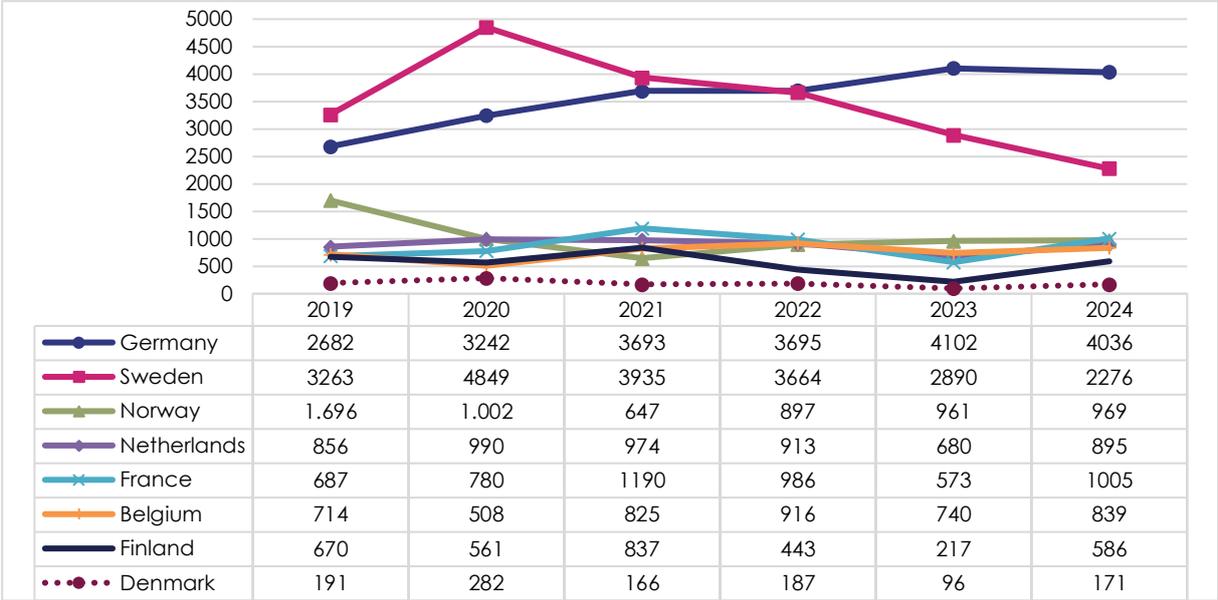
57 Sodra's data's accuracy should be verified as it is not plausible for the number of entries under „Freight Transport by Road“ to exceed the total reported figures for Transport and Storage overall. A thorough review should be conducted to identify and correct any potential discrepancies.

58 Information about freight transport by road, not information about transport and storage in general.

59 Most probably there is an error in Sodra data base provided for the Report, as the number of cases reported under **Freight Transport by Road** cannot logically exceed the total figures for **Transport and Storage** as a whole.

contrast, the situation related to postings to Sweden was distinctly different: postings increased in 2020 and have shown a consistent downward trend since then. However, those fluctuations can be related that the PDA1s were issued for the previous period.

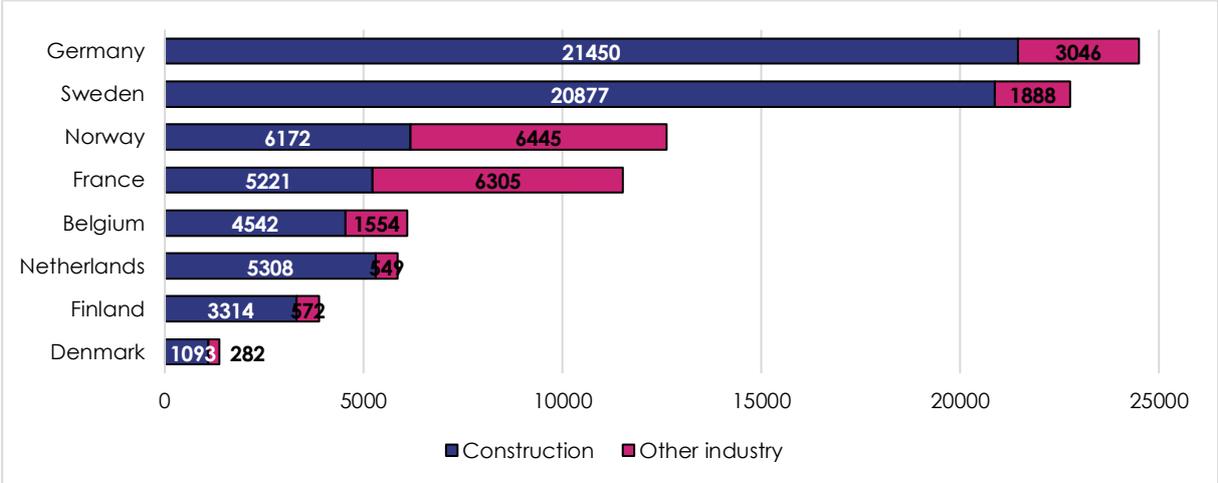
Figure 24. Number of A1s under Art. 12.1 of the BR by country, issued in Lithuania in 2019-2024. Construction sector



Source Sodra (data received under special request)

It also should be noted, that during 2019-2024 period the largest share of PD A1s under article 12.1 in the construction sector were issued for postings to Germany and Sweden. Significantly lower notification numbers are associated with postings to Norway, France, and other countries within the construction sector as well as in other sectors.

Figure 25. PD A1s, issued under Art.12.1 – share of construction sector in the entire industry by country during 2019-2024

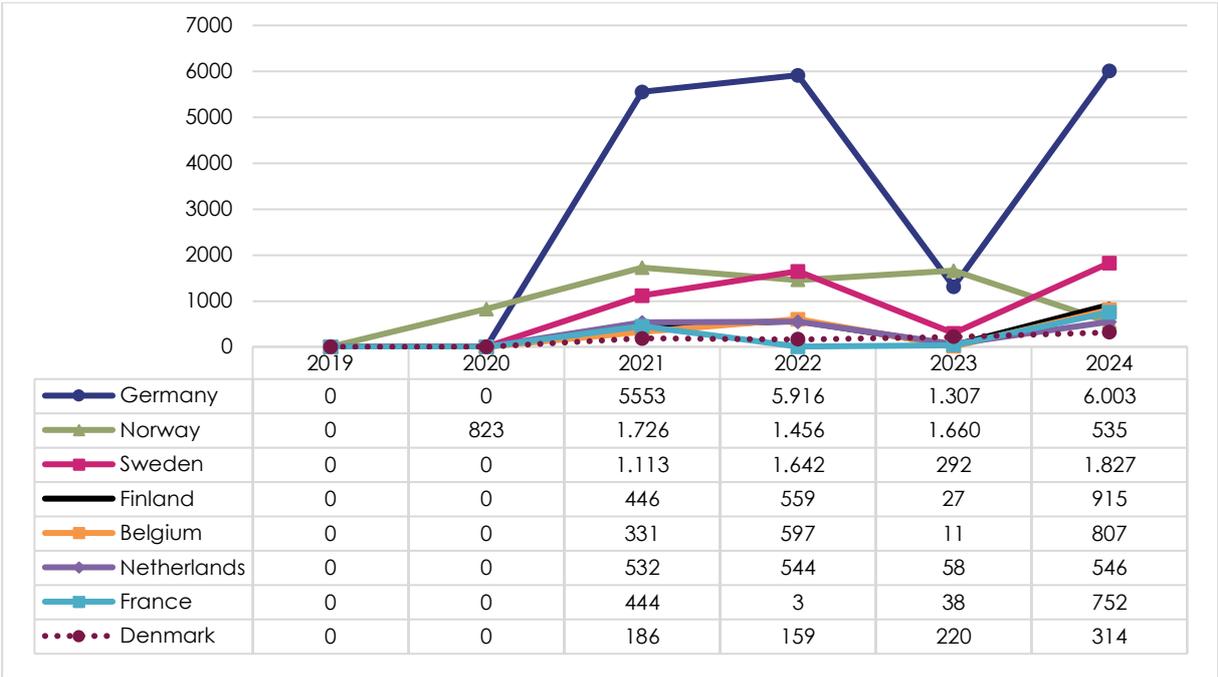


Source Sodra (data received under special request)

The **accommodation and food service activities sector (NACE I)** warrants particular attention. A clear beginning of increase in the number of PD A1s issued for postings to Sweden, Norway can be observed during the initial pandemic period, and particularly in 2020-2022.

This trend raises several important questions regarding the **reliability and consistency of the statistical data**. Specifically, in years there where no data recorded, it remains unclear whether there was indeed no posting activity in this sector, whether postings did occur but were not captured in the statistics, or whether individuals were actually travelling for service provision and work but not formally registered as posted.

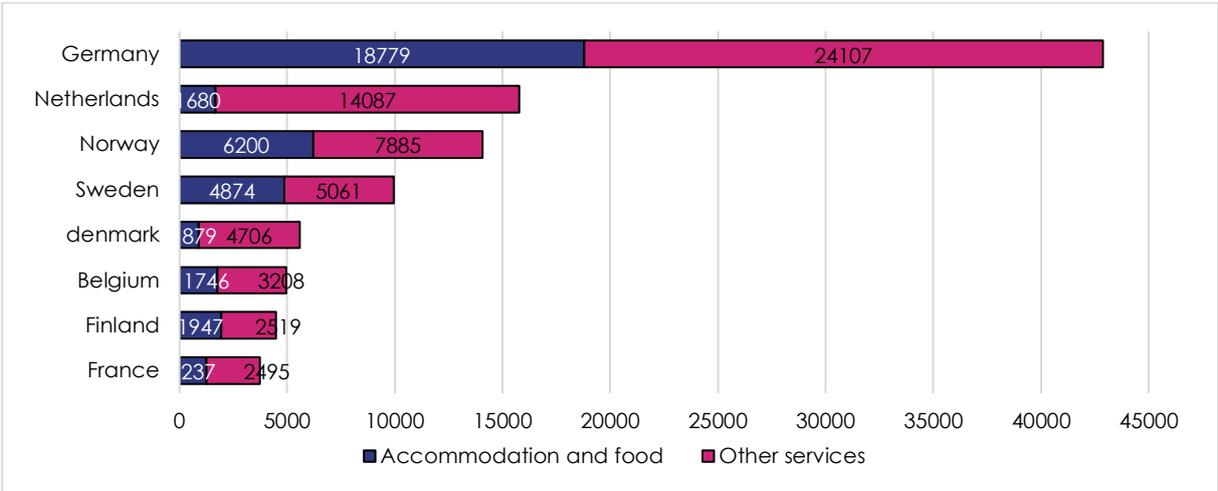
Figure 26. Number of PD A1s under Art.12.1 of the BR by country, issued in Lithuania during 2019-2024 accommodation and food service sector



Source Sodra (data received under special request)

Here we also may mention, that during 2019-2024 period the largest share of PD A1s under Article 12.1 in the accommodation and food service sector were issued for Germany, Norway and Sweden. The clear leader in this regard is again Germany, where 18,779 PD A1s were issued for posted workers during the period. This figure represents a substantial proportion, amounting to 43.8% of all PD A1s issued in the services sector for postings to Germany under Article 12.1 of the Regulation.

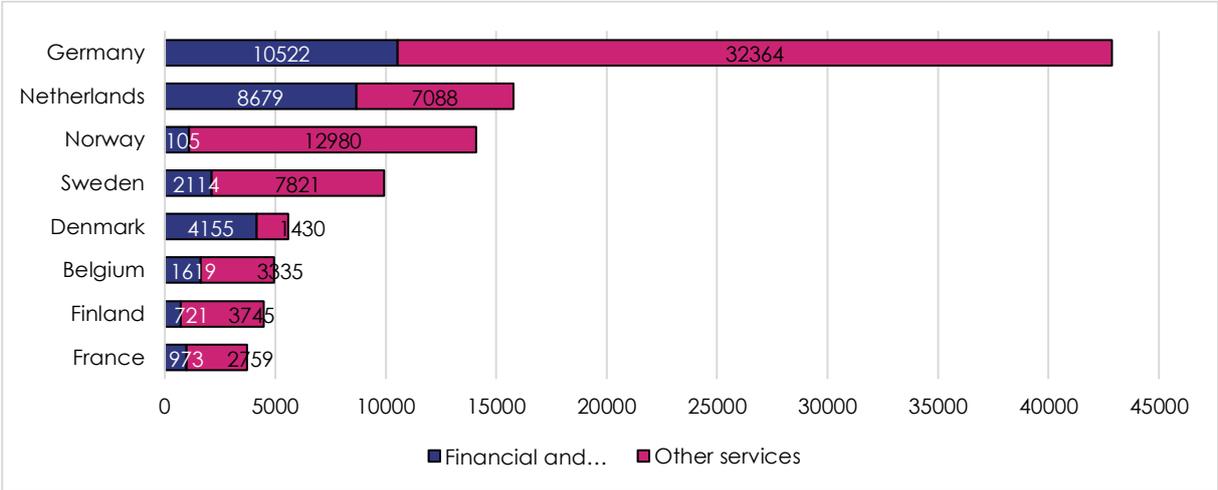
Figure 27. PD A1s, issued under Article 12.1 – share of Accommodation and food service sector in the entire services by country during 2019-2024



Source Sodra (data received under special request)

Here we also may mention, that during 2019-2024 period the largest share of PD A1s under Article 12 in the Financial and insurance; Real estate; Professional, scientific and technical; Administrative and support service activities sector were issued for Germany, Netherlands and Denmark. Again, Germany is the leading country in this context, with the Netherlands following closely with comparable figures. When assessing the number of PD A1s issued under Article 12 of the BR in this sector (NACE K, L, M and N) to Germany, they account for 24.54% of all PD A1s, issued for postings to Germany in the services sector.

Figure 28. PD A1, issued under Article 12.1 – share of financial and insurance; real estate; professional, scientific and technical; administrative and support service activities (NACE k, l, m and n) sector in the entire services by country during 2019-2024



Source Sodra (data received under special request)

Furthermore, it is possible that the pandemic led to stricter procedural controls in destination countries, prompting employers to apply more frequently for PD A1s in response to enhanced verification requirements. Alternatively, the observed increase may reflect a genuine change in labour market demand, with the pandemic having triggered a newly emerging need for workers in this sector abroad.

In light of these ambiguities, further investigation into the data collection methodology and the contextual factors influencing PD A1 issuance during this period is necessary in order to draw robust conclusions.

Consequently, no conclusions can be drawn from the data provided by Vilnius Division regarding the countries to which PD A1s are issued under Article 13.1 of the BR despite the fact that, as previously noted, a significantly larger share of such documents were issued under that article.

During interviews with employer representatives, some participants expressed the view that the high number of PD A1s issued may not accurately reflect actual posting practices. According to these respondents, employers often apply for these documents for longer periods than the actual posting and for countries where the posted worker may not, in reality, be present, in order to avoid potential administrative complications arising from the absence of a valid document. These documents are typically issued based solely on the information provided in the application.

From our perspective, there have been no significant fluctuations in the figures that could be directly attributed to the adoption of Revision Directive. In terms of the scale of posting from Lithuania, data indicate that the total number of PD A1s issued under Article 12.1 of BR has remained relatively stable, with minor fluctuations: 35,044 PD A1s in 2024 compared to 34,539 in 2023.

The number of PD A1s issued under Article 13 of the BR (for employees working in two or more MSs - typically issued for employed drivers) also fluctuated slightly. However, in the freight transport sector, fewer PD A1s were issued in 2024 than in 2023. Specifically, in 2024, a total of 90,296 PD A1s were issued under Article 13 of the BR, of which 56,822 were in the freight transport sector; in 2023, the total was 91,326, with 63,981 in the freight transport sector. While during the interview, a representative of the employers’ organisation noted that the implementation of the Mobility Package resulted in an increased need for drivers. While increase of drivers is reflected in the LDU data presented above (Tables 5 and 17).

2.8 Statistical evidence suggesting that foreign workers are employed in Lithuania primarily for the purpose of posting abroad

Since this was not discussed earlier, it is important to note that the highest number of notifications for the posting of TCNs from Lithuania occurs under **Article 13.1 of the BR**, particularly in the **construction and transport sectors**.

For this reason, we will examine these figures in greater detail, with the aim of providing empirical support for our hypothesis: namely, that **foreign nationals are employed in Lithuania primarily for the purpose of being posted to other countries**, rather than to contribute directly to the domestic labour market.

Table 19. Posted workers from Lithuania in the construction sector: nationalities and notification data according to the BR provisions in 2024

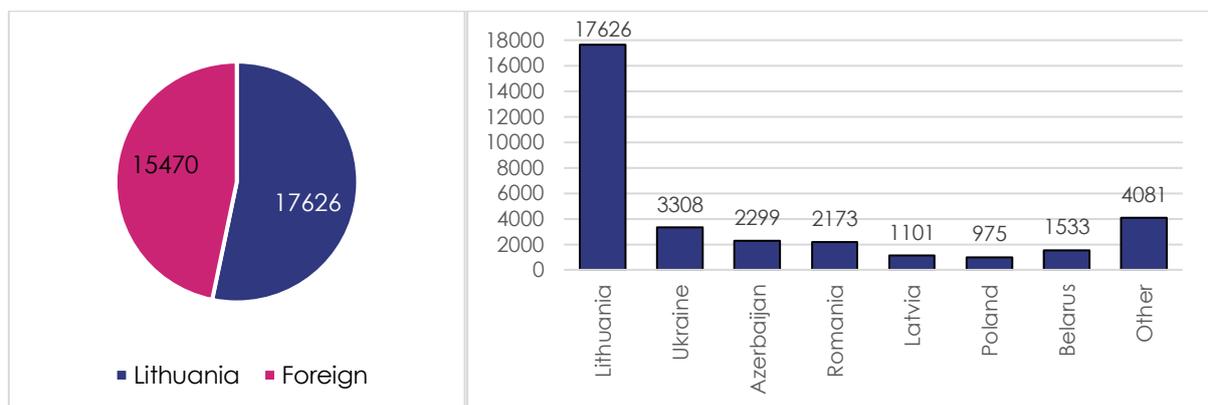
Citizenship	Article of the Regulation						Total
	11.4	12.1	12.2	13.1	13.2	16	
Lithuania	2	8 503	2	9 115	2	2	17 626
Ukraine		939		2 369			3 308
Azerbaijan		125		2 174			2 299
Romania		239		1 934			2 173

Citizenship	Article of the Regulation						Total
	11.4	12.1	12.2	13.1	13.2	16	
Latvia		135		966			1 101
Poland		62		913			975
Belarus		653		880			1 533
Other		1 203		2 878			4 081
Total	2	11 859	2	21 229	2	2	33 096

Source Sodra (data received under special request)

In summary, an analysis of the specific features of posting in the construction sector indicates that in 2024 a total of 17,626 PD A1s were issued to permanent residents of Lithuania in this sector, compared with 15,470 PD A1s issued to foreign nationals. This means that permanent residents of Lithuania accounted for ~53.26 % of all PD A1s issued in the construction sector in that year and foreigners for ~46.74%. As indicated in Chapter 1 of this Report (Table 3), foreign nationals account for 28.2% of all employees in the construction sector in March 2025. Furthermore, the growth in the number of foreign nationals working in construction sector over the past decade has been substantial, increasing from 593 in 2015 to 30,383 in 2025 (see Table 4). This suggests that foreign nationals may possibly be sent to work in two of more MSs under Article 13.1 of the BR more frequently than permanent residents of Lithuania. More specifically, PD A1 forms under Article 13.1 of the BR appear to be issued more often to foreign nationals than to permanent residents of Lithuania. Moreover, when interpreting these percentage proportions, it is necessary to consider the probabilistic factor that, over the course of a single calendar year, a foreign national may be issued, on average, either more, fewer or equal number of PD A1s than a permanent resident of Lithuania. This cannot be verified, also as the Vilnius Division has indicated that such statistics are not collected, nor are data gathered on the average duration of validity of PD A1s.

Figure 29. Posted workers from Lithuania in the construction sector: nationalities and notification data according to BR provisions in 2024



Source Sodra (data received under special request)

The situation differs in the transport sector, where PD A1s issued to permanent residents of Lithuania accounted for only approximately 13.9%, while around 86.1% were issued to foreign nationals in 2024 (see Table and Figures below). As in the construction sector, these figures only indirectly suggest that foreign nationals were more frequently posted to EU/EEA MSs than Lithuanian residents in 2024.

Nevertheless, the statistical ratio of Lithuanian permanent residents to foreign nationals issued with PD A1s in 2024 broadly aligns with statements made during interviews, which suggested that more than 80% of

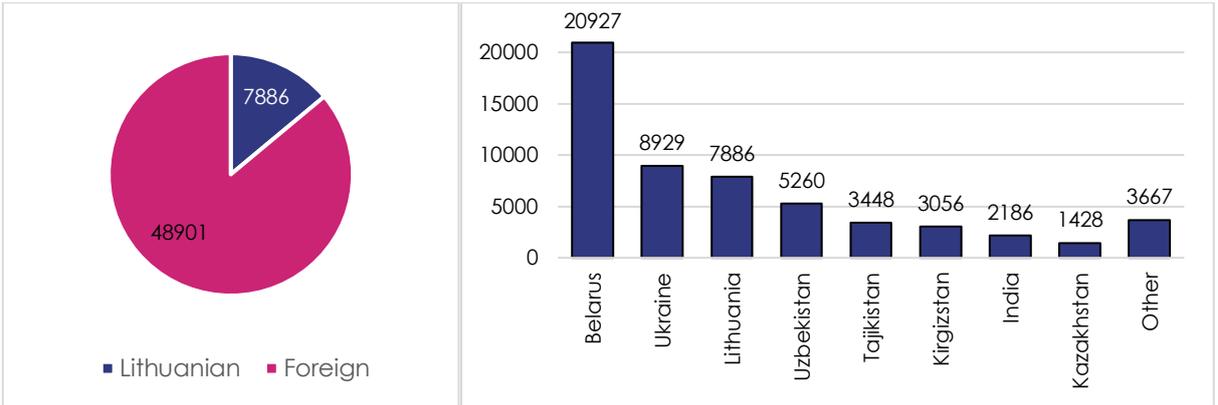
workers posted to other EU/EEA MSs in this sector are foreign nationals. Consequently, while the statistical data may be consistent with the qualitative information obtained through interviews, it remains impossible to determine either the precise number of workers posted or otherwise engaged in work in other MSs within the transport sector, or the proportion of those workers who are Lithuanian residents as opposed to foreign nationals. We can only present and discuss the number of PD A1s issued. It should therefore be emphasised that the statistics presented in Table 20 and the accompanying graphics reflect only the ratio of PD A1s issued to Lithuanian permanent residents and foreign nationals, rather than the corresponding ratio of workers who are permanent residents of Lithuania or foreign nationals.

Table 20. Posted workers from Lithuania in the transport sector: nationalities and notification data according to BR provisions, in 2024

Citizenship	Article of the BR			Total
	12.1	13.1	13.2	
Belarus	9	20 918		20 927
Ukraine	9	8 920		8 929
Lithuania	115	7 770	1	7 886
Uzbekistan		5 260		5 260
Tajikistan		3 448		3 448
Kirgizstan	4	3 052		3 056
India		2 186		2 186
Kazakhstan		1 428		1 428
Other	10	3 657		3 667
Total	147	56 639	1	56 787

Source Sodra (data received under special request)

Figure 30. Posted workers from Lithuania in the transport sector: nationalities and notification data according to BR provisions, in 2024



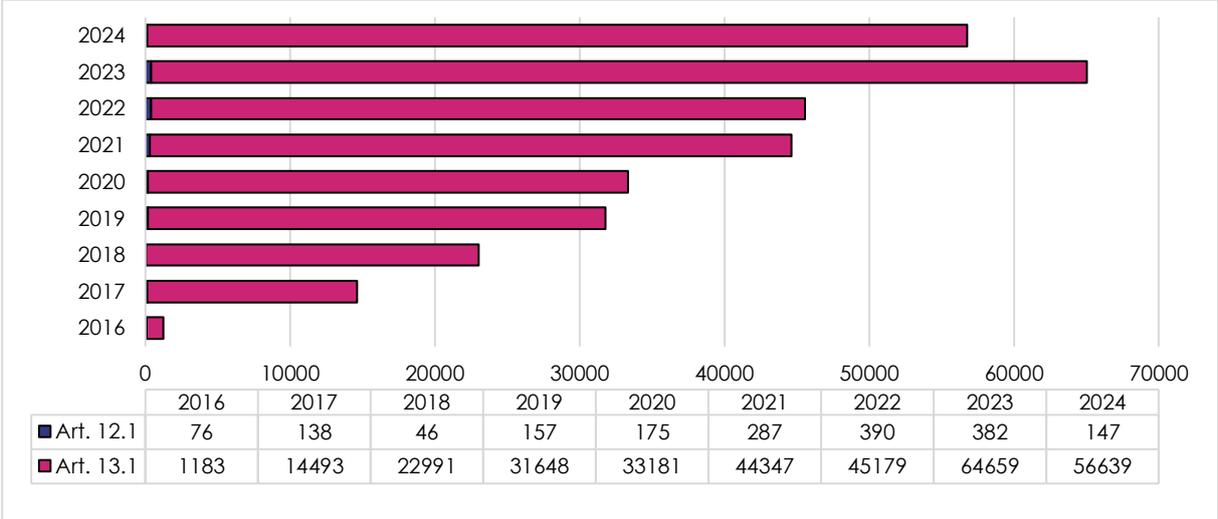
Source Sodra (data received under special request)

Lastly, these findings reflect broader societal attitudes. **Lithuania’s relatively limited openness towards foreign nationals** may be influencing policy and data collection practices. By maintaining workers in a “posted” status – and thereby framing their presence as temporary and externally oriented – the system potentially avoids the legal and social implications of long-term residence. This dynamic may help explain

the lack of public emphasis or political will to address the rights and statuses of posted TCNs more transparently.

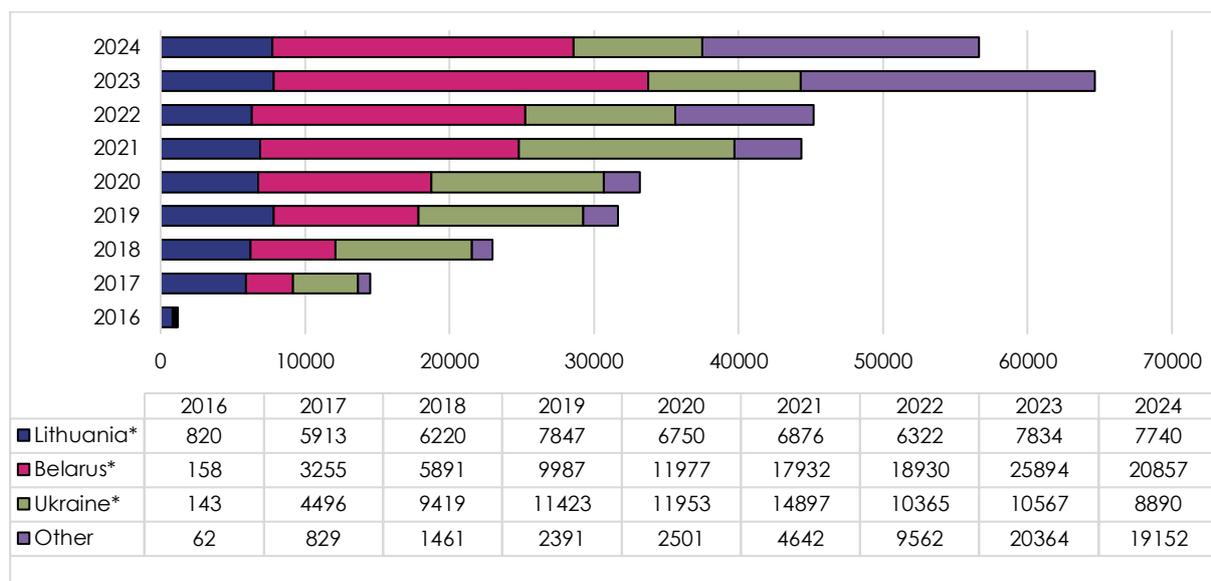
It is also important to reflect on trends and assess how the number of posted workers from Lithuania has changed before and after the liberalisation of immigration policies for TCNs in 2018, and whether this may have had any impact. For this reason, we present below the number of PD A1 certificates issued in the transport sector between 2016 and 2024, both in total and separately according to Articles 12.1 and 13.1 of the BR. The number of TCNs in the sector increased over this period. The figures show an almost complete dominance of PD A1 certificates issued on the basis of Article 13.1 of the BR (Figure 31). It can also be observed that, already in 2018, the combined number of Belarusians and Ukrainians receiving PD A1s under Article 13.1 of the BR exceeded the number issued to Lithuanians. In subsequent years, Belarusians (2019) and Ukrainians (2018) individually outnumbered Lithuanians in terms of PD A1 certificates issued (Figure 32). Figure 33 also presents the important dynamics of the share of PD A1s issued to Lithuanians and TCNs as a percentage. We can therefore conclude from the figures below that the changes in immigration policy introduced in 2018 clearly contributed to an increase in the inflow of foreign labour and, correspondingly, in the posting of workers in this sector.

Figure 31. PD A1s issued in the transport sector under Art. 12.1 and Art. 13.1 of the BR, in 2016-2024



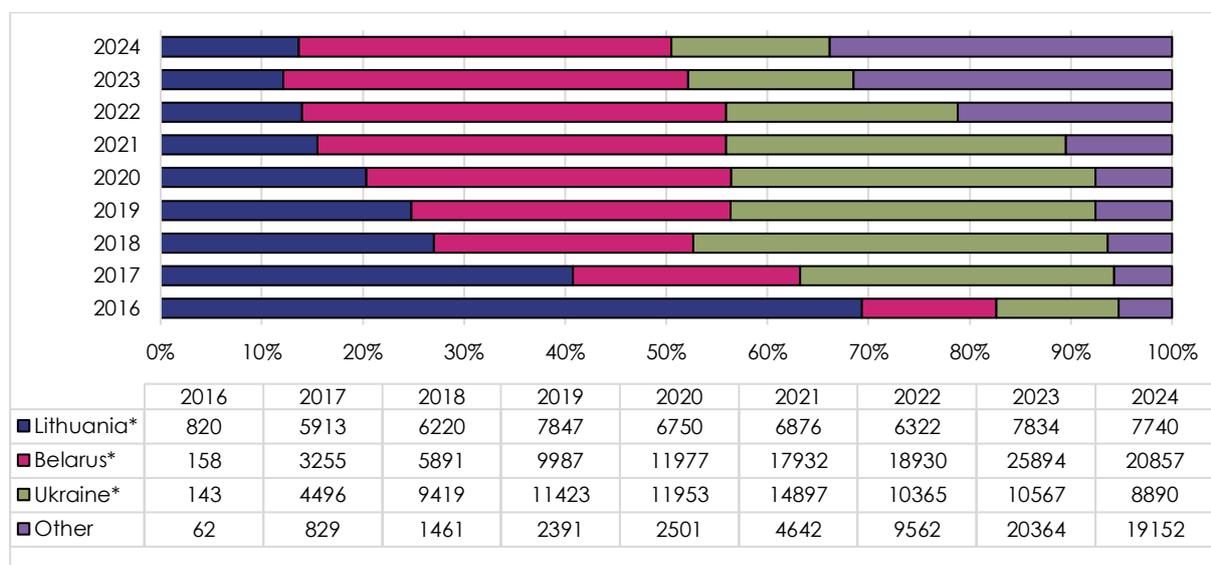
Source Sodra

Figure 32. PD A1s issued in the transport sector under Art. 13.1 of the BR in transport sector by main nationalities, in 2016-2024



* Minor deviation is possible, as figures do not cover A1 certificates, issued for the single countries.
Source Sodra

Figure 33. PD A1s issued in the transport sector under Art. 13.1 of the BR by main nationalities, in 2016-2024 (share of PD A1s, %)



* Minor deviation is possible, as figures do not cover A1 certificates, issued for the single countries.
Source Sodra

3. The extent and defining features of intra-EU posting to Lithuania

3.1 Legal and procedural framework for the posting of foreign workers to Lithuania (2019 to 2024)

Pursuant to Article 109.1 of the LC, an employer operating under the jurisdiction of a foreign state who posts an employee to work temporarily in the territory of the RL for a period exceeding thirty days, or to perform construction work as defined by the Law on Construction of the RL, is required to notify the SLI in advance of the employee’s commencement of work, in accordance with the procedure established by the Minister of Social Security and Labour. However, more robust and effective provisions entered into force in 2019, introducing an obligation for the host employer to notify the authorities of any worker providing services to them, as stipulated in Order No. V-401/EV-281/V-395, via the LDU (Posted Workers Notification and other foreigners working in Lithuania) system.

The LDU system was introduced to enhance transparency and regulatory oversight regarding foreign workers, including those posted to Lithuania, in Lithuania in 2019. Pursuant to corresponding amendment of the Law on the LSF⁶⁰, the Procedure for Submitting Information on Foreign Nationals Working in Lithuania and the Notification Form on Foreign Nationals Working in Lithuania were approved by the joint Order No V-401/EV-281/V-395 of the heads of three institutions on 27 September 2019 (Order No V-401/EV-281/V-395).

Pursuant to Order No V-401/EV-281/V-395 (Article 4), the legal entity to which a foreign national is temporarily assigned to work shall, no later than one working day before the posting of the employee’s work within the territory of the RL, submit information notification to the SLI and to the PES. This notification shall be submitted via the EDAS system⁶¹ by completing the LDU notification. The LDU notification, as mentioned in Chapter 1 of this Report, must also be submitted in respect of any foreign national employed in Lithuania. This means that the LDU form applies in all cases—that is, whenever an employer in Lithuania “receives” a foreign worker: including those from the EU, the EEA, as well as from third countries, and regardless of whether the worker is employed directly or posted.

Pursuant to point 5 of Order No V-401/EV-281/V-395, the SLI uses the aforementioned information for the following purposes:

- 1) to check whether the rights and guarantees of workers posted to Lithuania are being respected;
- 2) to monitor the implementation of the LC, including the collection of data on the number of notifications received regarding posted workers (by type of posting, country of origin, economic sector, and duration of posting);
- 3) to carry out inspections related to the living conditions of seasonal and posted workers;
- 4) to conduct control and prevention of illegal and undeclared work by foreign nationals, as well as to plan and organise the SLI’s inspection activities.

⁶⁰ <https://www.e-tar.lt/portal/lt/legalAct/373bdda0af9c11e98451fa7b5933515d>; <https://e-seimas.lrs.lt/portal/legalAct/lt/TAK/2884f940665411e99684a7f33a9827ac?jfwid=17fbsriqo2>

⁶¹ EDAS (Electronic Declaration and Submission System) is an online platform managed by Sodra in Lithuania. It enables employers, self-employed persons, and other reporting entities to electronically submit various declarations and reports related to social insurance, taxes, and employment data.

In the context of foreign workers, EDAS is the system through which employers submit the LDU notifications about foreign nationals working or temporarily posted to Lithuania. This allows for streamlined data sharing between key institutions such as the SLI, the PES, and Sodra, enhancing transparency and regulatory compliance.

Pursuant to point 6 of Order No V-401/EV-281/V-395, the PES uses the aforementioned information on foreign nationals for the following purposes:

- 1) to monitor the labour market situation at both national and regional levels, including the labour market integration of foreign nationals;
- 2) to assess labour market conditions and to prepare labour market forecasts;
- 3) to provide recommendations to the Minister of Social Security and Labour regarding the establishment of quotas, based on the List of Occupations in Shortage in the RL by economic activity sector.

In addition, once the PES receives information from the *Sodra* about the employment of foreign nationals, as specified in paragraphs 2 to 5 of Article 11 of the Law on the LSF, it must forward this information to the MD via its own information system, no later than the next working day.

According to point 9 of Order No V-401/EV-281/V-395, the natural or legal person to whom the worker is posted must submit a corrected LDU notification within one working day where, if after submitting the LDU notification, any of the following changes occur:

- 1) the provisions of Article 108.2 of the LC become applicable to the posted worker;
- 2) the duration or other conditions of the posting change, or the posting is cancelled;
- 3) the legal basis for the foreign national's lawful stay in Lithuania;
- 4) the duration of the employment contract is amended, or the contract is terminated earlier than indicated in the LDU notification (subparagraph 13.10.2 of the Order).

In cases involving the posting of workers to Lithuania, in addition to the legal acts mentioned above (namely, the LC, Order No. V-253, Order No. V-401/EV-281/V-395, and Order No. EV-241), particular attention must also be paid to Article 59 of the Law on the LSF No. IX-2206, as well as Article 109 of the LC.

As of 1 July 2024, a revised version of Article 59 of the Law on the LSF entered into force⁶². It stipulates that: *"A work permit for a foreign national who is temporarily posted to work in the RL is issued for the performance of work and/or provision of services under a contract for the performance of work and/or provision of services concluded between a company registered in the RL (or a natural person) to which (or to whom) the foreign national is temporarily posted, and a company established in a foreign state that is not a member of the EU or the European Free Trade Association, from which the foreign national is posted temporarily to work"* (paragraph 2). This means that work permits under this provision are issued to workers- TCNs who are posted to Lithuania.

The data presented in the Table 21 and Figure 34 below reflect the number of work permits issued in the period 2021–2023 and 2024-2025 January-May under the legal framework in force at that time. Consequently, a significant decrease in the number of work permits issued in 2024 does not in itself indicate a reduction in the actual number of foreign nationals working in Lithuania. This change is attributable to amendments to the legal framework, which narrowed the circumstances and legal grounds under which foreign nationals are required to obtain a work permit. As mentioned earlier in this report, work permits are now required only in cases of postings from third countries, as well as for seasonal work.

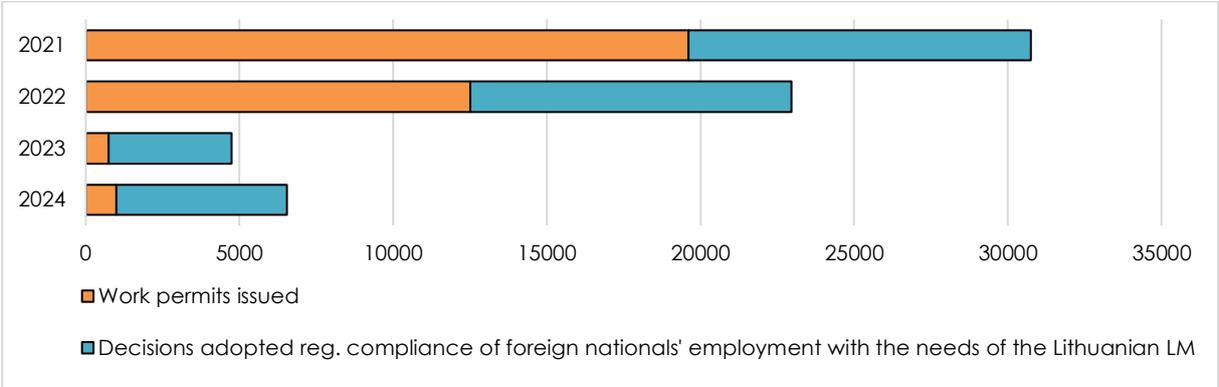
⁶² Law No XIV-2784 dated by 20th of June 2024 (TAR, 2024, No 2024-11777).

Table 21. Issuance of work permits and decisions on employment eligibility for TCNs

Year	Work permits issued	Decisions adopted regarding the compliance of foreign nationals' employment with the needs of the Lithuanian labour market	Total
2021	19 620	11 120	30 740
2022	12 515	10 452	22 967
2023	736	4 002	4 738
2024	993	5 560	6 553
2025 January-May	805	631	1 436

Source PES (data received under special request)

Figure 34. Issuance of work permits and decisions on employment eligibility for TCNs



Source PES

3.2 What does data from notification on foreign nationals working in Lithuania system reflects

It is important to examine the statistics collected through the so-called *Notification on Foreign Nationals Working in Lithuania* (LDU) system. In our view, such an analysis is essential in order to gain a clearer understanding of the actual flows of foreign nationals who maintain employment related ties with Lithuania and potentially are being posted from Lithuania (a clearer picture of the sending perspective).

Since some of these foreign nationals are employed in Lithuania and subsequently posted abroad from Lithuania, it becomes particularly important—when comparing data from the LDU system and *Sodra’s* Vilnius division to consider to what extent the individuals posted from Lithuania, as the “sending” country, are citizens of the RL or other persons with long-standing ties to the country, rather than foreign nationals who possess only minimal or symbolic links to Lithuania.

It is important to note that *Sodra’s* representatives stated during the process of drafting of this Report that the number of PD A1s issued does not indicate the number of posted workers as individuals, but rather the number of instances in which such PD A1s have been granted on behalf of employees or self-employed persons. In this respect, the statistics should reflect the frequency of postings’ declarations rather than the total number of persons posted. By contrast, the LDU system provides data not only on the notifications, but also on the number of individuals, specifically foreign nationals. Therefore, we consider it crucial to analyse and compare these two sets of statistical data in order to more accurately portray the profile of workers posted from Lithuania.

3.3 Analysis of data collected by the SLI regarding the posting of workers to Lithuania

The following chapter discusses and analyses the data collected by the SLI regarding the posting of workers to Lithuania in 2023. The analysis is structured according to the following main data dimensions as collected and shared by the SLI:

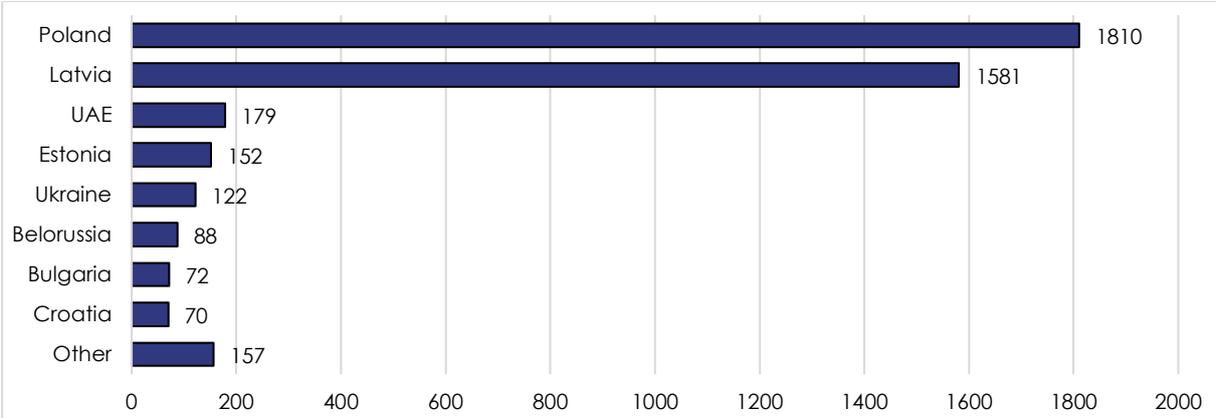
- 1) **Number of notifications** to the national declaration tool of persons posted to the host country, breakdown by type of **posting and sending country**;
- 2) Number of notifications to the national declaration tool of persons posted to the host country, breakdown by **type of posting and nationality**;
- 3) **Average period of posting reported** in the notifications to the national declaration tool of persons posted to the host country (in calendar days);
- 4) Breakdown of the **number of notifications by duration** (in calendar days);
- 5) **Number of notifications** to the national declaration tool of **third-country nationals (TCNs)** posted to the host country, **breakdown by sending country and nationality**;
- 6) **Sector breakdown** for the notifications to the national declaration tool of persons posted to the host country.

Prior to analysing the number of notifications, it is important to note that, during interviews conducted in the preparation of this Report, the SLI representative indicated that the quantity of notifications may not correspond to the broader scope of postings to Lithuania actually carried out in practice. Furthermore, it should be emphasised that the SLI is not informed about workers in the transport sector, but the TSA.

3.3.1 Postings by sending country

In 2023, a total of 4,231 notifications regarding workers posted to Lithuania were submitted to the SLI. The leading countries in terms of the number of notifications submitted are Poland and Latvia. Of all notifications concerning workers posted to Lithuania, 1,810 (42.77%) originated from Poland, while 1,581 (37.36%) came from Latvia. Notifications from other countries were considerably fewer in number. Assuming that host companies report all posted workers to the SLI, it can be concluded that postings from other countries are insignificant.

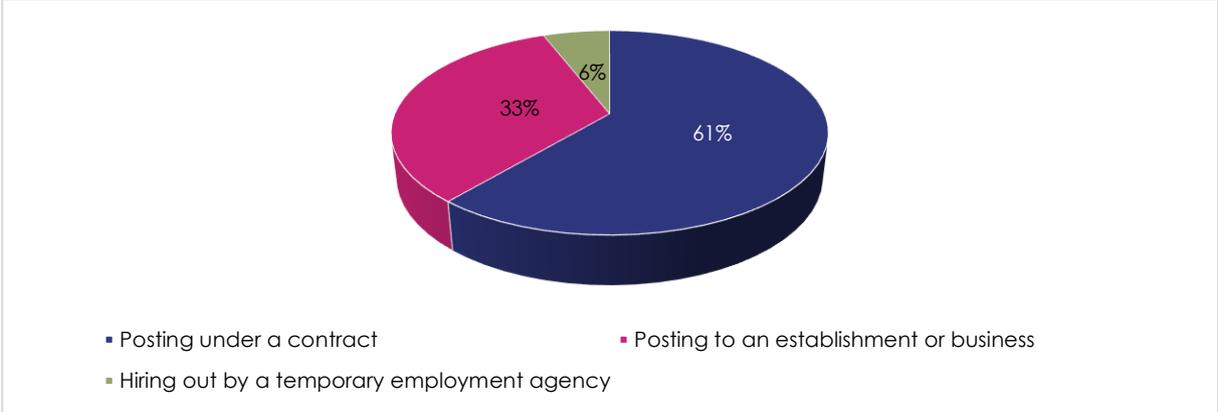
Figure 35. Number of postings to Lithuania by sending country in 2023



When analysing the forms under which workers were posted to Lithuania, the dominant category was contracting/subcontracting arrangements, accounting for 2,588 notifications, or approximately 61.15% of

the total 4,231 notifications submitted in 2023. The second most common form was intra-corporate transfers, comprising 1,394 notifications, representing around 32.95% of all notifications. Thirdly, postings by temporary employment agencies or placement firms to a user business established in another MS accounted for 249 notifications, approximately 5.88% of the total.

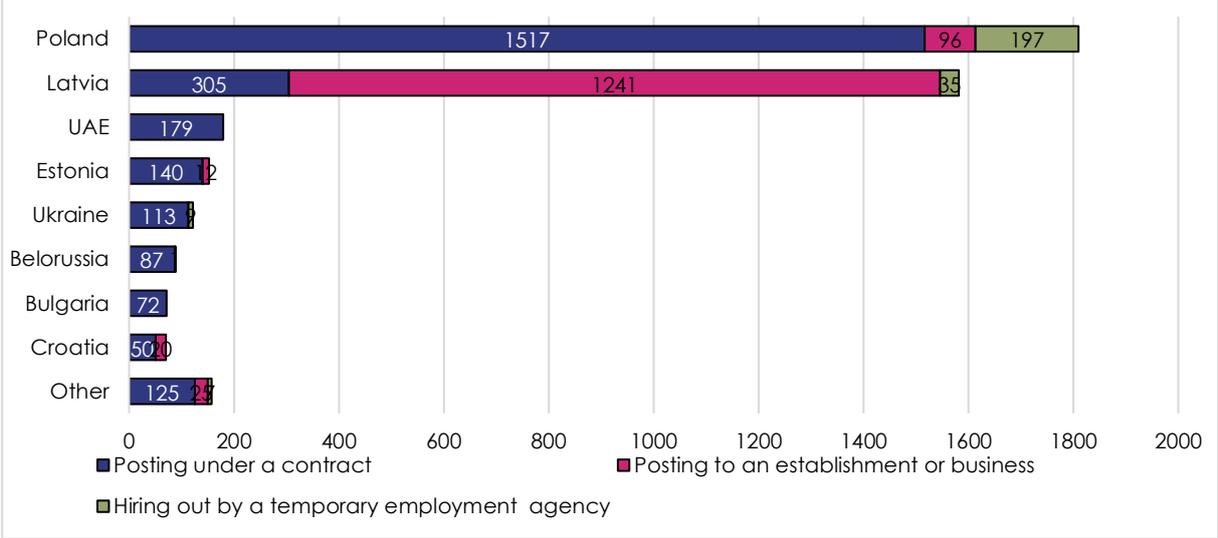
Figure 36. Postings to Lithuania by form of posting in 2023



Source SLI

Regarding the contracting/subcontracting form of posting, the majority of notifications concerning posted workers originated from Poland (1517 notifications). The number of notifications submitted by Poland significantly exceeded those of other countries, notably Latvia, which accounted for 305 notifications—almost five times fewer than Poland. Even smaller numbers of notifications were recorded from the United Arab Emirates, with 179 notifications, followed by Estonia with 140, Ukraine with 113, and even smaller figures from Belarus (87) and Bulgaria (72).

Figure 37. Number of postings to Lithuania by the form of posting and sending country in 2023



Source SLI

In terms of postings to Lithuania under the intra-corporate transfers category, the majority of notifications submitted in 2023 (1,241 in total) concerned workers posted from Latvia, making it the clear leader in this form of posting. Poland follows in second place; however, there is a substantial disparity between the two

countries, with Latvia's notifications exceeding those from Poland by a factor of 12.9. Specifically, Poland submitted only 96 notifications under this category. In other words, approximately 89.02% of all intra-corporate transfer notifications related to postings to Lithuania in 2023 originated from Latvia.

Regarding postings to Lithuania in 2023 through hiring out by a temporary employment firm or placement agency to a user business established in another MS, postings from Poland were predominant, accounting for 197 notifications. This represents approximately 79.12% of all notifications concerning workers posted to Lithuania by this method during 2023.

Table 22. Number of notifications to the national declaration tool of persons posted to the host country in 2023, breakdown by type of posting and sending country (Art. 1 (3) of the PWD covers three by cross-border situations)

Sending country	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS ('intra-corporate transfers')	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
<i>Poland</i>	1 517	96	197	1 810
<i>Latvia</i>	305	1 241	35	1 581
<i>UAE</i>	179			179
<i>Estonia</i>	140	12		152
<i>Ukraine</i>	113		9	122
<i>Belorussia</i>	87		1	88
<i>Bulgaria</i>	72			72
<i>Croatia</i>	50	20		70
<i>Italy</i>	27	3		30
<i>Netherlands</i>	21		1	22
<i>Germany</i>	6	9	2	17
<i>Denmark</i>	8	3	3	14
<i>Czech Republic</i>	12			12
<i>Norway</i>	11	1		12
<i>Slovak Republic</i>	10	1		11
<i>Spain</i>	9	1		10
<i>Kazakhstan</i>	7			7
<i>Slovenia</i>	4			4
<i>Austria</i>	2	1		3
<i>Turkey</i>	2	1		3
<i>Belgium</i>	2			2
<i>India</i>	2			2
<i>Ireland</i>	1			1
<i>Brazil</i>		1		1
<i>USA</i>		1		1
<i>Macedonia</i>	1			1
<i>Portugal</i>		1		1

Sending country	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS ('intra-corporate transfers')	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
<i>Georgia</i>			1	1
<i>Serbia</i>		1		1
<i>Vietnam</i>		1		1
Total	2 588	1 394	249	4 231

Source SLI

As noted above, the SLI is not notified of workers posted to Lithuania in the transport sector. It is also important to note that the transport sector has its own specialised IMI notification mechanism. Companies carrying out non-bilateral transport operations within the EU, including international transport between EU MSs and cabotage, must submit driver posting declarations to each relevant MS via the IMI interface. Consequently, the information presented in Table 23 below indicates an additional number of workers posted to Lithuania in transport sector, beyond those referred to earlier, based on data provided by the TSA according to the IMI system concerning the number of drivers posted to Lithuania by the country of the transport sector. It should be noted that the TSA was unable to identify any information (reports or data) on the countries to which drivers employed in Lithuania were posted.⁶³

Table 23. Number of drivers, posted to Lithuania in the transport sector, by sending country in 2023-2025

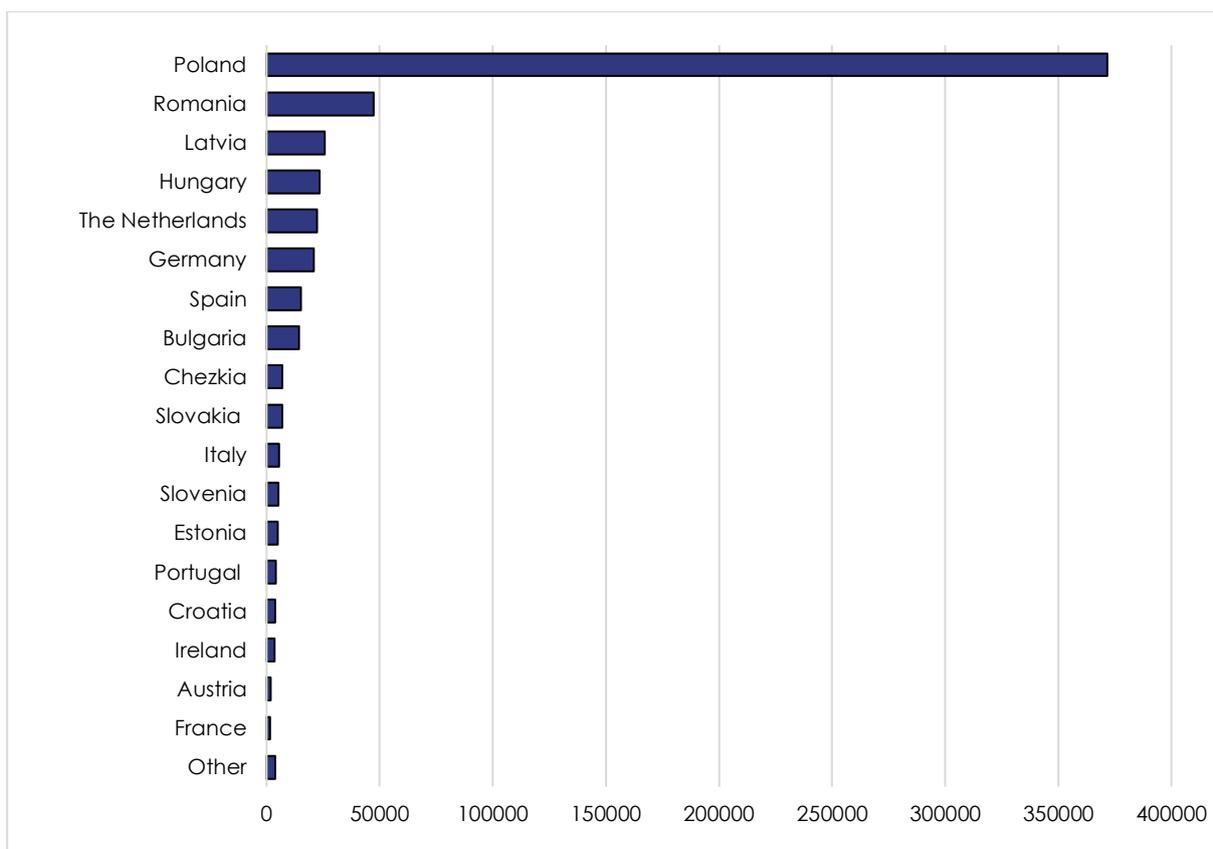
SENDING COUNTRY	Year			In total during the period 2023-2025
	2023	2024	2025	
<i>POLAND</i>	10 783	192 502	168 339	371 624
<i>ROMANIA</i>	633	20 034	26 663	47 330
<i>LATVIA</i>	352	12 014	13 355	25 721
<i>HUNGARY</i>	465	11 396	11 526	23 387
<i>THE NETHERLANDS</i>	249	10 363	11 729	22 341
<i>GERMANY</i>	305	10 130	10 479	20 914
<i>SPAIN</i>	331	7 091	7 606	15 028
<i>BULGARIA</i>	157	5 964	8 053	14 174
<i>CZECHIA</i>	60	3 196	3 693	6 949
<i>SLOVAKIA</i>	134	3 045	3 769	6 948
<i>ITALY</i>	195	2 920	2 408	5 523
<i>SLOVENIA</i>	119	2 063	2 948	5 130
<i>ESTONIA</i>	90	1 938	2 850	4 878
<i>PORTUGAL</i>	8	1 913	2 150	4 071
<i>CROATIA</i>	74	1 765	1 822	3 661
<i>IRELAND</i>	236	1 757	1 590	3 583

⁶³ Written communication with the TSA, December 2025.

SENDING COUNTRY	Year			In total during the period 2023-2025
	2023	2024	2025	
AUSTRIA	1	783	930	1 714
FRANCE	146	712	680	1 538
UNITED KINGDOM	125	425	388	938
LUXEMBURG	6	440	430	876
BELGIUM	12	306	376	694
DENMARK	10	294	316	620
SWEDEN	38	128	93	259
MALTA	0	85	92	177
FINLAND	0	24	52	76
CYPRUS	0	12	0	12
GREECE	0	7	3	10
NORWAY	0	0	9	9
TOTAL	14 529	291 307	282 349	588 185

Source IMI, the TSA

Figure 38. Number of drivers, posted to Lithuania in the transport sector, by sending country, in 2023–2025



Source IMI, the TSA

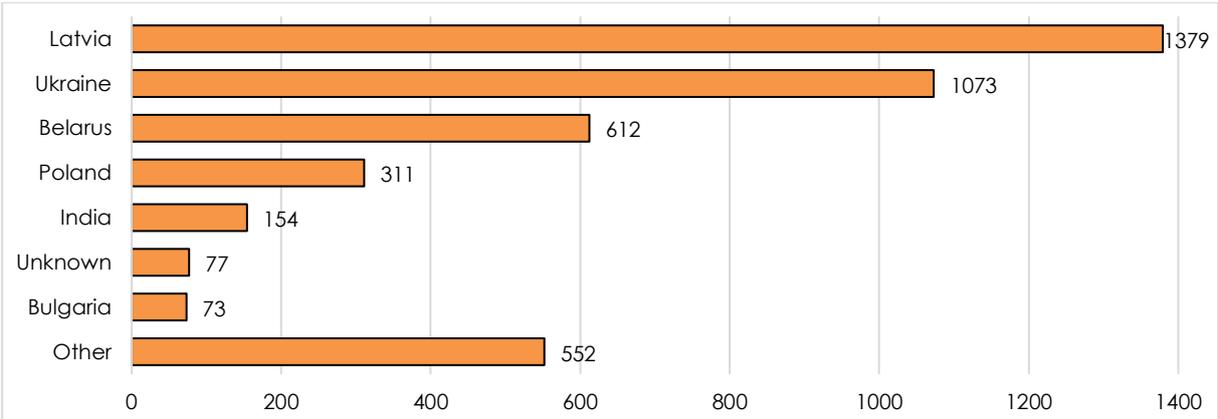
As shown in the Table 23, during the period 2023–2025, drivers from 27 MSs, as well as the United Kingdom, were posted to Lithuania in the transport sector. With regard to changes in volume, a significant increase in the number of posted workers is evident: 14,529 drivers were posted in 2023, compared with as many as 282,349 drivers in 2025.

An assessment of the countries posting the highest numbers of drivers in 2025 indicates that Poland is the leading country and stands out markedly in comparison with other MSs and the United Kingdom. Although, when comparing 2024 and 2025, the posting of drivers from Poland to Lithuania decreased by 24,163 cases in 2025. Over the period 2023–2025, a total of 371,624 drivers were posted from Poland, while Romania, ranking second, posted a total of 47,330 drivers, and Latvia, ranking third, posted 25,721 drivers. The TSA has indicated that the IMI platform is “not the most user-friendly tool for extracting this information.”⁶⁴

3.3.2 Posting by nationality of workers

When analysing the number of notifications in 2023 by the nationality of posted workers, it is noteworthy that the highest number of notifications concerning postings to Lithuania are related to Latvian nationals (1,379). In the second place were notifications regarding Ukrainian nationals (1,073), followed by Belarusian nationals, who ranked the third with 612 notifications. Polish nationals occupied the fourth position with 311 notifications, while Bulgarian nationals ranked fifth, with 154 notifications—nearly half the number reported for Polish nationals in 2023.

Figure 39. Number of postings to Lithuania by nationality of posted workers in 2023



Source SLI

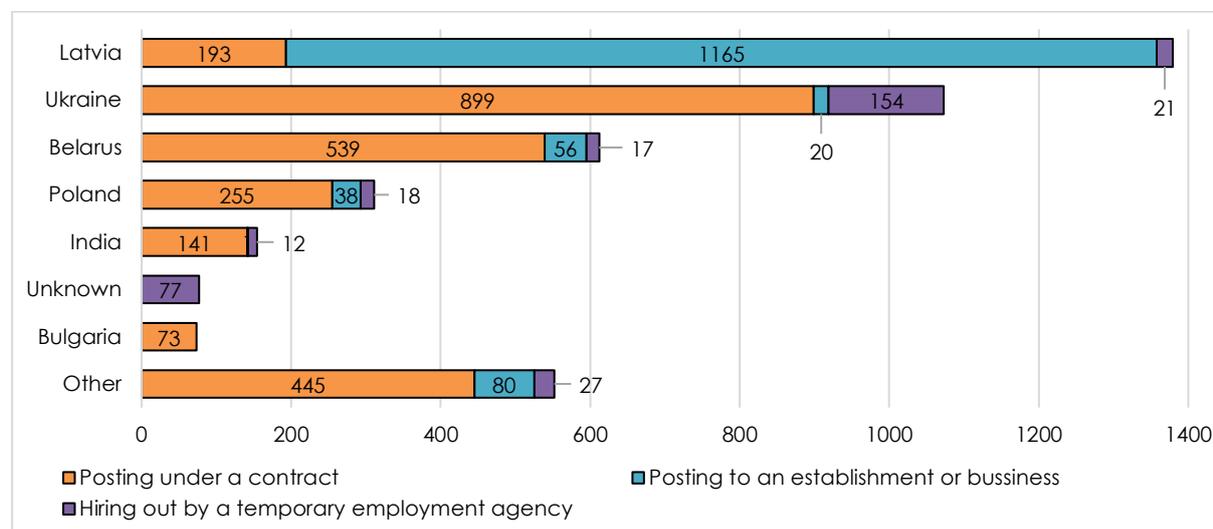
Therefore, it can be concluded that, based on the notifications by the nationality of posted workers, the leading nationalities are Latvian, Ukrainian, Belarusian, and Polish.

In 2023, Latvians were the absolute leaders in postings under the intra-corporate transfers category, with 1,165 notifications, accounting for approximately 83.56% of all notifications submitted for this form of posting in that year. However, in the case of postings under a contract concluded between the business making the posting and the party for whom the services are intended (‘contracting/subcontracting’), Ukrainian nationals led with 899 notifications. Their dominance, however, was less pronounced compared to that of Latvian nationals in the intra-corporate transfers category. Following the notifications concerning Ukrainian nationals, which represented around 34.74% of notifications in this category, Belarusian nationals accounted for a significant proportion, with 539 notifications, or approximately 20.82% of all notifications under the contracting/subcontracting form in 2023. Belarusian nationals were followed by Polish nationals,

64 Written communication with the TSA, December 2025.

who submitted 255 notifications (approximately 9.85% of all contracting/subcontracting notifications), Latvians with 193 notifications (7.46%), and Indians with 141 notifications (5.45%).

Figure 40. Number of postings to Lithuania by the form of posting and nationality of posted workers in 2023



Source SLI

A more detailed examination of postings through hiring out by a temporary employment firm or placement agency to a user business established in another MS reveals that, as previously noted, this category accounted for the lowest number of notifications in 2023—249 in total, representing approximately 5.89% of all submitted notifications. Within this posting category, Ukrainian nationals were predominant, with 154 notifications submitted in 2023, constituting roughly 61.85% of all notifications under this form. Given the relatively small number of notifications in this group, a more comprehensive analysis would only be justified under the assumption that a significant proportion of workers posted by this method are not reported to the SLI.

Table 24. Number of notifications to the national declaration tool of persons posted to the host country in 2023, breakdown by type of posting and nationality

Nationality	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
Latvia	193	1 165	21	1 379
Ukraine	899	20	154	1 073
Belarus	539	56	17	612
Poland	255	38	18	311
India	141	1	12	154
Unknown	0	0	77	77
Bulgaria	73	0	0	73
Moldova	49	2	17	68

Nationality	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
<i>Georgia</i>	52	2	3	57
<i>Estonia</i>	34	9		43
<i>Italy</i>	33	3		36
<i>Uzbekistan</i>	36			36
<i>Tajikistan</i>	30			30
<i>Lebanon</i>	25			25
<i>Croatia</i>	1	20		21
<i>Kazakhstan</i>	17		2	19
<i>Germany</i>	9	8		17
<i>Romania</i>	17			17
<i>Russia</i>	7	10		17
<i>Finland</i>	14			14
<i>Lithuania</i>	3	10		13
<i>Azerbaijan</i>	10		2	12
<i>Czech Republic</i>	11			11
<i>Turkey</i>	9	1		10
<i>Denmark</i>	6	3		9
<i>Netherlands</i>	8		1	9
<i>Slovak Republic</i>	8	1		9
<i>Siria</i>	8			8
<i>Philippines</i>	7			7
<i>Turkmenistan</i>	7			7
<i>Canada</i>	5			5
<i>Spain</i>	4			4
<i>Jordania</i>	2	2		4
<i>Serbia</i>	3	1		4
<i>Armenia</i>	1		2	3
<i>Austria</i>	2	1		3
<i>Belgium</i>	2	1		3
<i>Kyrgyzstan</i>	3			3
<i>Marocco</i>	3			3
<i>Slovenia</i>	3			3
<i>Australia</i>	2			2
<i>USA</i>	1	1		2
<i>Pakistan</i>	2			2
<i>Palestina</i>	2			2
<i>Portugal</i>	1	1		2

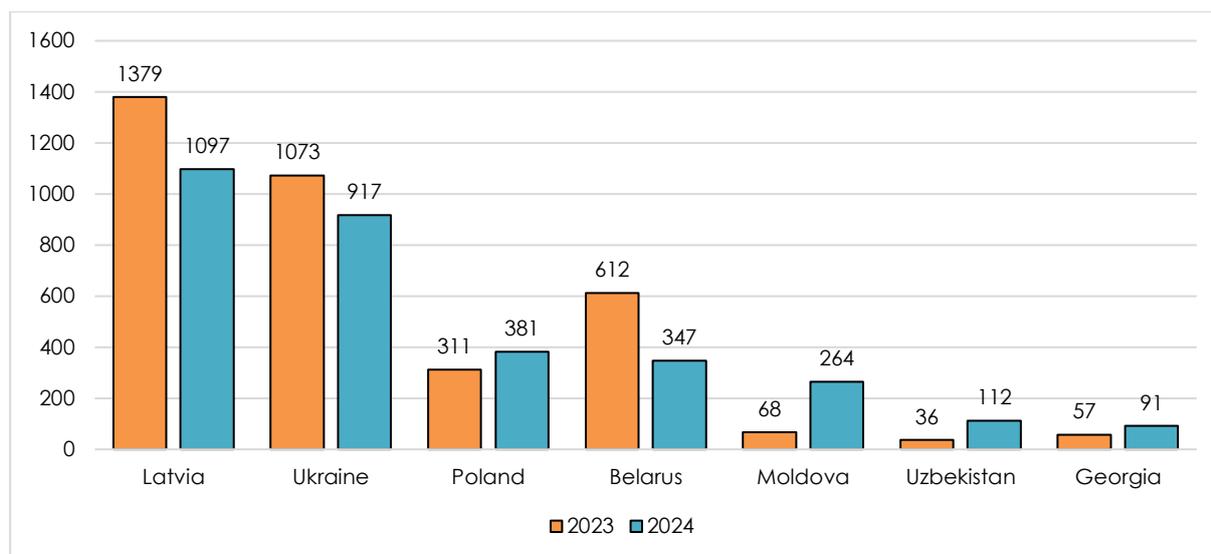
Nationality	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
<i>Ireland</i>	1			1
<i>Brazil</i>		1		1
<i>Egypt</i>	1			1
<i>Greece</i>	1			1
<i>UAE</i>	1			1
<i>Japan</i>		1		1
<i>Yemen</i>	1			1
<i>Macedonia</i>	1			1
<i>Nepal</i>	1			1
<i>Norway</i>		1		1
<i>France</i>	1			1
<i>Vietnam</i>		1		1
Total	2 588	1 394	249	4 231

Source SLI

It should be noted that the number of notifications varied, including by nationality, when comparing 2023 and 2024 (total number of notifications in 2024 decreased by 10.7% compared to 2023), so certain trends might be observed.

Evaluating the seven nationalities with the highest number of postings to Lithuania in 2024, the most significant decline compared to 2023 was observed among Belarusian posted workers, with a reduction of 43.3%. This was followed by a 20.4% decrease in postings of Latvian nationals and a 14.5% decrease among Ukrainian nationals. Conversely, an increase was recorded for other nationalities posted to Lithuania in 2024. Notably, the number of Moldovan workers posted grew by 288.2%, and Uzbek nationals by 211.1%. Smaller increases were observed for Georgian postings, which rose by 9.6%, and Polish postings, which increased by 22.5%. It is also noteworthy that Lithuanian nationals were posted to Lithuania, albeit in very small numbers -13 in 2023 and 4 in 2024.

Figure 41. Number of postings to Lithuania by the nationality of posted workers in 2023 and 2024



Source SLI

Table 25. Change in the number of notifications to the national declaration tool of persons posted to the host country in 2023 and 2024, breakdown by nationality (sorted by the number of postings in 2024)

Nationality	2023	2024	2024/2023 change, %
Latvia	1 379	1 097	-20,4
Ukraine	1 073	917	-14,5
Poland	311	381	22,5
Belarus	612	347	-43,3
Moldova	68	264	288,2
Uzbekistan	36	112	211,1
Georgia	57	91	59,6
Unknown	77	77	0,0
India	154	71	-53,9
Philippines	7	41	485,7
Estonia	43	40	-7,0
Kazakhstan	19	37	94,7
Turkey	10	36	260,0
Tajikistan	30	30	0,0
Denmark	9	25	177,8
Sri Lanka	0	25	
Russia	17	24	41,2
Italy	36	18	-50,0
Netherlands	9	17	88,9
Azerbaijan	12	16	33,3
Romania	17	15	-11,8
Kyrgyzstan	3	13	333,3

Nationality	2023	2024	2024/2023 change, %
<i>Portugal</i>	2	10	400,0
Finland	14	10	-28,6
<i>Sweden</i>	0	10	
<i>Lebanon</i>	25	7	-72,0
<i>Greece</i>	1	6	500,0
Lithuania	13	4	-69,2
<i>Hungary</i>	0	4	
Germany	17	4	-76,5
Czech Republic	11	3	-72,7
<i>Nepal</i>	1	3	200,0
<i>France</i>	1	3	200,0
<i>Ireland</i>	1	2	100,0
<i>Armenia</i>	3	2	-33,3
<i>Bulgaria</i>	73	2	-97,3
<i>İzrael</i>	0	2	
<i>Afghanistan</i>	0	1	
<i>Australia</i>	2	1	-50,0
<i>Austria</i>	3	1	-66,7
<i>Bangladesb</i>	0	1	
<i>UAE</i>	1	1	0,0
<i>China</i>	0	1	
<i>Korea</i>	0	1	
<i>Macedonia</i>	1	1	0,0
<i>Serbia</i>	4	1	-75,0
<i>Siria</i>	8	1	-87,5
<i>Slovakia</i>	9	1	-88,9
<i>Belgium</i>	3	0	-100,0
<i>Brazıl</i>	1	0	-100,0
<i>Egypt</i>	1	0	-100,0
<i>Spain</i>	4	0	-100,0
<i>Japan</i>	1	0	-100,0
<i>USA</i>	2	0	-100,0
<i>Yemen</i>	1	0	-100,0
<i>Jordania</i>	4	0	-100,0
<i>Canada</i>	5	0	-100,0
<i>Croatia</i>	21	0	-100,0
<i>Marocco</i>	3	0	-100,0
Norway	1	0	-100,0
<i>Pakistan</i>	2	0	-100,0
<i>Palestine</i>	2	0	-100,0

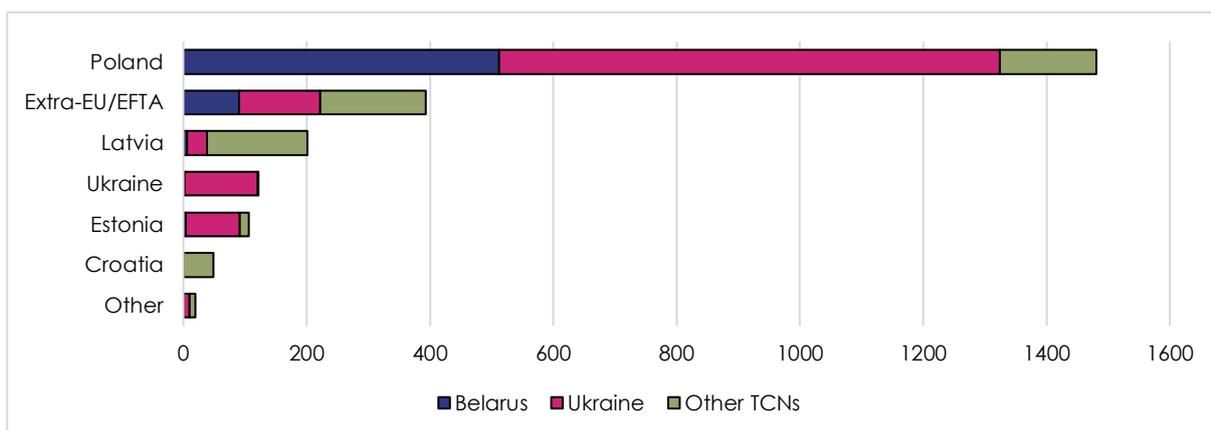
Nationality	2023	2024	2024/2023 change, %
<i>Slovenia</i>	3	0	-100,0
<i>Turkmenistan</i>	7	0	-100,0
<i>Vietnam</i>	1	0	-100,0
Total	4 231	3 777	-10,7

Source SLI

3.3.3 TCNs by sending country and nationality

It should be noted that the nationality of posted workers does not necessarily correspond to the country from which they are posted. For example, in 2023, only 122 notifications were submitted concerning individuals posted from Ukraine to Lithuania. However, as illustrated by the figure and table below, in 2023 there were 812 notifications regarding Ukrainian nationals posted from Poland to Lithuania, 512 concerning Belarusian nationals, and 153 concerning individuals of other TCNs. Poland was unequivocally the leading country in posting TCNs to Lithuania in 2023, with a total of 1,481 notifications submitted regarding TCNs posted to Lithuania. By comparison, significantly fewer TCNs were posted to Lithuania from Extra-EU/EFTA countries, with even fewer from Latvia and other countries (Table 26).

Figure 42. TCNs posted to Lithuania by sending country and nationality, 2023



Source SLI

Table 26. Number of notifications to the national declaration tool of TCNs (TCNs) posted to the host country in 2023, breakdown by sending country and nationality

Sending country	TCNs (TCNs) by nationality						Total TCNs
	Belarus	Brazil	Morocco	Turkey	Ukraine	Other TCNs	
<i>Poland</i>	512			4	812	153	1 481
<i>Extra-EU/EFTA</i>	90			5	132	166	393
<i>Latvia</i>	6				32	163	201
<i>Ukraine</i>	2				119	1	122
<i>Estonia</i>	4			1	87	14	106
<i>Croatia</i>						49	49

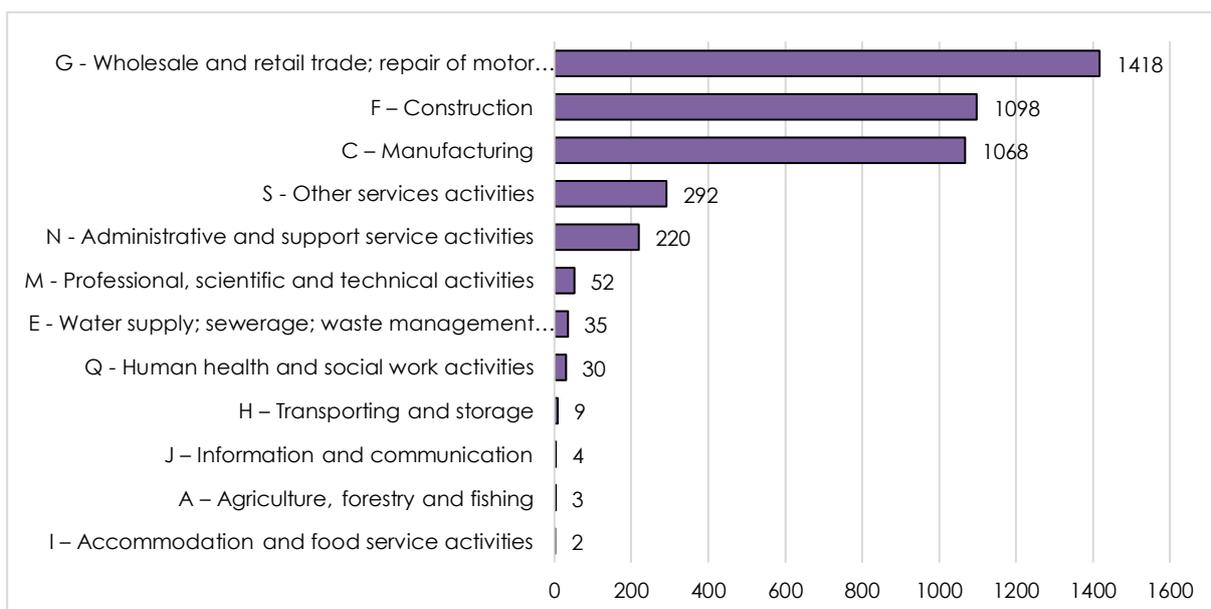
Sending country	TCNs (TCNs) by nationality						Total TCNs
	Belarus	Brazil	Morocco	Turkey	Ukraine	Other TCNs	
<i>Netherlands</i>					6		6
<i>Denmark</i>					2		2
<i>Slovak Republic</i>						4	4
<i>Spain</i>			3				3
<i>Germany</i>					2		2
<i>Italy</i>						1	1
<i>Portugal</i>		1					1
<i>Slovenia</i>						1	1
Total	612	1	3	10	1 073	551	2 250

Source SLI

3.3.4 Posting by sectors and sending countries

Regarding sectors, the highest number of notifications submitted to the SLI in 2023 concerning posted workers providing services in Lithuania were related to the wholesale and retail trade; repair of motor vehicles and motorcycles sector (NACE G), with a total of 1,418 notifications, accounting for 33.51% of all notifications. The construction sector (NACE F) ranked second, with 1,098 notifications, representing 25.95% of all notifications, followed closely by the manufacturing sector (NACE C), which accounted for 1,068 notifications or 25.23%. Other services activities (NACE S) accounted for 292 notifications (6.90%), and similarly, the administrative and support service activities sector (NACE N) recorded 220 notifications, constituting 5.20% of the total 4,231 notifications submitted in 2023 concerning posted workers to Lithuania.

Figure 43. Number of postings to Lithuania by sector of economic activity in 2023



Source SLI

Comparing numbers of postings in 2024 to those in 2023, one may see a clear trend of decreasing numbers in all main sectors – manufacturing (NACE C), construction (NACE F) as well as wholesale and retail trade; repair of motor vehicles and motorcycles (NACE G). It was precisely the decline in postings in these sectors that led to an overall decrease in the number of workers posted to Lithuania in 2024 compared to 2023.

Table 27. Changes in the sector breakdown for the notifications to the national declaration tool of persons posted to the host country in 2023 and 2024

Year	NACE													Total
	A – Agriculture, forestry and fishing	C – Manufacturing	D - Electricity, gas, steam and air conditioning supply	E - Water supply; sewerage; waste management and remediation activities	F – Construction	G - Wholesale and retail trade; repair of motor vehicles and motorcycles	H – Transporting and storage	I – Accommodation and food service activities	J – Information and communication	M - Professional, scientific and technical activities	N - Administrative and support service activities	Q - Human health and social work activities	S - Other services activities	
2023	3	1 068	0	35	1 098	1 418	9	2	4	52	220	30	292	4 231
2024	2	801	22	5	913	1 043	28	5	62	64	365	15	440	3 777
<i>Change, %</i>	<i>-33,3</i>	<i>-25,0</i>		<i>-85,7</i>	<i>-16,8</i>	<i>-26,4</i>	<i>211</i>	<i>150</i>	<i>1450</i>	<i>23,1</i>	<i>65,9</i>	<i>-50</i>	<i>50,7</i>	<i>-10,7</i>

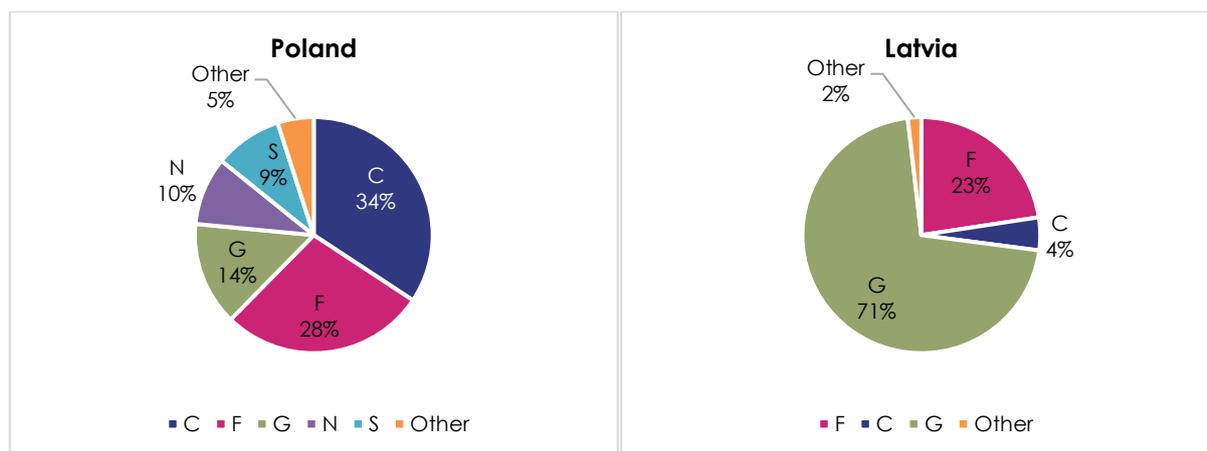
Source SLI

In 2023, the majority of workers posted to Lithuania originated from Poland, with 1,810 notifications submitted annually, followed by Latvia with 1,581 notifications. The United Arab Emirates ranked third in terms of notification numbers in 2023, with 179 notifications, which is more than ten times fewer than those from Poland.

From Poland, the highest number of notifications pertained to the manufacturing sector (NACE C) with 621 notifications, followed by the construction sector (NACE F) with 507 notifications. Additionally, a relatively substantial number of notifications - 257 in total - were submitted in 2023 regarding postings to Lithuania in the wholesale and retail trade; repair of motor vehicles and motorcycles sector (NACE G). In the administrative and support service activities sector (NACE N), postings from Poland to Lithuania amounted to 169 notifications, and 167 notifications were recorded in other service activities (NACE S). Notifications concerning postings from Poland in other sectors were comparatively low: 33 in water supply; sewerage; waste management and remediation activities (NACE E), 30 in human health and social work activities (NACE Q), with even fewer notifications in other sectors, therefore, these sectors will not be discussed further.

Regarding the number of notifications from Latvia in 2023, it should be noted that the majority - 1,124 notifications - were submitted in the wholesale and retail trade; repair of motor vehicles and motorcycles sector (NACE G). The construction sector (NACE F) ranked second with 357 notifications related to workers posted to Lithuania from Latvia, followed by the manufacturing sector (NACE C) with 177 notifications. Notifications from Latvia in other sectors were considerably lower - for instance, 19 in professional, scientific, and technical activities (NACE M), with even fewer in other sectors.

Figure 44. Number of postings from Poland and Latvia by sector of economic activity in 2023



* C – Manufacturing
 F – Construction
 G – Wholesale and retail trade; repair of motor vehicles and motorcycles
 N – Administrative and support service activities
 S – Other services activities
 Source SLI

The third country with the highest number of notifications submitted to the SLI in 2023 concerning workers posted to Lithuania was the United Arab Emirates. Nearly all workers posted from this country (177 out of 179) were in the manufacturing sector (NACE C). The number of notifications regarding postings from other countries was even lower; therefore, these will not be discussed further.

Table 28. Sector breakdown for the notifications to the national declaration tool of persons posted to the host country in 2023

Sending country	NACE											Total	
	A – Agriculture, forestry and fishing	C – Manufacturing	E - Water supply, sewerage; waste management and remediation activities	F – Construction	G - Wholesale and retail trade; repair of motor vehicles and motorcycles	H – Transporting and storage	I – Accommodation and food service activities	J – Information and communication	M - Professional, scientific and technical activities	N - Administrative and support service activities	Q - Human health and social work activities		S - Other services activities
Poland		621	33	507	257	8	2		16	169	30	167	1 810
Latvia		71		357	1 124			4	19	2		4	1 581
UAE		177										2	179
Estonia		79		58	5				10				152
Ukraine	3	17		83	6							13	122
Belarus				84					1			3	88
Bulgaria												72	72
Croatia					20					49		1	70
Italy		27										3	30
Netherlands		6							1			15	22

Sending country	NACE												Total
	A – Agriculture, forestry and fishing	C – Manufacturing	E - Water supply; sewerage; waste management and remediation activities	F – Construction	G - Wholesale and retail trade; repair of motor vehicles and motorcycles	H – Transporting and storage	I – Accommodation and food service activities	J – Information and communication	M - Professional, scientific and technical activities	N - Administrative and support service activities	Q - Human health and social work activities	S - Other services activities	
Germany		11		1								5	17
Denmark		9	2						3				14
Czechia		6		6									12
Norway		11							1				12
Slovakia		11											11
Spain		9										1	10
Kazakhstan		7											7
Slovenia					4								4
Austria		2										1	3
Turkey						1						2	3
Belgium		2											2
India		2											2
Ireland												1	1
Brazil												1	1
USA				1									1
Macedonia												1	1
Portugal					1								1
Georgia									1				1
Serbia					1								1
Vietnam						1							1
Total	3	1 068	35	1 098	1 418	9	2	4	52	220	30	292	4 231

Source SLI

The most recent statistics also indicate a continuing upward trend in the posting of workers to Lithuania. Although a more detailed analysis is not provided at this stage, the LDU system recorded 6,027 notifications concerning workers posted to Lithuania in 2025. The highest numbers of posted workers originated from Poland and Latvia, with 2,742 and 1,498 workers respectively. In terms of nationality, the majority of posted workers were Polish, Latvian and Ukrainian nationals, accounting for 1,762, 994 and 930 workers respectively⁶⁵.

⁶⁵ Additional written communication with the MSSL, January 2026.

Table 29. Average period of posting reported in the notifications to the national declaration tool of persons posted to the host country in 2023 (calendar days)

Sending country	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS ('intra-corporate transfers')	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
Brazil		486,0		486,0
Turkey	10,0	1096,0		372,0
Serbia		334,0		334,0
Spain	168,8	807,0		232,6
Georgia			213,0	213,0
Netherlands	209,4		88,0	203,9
Ukraine	173,3		266,9	180,2
Belarus	172,7		335,0	174,5
Norway	62,5	1377,0		172,1
Germany	37,0	255,8	42,5	153,5
Austria	68,0	181,0		105,7
Poland	100,7	93,7	84,4	98,5
Bulgaria	76,1			76,1
Estonia	76,7	46,7		74,4
Slovakia	49,3	146,0		58,1
Portugal		55,0		55,0
Ireland	54,0			54,0
Italy	19,2	364,0		53,7
Croatia	58,6	18,2		47,1
USA		32,0		32,0
Vietnam		31,0		31,0
Czechia	27,3			27,3
Latvia	98,5	7,1	66,6	26,1
Slovenia	22,0			22,0
Denmark	17,1	3,3	48,0	20,8
India	20,5			20,5
Kazakhstan	14,4			14,4
UAE	9,9			9,9
Macedonia	9,0			9,0

Sending country	Posting under a contract concluded between the business making the posting and the party for whom the services are intended ('contracting/subcontracting')	Posting to an establishment or business owned by the same business group in the territory of another MS ('intra-corporate transfers')	Hiring out by a temporary employment firm or placement agency to a user business established in another MS	Total
Belgium	5,0			5,0
Total	95,5	19,2	89,2	70,0

Source SLI

Table 30. Breakdown of the number of notifications in 2023 by duration (calendar days)

Duration	Number of notifications
Less than 8 days	1 351
Between 8 days and 1 month	389
Between 1 month and 6 months	2 159
Between 6 months and 12 months	218
Between 12 months and 18 months	110
Longer than 18 months	4
Total	4231

Source SLI

From our perspective, there have been no significant fluctuations in the figures that could be directly attributed to the adoption of Revision Directive. Overall, the scale of posting to Lithuania remains relatively limited. The majority of posted workers come from Poland and Latvia. Regarding TCNs, most posted workers are citizens of Ukraine and Belarus, although there has also been an observable increase in posted workers from other third countries.

The main sectors remain consistent. Based on data provided in notifications for the period 2022–2024, the majority of posted workers in Lithuania were active in the following sectors: wholesale and retail trade; repair of motor vehicles; construction; and manufacturing.

It should be taken into consideration that the number of workers posted to Lithuania is increasing. According to LDU data, a total of 6,027 notifications concerning workers posted to Lithuania were submitted in 2025. Of these, 2,742 originated from Poland and 1,498 from Latvia. When analysed by nationality, the largest numbers of workers posted to Lithuania were Polish nationals (1,762), Latvian nationals (994) and Ukrainian nationals (930).

4. The extent and characteristics of 'irregular' forms of intra-EU posting involving Lithuania

4.1 Legal obligations for employers posting workers to and from Lithuania

According to Article 109.2 of the LC employers must keep all documents related to the posted worker at the place of work throughout the entire period of the posting and must present them immediately to competent authorities upon request.

According to Article 44.1 of the LC, before the commencement of work, the employer must provide to any employee the following information:

- 1) the employer's full name, code and registered office address (for employers as natural persons: name, surname, personal number, or, in the absence thereof, the date of birth and permanent place of residence);
- 2) the place where the job function will be performed. If an employee does not have the main place for the performance of the job function or if it is not permanent, it shall be specified that the employee works in several places and the address of the workplace from which the employee receives instructions shall be given;
- 3) the type of employment contract; the length and terms of the probationary period, if agreed;
- 4) a characterisation or description of the job function or the name of the job (position or duties, profession, speciality) and, where provided for, its hierarchy level and/or level/degree of qualification or complexity;
- 5) the employment commencement date;
- 6) the expected end date (in the case of a fixed-term employment contract);
- 7) annual leave entitlement;
- 8) the notice period for the cases when the employment contract is terminated on the initiative of the employer or the employee; the procedure for the termination of the employment contract;
- 9) the remuneration and components thereof (to be set out separately), and the terms and procedure for the payment of the remuneration;
- 10) the established duration of the employee's working day or working week; the procedure for determining and paying for overtime work and, where applicable, the procedure for changing work (shift);
- 11) information on the collective agreements in force at the enterprise and the procedure for learning about these agreements;
- 12) the right to training, if granted by the employer;
- 13) the names of the social security institutions receiving social security contributions in connection with the labour relations; information on other social security cover provided by the employer, if the employer is in charge of providing the said cover.

Moreover, Article 44.2 of the LC stipulates that the information must be provided to the employee free of charge, by providing one or several documents in writing. If the information is provided in several documents, at least one of them must contain the information specified in points 1–10 listed above. The information referred to in points 1,3, 8-10,12 and 13 set out in Law No XIV 1189 regarding the duration and terms of the probationary period, the termination of the employment contract, the components of the remuneration for work, overtime, the right to training, and the employer's social security cover shall, at the request of the employee, be made available to employees employed before 31 July 2022.

Article 107.6 of the LC regulates situations of posting. Prior posting abroad for a period exceeding 28 days, an employee besides the documents specified in Article 44.1 and 44.2, additionally must be provided with specify following details:

- 1) the country name(s) and the duration of the posting;
- 2) the currency in which the remuneration shall be paid during the posting;
- 3) payments in cash and in kind that are allocated for work in another country, where applicable;
- 4) the conditions for relocation to the country of the permanent workplace, where applicable.

4.2 Main provisions governing cooperation with EU competent authorities on conditions for posted workers

Article 109.3 of the LC states that the SLI shall provide information free of charge and without delay, or otherwise cooperate, with the competent authorities of other EU MSs regarding the application of conditions specified in this Code to posted workers, as well as in cases of violations of the guarantees granted to posted workers, including disabled persons, and shall be kept up-to-date, timely, clear, transparent and comprehensive. Lithuanian normative legal acts meant to include all legislation, national (interbranch), territorial and branch (production, service, professional) collective agreements or individual provisions thereof, the applicability of which has been extended, concerning the terms and conditions applicable to posted workers, including the components of wages and additional terms and conditions of the employment contract applicable to postings of more than 12 or 18.

Information regarding persons established in the EU MSs or the EEE who post workers to the RL, as well as information concerning the lawfulness of the employment of posted workers, is obtained by the responsible officer of the Legal Division of the SLI by submitting a request for cross-border assistance to the competent authorities of foreign countries through the IMI (point 14 of the Order No EV-241).

The SLI also cooperates with institutions of other MSs and confirmed the IMI platform is used very intensively. The SLI received 165 requests from 12 countries in 2023 concerning posted workers, to which it checked the information in response, but the SLI did not provide information on whether it carried out inspections in response to these requests: Austria made 10 requests; Belgium - 22; Denmark - 10; Estonia - 58; Latvia - 3; Poland - 1; The Netherlands - 2; Norway - 23; France - 4; Finland - 3; Sweden - 26; Germany - 3. In 2024, the SLI received 143 requests concerning the posting of workers. In 2025 (from January to 23 October), the SLI received 173 requests concerning the posting of workers. The majority of requests are received from Germany, Estonia and Belgium⁶⁶.

At the time of preparing this Report, the SLI had established inspection agreements with Norway, Poland, the Baltic States (as a trilateral agreement), and Ukraine. However, no such agreement had yet been signed with Belgium, as confirmed during an interview on 22 June 2024. A representative of the SLI stated in a second interview conducted in spring 2025 that these joint inspections incur significant costs. Since the initiation of the first inspections in Belgium and the Netherlands in early 2023, they have been funded by ELA.

The TSA explained that the IMI system operates in such a way that when a competent authority in another country has questions or requires data, it contacts the specific carrier (company) directly through IMI. If the carrier does not respond or fails to provide the requested information, the authority then asks TSA for assistance. TSA's support consists of forwarding the same IMI request to the carrier and additionally encouraging a response by telephone or other available means of contact. Following these actions, the

⁶⁶ Interview with the SLI, January 2026.

requested information is usually provided; to TSA's knowledge, cases of continued non-response are extremely rare. However, it is unclear what conclusions could meaningfully be drawn from the available figures. They do not necessarily demonstrate that carriers fail to respond to direct requests, that they do not fully understand how the IMI system functions, or that they are unwilling to cooperate with certain countries. For this reason, TSA considers these figures to be of limited analytical value. Overall, the number of IMI-related requests is relatively low, averaging one or two per month. Requests for assistance most commonly come from Austria, France, the Netherlands and Denmark, which are typical Western European partner countries⁶⁷.

4.3 Lawfulness and fictitious posting

The system of cross-border posting and the guarantee of minimum working conditions for the posted worker described in this Chapter of the Report is only applicable in the case of a *genuine posting*, i.e. when the worker is hired to work for a company registered in the RL and is sent to a foreign state to provide services for a fixed period or when the worker is permanently employed in a foreign state and comes to Lithuania to work temporarily as an employee of a foreign company. The permanent place of work should remain in Lithuania during the posting, as stated before.

In order to prevent fictitious posting, the Order of the Chief State Labour Inspector No EV-241 of 31 August 2016 "On the Approval of the Description of Procedures for the Actions of the Inspector of the SLI to Establish Genuine Posting" (the Order No EV-241)⁶⁸ adopted certain criteria for assessing whether the work of the posted employee fulfils the conditions for a genuine posting. This Order No EV-241 applies when a Labour Inspectorate officer conducts inspections at economic entities accepting workers posted from EU or EEA MSs to Lithuania, as well as at those entities employing workers who are posted to an EU or EEA MS from Lithuania.

Checks to determine whether employees posted from companies registered in Lithuania meet the requirements for a genuine posting are carried out upon request from the competent authorities of EU or EEA MSs for cross-border cooperation (point 6 of the Order No EV-241). The posting of an employee from the RL (in terms of Article 12.1 of the BR and point 5 of the Order No V-253) is considered to occur when an employer, who carries out a substantial **part of its activities within the territory of Lithuania**, temporarily assigns an employee who has been employed in Lithuania to perform work functions in another country (point 7 of the Order No EV-241).

In determining whether the sending employer carries out a substantial part of its activities in Lithuania, consideration shall be given to the following factors (point 7 of the Order No EV-241):

- 1) the place of registration of the registered office and the location of the administrative headquarters;
- 2) the number of administrative employees and the place where employed workers and administrative staff perform their work;
- 3) contracts concluded in the course of economic activity carried out in Lithuania and abroad;
- 4) income derived from activities in Lithuania and abroad during the previous 12 complete calendar months prior to the posting of employees for work;

⁶⁷ Written communication with the TSA, January 2026.

⁶⁸ Order of the Chief State Labour Inspector No EV-241 of 31 August 2016 "On the Approval of the Description of Procedures for the Actions of the Inspector of the SLI to Establish Genuine Posting" (TAR, 2016-08-31, No 22972), <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/475bfa406fb611e6a421ea2bde782b94/XSsrcUnrGA?ifwid=i3h7wv2c5>

- 5) the duration of economic activity carried out in Lithuania during the 12 months preceding the posting of employees for work (for undertakings commencing activities in Lithuania, the entire period of operation);
- 6) economic activity carried out in Lithuania after the posting of employees for work;
- 7) other objective criteria, taking into account the nature of the activities carried out.

Pursuant to Point 8 of Order No EV-241, the share of an employer's activities carried out in Lithuania shall not be regarded as substantial where:

- 1) prior to the posting of employees, the employer has carried out economic activity in Lithuania for a period of less than two months during the preceding 12 months;
- 2) following the posting of employees, the employer does not continue to carry out economic activity in Lithuania;
- 3) the employer performs only internal management activities in Lithuania;
- 4) the employer's income derived from activities in Lithuania accounts for less than 10% of the employer's total income during the previous 12 complete calendar months prior to the posting of employees for work.

This provision shall not apply to undertakings commencing activities in Lithuania. Pursuant to Point 8 of Order No EV-241, the following criteria are applied to assess whether the sending employer performs the substantial part of its activities in Lithuania – determining whether the employer:

- 1) has a registered office and administrative operations, including the use of office premises, in the RL;
- 2) pays state social insurance contributions in Lithuania and is registered as a taxpayer in accordance with the procedure established by the Law on Tax Administration of the RL;
- 3) conducts economic activities within the territory of Lithuania.

According to point 9 of the Order No EV-241 the employer's activities in Lithuania shall not be considered substantial where:

- 1) during the 12-month period preceding the posting of employees, the employer carried out activities in Lithuania for less than two months;
- 2) or where, following the posting, the employer ceases to conduct economic activities in Lithuania;
- 3) or where the employer engages only in internal management functions in Lithuania;
- 4) or where income from activities in Lithuania accounts for less than 10 % of the employer's total income during the 12-month period preceding the posting.

Pursuant to Point 10 of Order No EV-241, in determining whether an employee has in fact been employed in Lithuania and is temporarily performing work functions in another country, the following criteria are assessed whether:

- 1) the work is performed in the foreign country for a limited period of time;
- 2) the posted employee returns to permanent employment in Lithuania upon completion of the work or provision of services for which the posting was made;
- 3) the sending employer reimburses travel, accommodation, meal, or other expenses related to the posting.

Vilnius Division issues and revokes PD A1s on the applicable law, provide information to the competent authorities of other EU MSs on the PD A1s issued on their request pursuant to Order No V-253. Point 5 of Order No V-253 states that an PD A1 is issued to a person who is employed under an employment contract in Lithuania by an employer that normally carries out its activities in Lithuania and who is posted by that employer to another EU MS to work for the same employer (Article 12.1 of the BR), provided that the following conditions are met:

- 1) as mentioned before⁶⁹, prior to the posting, the employee must have been subject to the social security legislation of the RL *for at least one month, except for when PD A1 is requested on a basis of Article 13.1 of the BR*;
- 2) the anticipated duration of work in the host MS must not exceed 24 months;
- 3) the employee is not being sent to replace another posted worker whose posting period has ended;
- 4) a direct relationship between the posted worker and the Lithuanian employer must be maintained during the posting period;
- 5) the posting employer carries out a substantial part of its business activities in Lithuania.

To establish the existence of a direct employment relationship during a posting period, those key features mentioned above must be present, simultaneously indicating that the Lithuanian employer retains control and responsibility over the employment relationship throughout the posting. These features ensure compliance with Article 12.1 of the BR and relevant Lithuanian legal provisions demonstrate that the employer-employee link has not been severed or transferred during the posting, and that the Lithuanian employer maintains full employment responsibility, as required for the issuance of an PD A1s.

Point 7 of Order No V-253 establishes the following factors to be considered while determining whether the sending employer carries out a significant part of their business activity in Lithuania:

- 1) the location of the company's registered office and administrative headquarters;
- 2) the number of administrative employees and the location where hired employees and administrative staff work;
- 3) contracts concluded as part of economic activities in Lithuania and abroad;
- 4) income from activities carried out in Lithuania and abroad during the 12 full calendar months prior to sending employees to work;
- 5) the duration of economic activity in Lithuania during the 12 months prior to sending employees to work (for companies starting their activity in Lithuania – the entire period of their activity);
- 6) economic activity in Lithuania after employees are sent to work;
- 7) other objective criteria, depending on the nature of the business activity.

Pursuant to point 8 of the Order No V-253, the employer's business activity in Lithuania shall not be considered substantial if the employer:

- 1) has carried out economic activity in Lithuania for less than two months during the 12 months preceding the posting of employees to another MS;
- 2) does not continue economic activity in Lithuania after the posting of employees;
- 3) carries out only internal administrative activities in Lithuania;
- 4) gains income from activities in Lithuania which amounts to less than 10 percent of the employer's total income during the 12 full calendar months prior to the posting of employees (*except for the case when an employer is a company that is starting its operations in Lithuania*).

A company that is starting its operations in Lithuania is defined as a company commencing operations in Lithuania – a company for which less than 12 months have passed since its registration date in the Register of Legal Entities (Clause 4.13, Order No V-253).

A PD A1 under Article 12.1 of the BR shall not be issued in the following cases where⁷⁰:

- 1) the undertaking to which the employee has been posted assigns the employee to work in another company established in the same MS;
- 2) the employee posted to a MS is subsequently assigned to work in a company established in another MS;

⁶⁹ In Chapter 2.1. Posting of workers – legal framework and definitions.

⁷⁰ Also Clause 12, Order No V-253.

- 3) the employee is employed in Lithuania for the purpose of being posted by a company established in another MS to a company established in a third country.

Therefore, all of the above-mentioned requirements must be complied with when an employee, employed under an employment contract, is posted from Lithuania to another EU/EEA country, and the employer—meeting the relevant criteria—submits a request for the issuance of an PD A1 on behalf of the posted worker.

The PD A1 is issued to persons whose place of residence is in Lithuania and who pursue employment or professional activities in **two or more Member States**, in accordance with Article 13 of Regulation (EC) No 883/2004. The PD A1 is issued where a person is employed in more than one MS and at least one of the following conditions is fulfilled:

- the person pursues a **substantial part of their activity in Lithuania**;
- the person is employed by **two or more employers**, at least two of which have their registered office or place of business in **different MSs other than Lithuania**.

Where a person is employed in several Member States but **does not pursue a substantial part of their activity in the MS of residence**, the PD A1 is issued if one of the following conditions is met:

- the person is employed by a single employer whose registered office or place of business is in Lithuania;
- the person is employed by two or more employers, all of which have their registered offices or places of business in Lithuania;
- the person is employed by two or more employers whose registered offices or places of business are located in two MSs, namely Lithuania and another MS that corresponds to the worker's MS of residence.

The PD A1 is also issued where a person simultaneously:

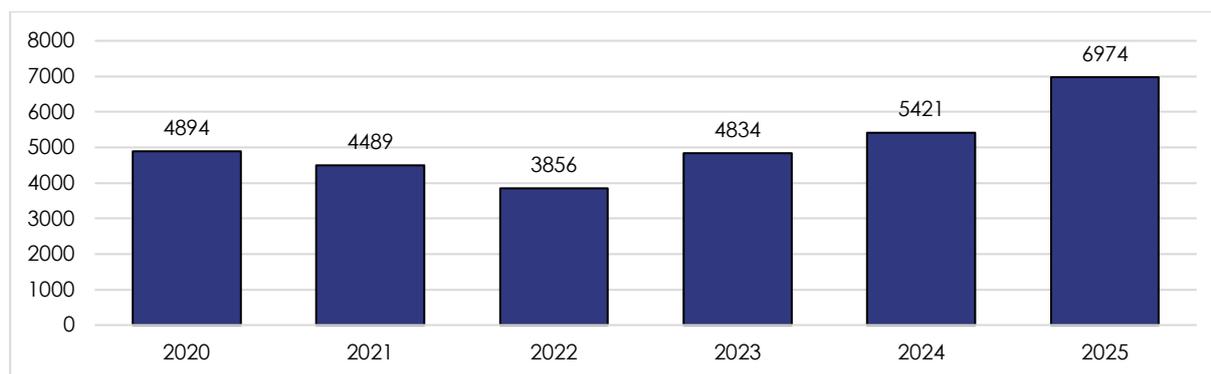
- is employed in Lithuania and pursues a self-employed activity in another MS; or
- pursues self-employed activities in Lithuania and another MS, provided that a substantial part of the self-employed activity is pursued in Lithuania.

Where a self-employed person pursues activities in several MSs, but does not reside in the Member State in which a substantial part of the activity is pursued, the PD A1 is issued if the centre of interest of the activity is located in Lithuania. The concept of a “substantial part of the activity” is determined in accordance with Article 14.1 of Regulation (EC) No 987/2009⁷¹, while the “centre of interest of the activity” is determined in accordance with Article 14.9 of the same regulation.

Similarly, employers posting workers (or sending them to work in two or more MSs) *from* Lithuania must adhere to the applicable legal and administrative requirements set out under both national and EU legislation governing the posting of workers. In cases where employers fail to meet these requirements, the Vilnius Division has declined to issue PD A1s. Below (Figure 45) we provide information on Vilnius Division's decisions not to issue PD A1s, 2020-2025.

⁷¹ Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (Text with relevance for the EEA and for Switzerland), OJ L 284, 30.10.2009, pp. 1–42. Current consolidated version: 01/01/2018

Figure 45. Refusals to Issue PD A1s Certificates



Source Vilnius Division

According to the Infolex.lt database, from the beginning of 2015 until March 2022, only 56 court decisions were identified in which the lawfulness of such decisions of the Vilnius Division was challenged. No later court decisions are available in the Infolex.lt database. Therefore, when compared with the number of negative decisions of the Vilnius Division regarding the issuance of PD A1 certificates, the amount of court practice in which such decisions are appealed in Lithuanian courts is proportionally very low.

The Vilnius Division does not issue a PD A1 where the above-mentioned requirements are not fulfilled. One of the cases concerned employment in Germany. In administrative case No. AS-463-822/2020⁷², the panel of judges established that by the contested decision of the Vilnius Division, it was decided to refuse the issuance of PD A1s to the employees listed by the applicant, as their posting to work in Germany did not comply with the requirements of the relevant legal acts. Consequently, during the posting period there were no grounds to apply an exception to the general rule; that is, during the posting period the social security legislation of the place of work (in this case, Germany) was applicable. Paragraph 5 provides that a PD A1 shall be issued to a person who is employed under an employment contract in Lithuania by an employer who normally carries out its activities in Lithuania, and who is posted by that employer to work for the same employer in another MS, provided that the conditions set out in paragraphs 5.1–5.5 are satisfied. By the contested decision, the issuance of PD A1s to the employees listed by the applicant was refused on the grounds that, during the posting period, the social security legislation of the place of work (in this case, Germany) was applicable to those employees. Accordingly, the social security legislation of the RL was not applicable during that period. In the assessment of the panel of judges, the applicant did not put forward *prima facie* arguments demonstrating that the contested decisions were unlawful. An assessment of the content of the applicant's current website⁷³, on which job vacancies are still being advertised, shows that the work offered is in private households in Germany and that knowledge of the German language is required. Accordingly, the job advertisement itself (by which the offer of employment is made) is clearly oriented towards employment outside the territory of the RL.

4.4 Key enforcement authorities overseeing labour and social security rules for posted workers in Lithuania and their competence

The main enforcement bodies involved in the enforcement of the labour and social security rules on the posting of workers in Lithuania are the following:

- I. Three institutions under the MSSL: 1) The SLI; 2) Vilnius Division; 3) The PES.
- II. TSA under MT.

⁷² Ruling of the Supreme Administrative Court of Lithuania of 15 July 2020 (judicial proceedings No.3-62-3-01035-2020-7), <https://www.infolex.lt/tp/1906105>

⁷³ <https://www.ehrwuertigesalter.de/lt/darbo-privalumai-salvgos/>

III. Other institutions such as – **Lithuanian Police, SBGS, MD.**

There are no specific bodies or institutions for the conditions of workers' accommodation, or of temporary employment agencies. If the SLI during the inspection would find any breaches related to accommodation, they would report them to the Police⁷⁴. Temporary employment agencies and OSH rules are being controlled mainly by the SLI itself.

IV. It should be mentioned that the Interinstitutional Cooperation Centre (**the Center**) started operating on 1 February 2024. The Center was established by the SLI together with the State Tax Inspectorate, the **Sodra**, the Financial Crimes Investigation Service (**FCIS**), the Police Department and the State Border Guard Service. The Center is not specializing in a field of the enforcement of the labour and social security rules on the posting of workers in Lithuania, however it works using a method of cooperation solving more complicated and complex matters and therefore, potentially could be used in a future in a field of posting of workers if necessary.

4.4.1 The role of the SLI

According to the SLI, the competence of this institution includes the prevention and control of occupational accidents, occupational diseases, occupational safety and health, breaches of labour legislation, monitoring compliance with the laws and regulations governing occupational safety and health and labour relations (Article 4), including those of posting workers. Moreover, in accordance with Articles 101 and 589 (point 58) of the CAO, the SLI officers also initiate proceedings for administrative offences, investigates administrative offences and draws up administrative offence reports on the violation of the working conditions of the posted workers, in specific cases of failure to:

- ✓ Submit information on a foreigner sent for temporary work to Lithuania in accordance with the established procedure to the SLI;
- ✓ Apply or improper application of the guarantees laid down for posted workers;
- ✓ Submit the declaration of posting of a driver posted to the territory of Lithuania or the documents on the posting of the driver within the set time limit to the IMI.

As described above, according to Article 109.3 of the LC the SLI shall ensure that information on the provisions of Lithuanian normative legal acts shall be made available free of charge, at a distance and by electronic means, to employers under the jurisdiction of the foreign State and to their employees.

Moreover, the SLI has additional powers in the field of the posting of drivers of road transport vehicles pursuant to the RTC. For example, together with the TSA, the SLI is one of the competent authorities of the Republic of Lithuania responsible for cooperation and the provision of mutual assistance to the competent authorities of foreign states in matters relating to the posting of drivers of road transport vehicles. (Article 10¹.8 of the RTC).

The “receiving” perspective and the SLI: According to the LC Article 109.1 an employer subject to the jurisdiction of a foreign state who sends an employee to work temporarily in the territory of Lithuania for a period of more than 30 days or to work on construction works specified in the Law on Construction shall, in accordance with the procedure laid down by the MSSLI, inform the SLI of this fact at the latest prior to the commencement of the work of that employee in the territory of Lithuania. However, this provision in practice was not effective, i.e. not followed by the foreign employers posting their workers into Lithuania. This is why obligation for a receiving employer to notify the SLI / the LDU system has been introduced in 2019.

⁷⁴ Interview with the SLI, June 2024.

The ‘sending’ perspective and the SLI: According to the LC Article 109.3 the SLI shall, without delay and free of charge, provide information to or otherwise cooperate with the competent authorities of other EU MSs on the application of the conditions set out in this Code to posted workers, as well as on breaches of the guarantees of posted workers.

4.4.2 The role of the Sodra and Vilnius Division

The receiving perspective: Article 15¹ (1, point 4) of Law on State Social Insurance (LSSI) provides that the information system of the *Sodra* shall generate a Transparent Worker Identification Code for a person posted to Lithuania who is not insured under this Law, but the information about him/her has been provided in accordance with the procedure laid down in Article 62.8 of Law on the LSF.

Article 40.1 of LSSI provides that the establishments of the *Sodra* shall exercise general powers (including, but not limited to, in the case of the posting of workers) to check the documents on which the social security contributions and benefits they administer are essentially based. Paragraph 2 of this Article provides that civil servant of those establishments shall, in the exercise of the functions conferred on them by this Act, have the right to:

- 1) receive, free of charge, from undertakings, institutions and organisations and other persons, including credit, payment and/or electronic money institutions, information, explanations and copies or copies of documents relating to social security matters necessary for the performance of their duties;
- 2) without prior notice, on production of a service card, enter the premises (including rented premises) or premises of the insurer in connection with its business. Entry without prior notice into the policyholder's premises or premises (including rented premises) shall be only during the policyholder's business hours. Otherwise, the consent of the policyholder is required.

Article 193 of the CAO provides administrative legal responsibility for the violation of the procedure for calculating and/or paying state social insurance contributions, for unlawful reduction of state social insurance (SSI) contributions, evasion of registration as an insured person, or refusal to allow the officials of the administration bodies of the State Social Insurance Fund to inspect the data relating to SSI contributions and benefits, failing to provide them with documents or concealing them, submitting late or failing to submit social insurance reports or other documents necessary for calculating insurable income, social insurance contributions, providing false information, entering incorrect data on income necessary for the award of a SSI benefit.

Administrative offence proceedings shall be initiated, investigated and administrative offence reports drawn up in respect of the offences provided for in Article 193 of the CAO by officials of the FCIS (point 32, Article 589) and of the *Sodra* and of its territorial branches (point 72, Article 589).

The “sending” perspective: Vilnius Division issues and revokes PD A1s on the applicable law, provide information to the competent authorities of other EU MSs on the PD A1s issued on their request.

4.4.3 The role of the PES

The role of the PES covers the “receiving” perspective only.

Article 57.3 of the Law on Employment stipulates that a violation of the procedure of informing about a foreigner posted to Lithuania shall be deemed a situation when the company to which the foreigner is posted for temporary work does not observe the procedure of informing competent institutions following the requirements set out in the Law on the LSF.

Article 62.8 of the Law on the LSF establishes that the employer, the company to which or the natural person to whom the foreigner is posted for temporary work in Lithuania, shall provide information on such a foreigner to the SLI and the PES through the information system of the *Sodra*. As of 1 January 2025, a new version of this legal norm entered into force, additionally obliging companies and natural persons to inform about posted workers also the MD, including the information of employment contract termination. Article 57.3 of the LSF provides that the work permit is issued, withdrawn, and is renewed by the PES. Article 59.2 of the same law specifies that a work permit for a foreigner shall be issued where (to whom) the foreigner is posted for temporary work in Lithuania by the enterprise, which has its registered office in a foreign state other the EU or of the European Free Trade Association.

However, the PES does not carry out checks/inspections on foreigners who have been granted work permits/decisions (nor of posted ones or others). According to the CAO administrative offence proceedings shall be initiated, administrative offence investigations for the violation of the order of entry to the Lithuania, the stay or residence in Lithuania, the transit through Lithuania, or the exit from Lithuania shall be carried out and administrative offence reports shall be drawn up by officials of the Lithuanian Police, the SBGS and the MD (Articles 538 and 589 points 49, 55 and 102 of the CAO), not the PES.

4.4.4 The role of the TSA

The “receiving” perspective: Article 10^{1.3} of the RTC provides that a haulier registered in a foreign country is obliged to submit a driver's posting declaration <...> using the IMI System <...> at the latest prior to the commencement of the driver's posting on the territory of Lithuania <...>.

Article 450.5 of the CAO provides for administrative liability for the carriage of goods by road vehicles where drivers do not have a posting declaration. According to the Article 589 point 63 of the same Code administrative offence proceedings shall be initiated, administrative offence investigations for the violation of the order of entry to the Lithuania, the stay or residence in Lithuania, the transit through Lithuania, or the exit from Lithuania shall be carried out and administrative offence reports shall be drawn up by officials of the TSA.

The “sending” perspective: Article 10^{1.8} of the RTC provides that the TSA and the SLI are the competent authorities in Lithuania responsible for cooperation and mutual assistance with the competent authorities of foreign countries in matters relating to the posting of drivers of road transport vehicles. The cooperation and mutual assistance is carried out through the IMI System <...>. Article 10^{1.9} of the Code provides that the TSA and the SLI, having received a request for assistance from the competent authority of a foreign country through the IMI in respect of the failure of the carrier to submit the documents on the driver's posting within the prescribed time limit, shall have the right of access to the declaration of posting and to any other information submitted by the carrier registered in Lithuania through the IMI. The TSA, after having consulted the declaration, shall request the carrier to submit the necessary documents to the competent authority of the foreign country via the IMI system within 25 working days from the date of the request for mutual assistance.

4.4.5 The potential role of the Centre in the area of posting of workers

The Centre's activities are aimed at preventing and detecting infringements of legislation related to illegal work, undeclared work, forced labour, infringements of the procedure for the employment of foreigners, various abuses aimed at avoiding the payment of taxes and contributions related to labour relations, as well as other infringements on the part of employers in relation to employees, with a view to safeguarding the rights of labour market participants. The Centre analyses risky enterprises on the basis of data provided by

the MSSL, the Labour Disputes Commissions and the SBGS. The SLI during the interviews⁷⁵ did not provide any evidence or examples how Centre acts in a field of the enforcement of the labour and social security rules on the posting of workers in Lithuania, they stated there is no such practice so far. Although we believe this Centre could be important in this field in the future.

4.4.6 Inspectors involved in the enforcement of the posting rules in Lithuania

There is no legal or administrative definition of the notion ‘inspector’. However, an assessment of the national legal framework would suggest that an inspector is a natural person implementing the actions of public administration entities, who is in a legal subordination relationship of employment/civil service related to a specific public administration entity (legal person - employer) and has the relevant powers of inspection, checking and/or supervision as provided for in the legislation (in the CAO and others). The SLI inspectors, for example, are called inspectors, but for example *Sodra* officials are not called inspectors, although they exercise supervisory (in Lithuania “*priežiūros*”) and checks’ (in Lithuanian “*patikrinimo*”) functions in public administration. Moreover, an inspector (in Lithuanian “*inspektorius*” or another civil servant implementing checks or supervisions is usually a person with the status of a civil servant (although given that, as mentioned above, the concept of an inspector does not exist in the Lithuanian legal system, we are unable to confirm whether or not all the persons in question have the status of a civil servant).

As there are no specialized inspectorates specializing only in posting of workers and each and every inspector of the SLI (i.e. 162) potentially might be involved in any inspection and *in the TSA* 23. Should be noted that there is no inspectors involved in full time equivalent nor int the SLI, not in the TSA. It should be noted that total number of inspectors in the SLI is 162 and in the TSA 47 and all of them work as full time equivalent.

All the statistics bellow in this chapter are obtained from the institutions mentioned in this chapter itself directly.

4.4.7 Statistics on the number of inspections related to the enforcement of the posting rules in Lithuania

Lithuanian legislation does not provide for legal or administrative definition of ‘inspection’ itself. The procedure, for example, for conducting SLI inspections is laid down in the SLIL and the Regulations of SLI approved by the MSSL.

The LPA defines two legal concepts related to “inspection”, which are used in virtually all public administration, namely:

- Inspection of the activities of an economic entity - actions of public administration entities regulated by law, which inspect the activity of an economic entity Article 2.15;
- Supervision of the activities of an economic entity - actions of public administration bodies in monitoring compliance with legislation and administrative decisions Article 2.16.

Inspection is one of the ways of supervision of the activities of economic operators.

According to Article 18.1 of the LPA, the supervision of the implementation of and compliance with legislation and administrative decisions includes: (1) monitoring of the implementation of and compliance with legal activities and administrative decisions by public administration entities; (2) checks of the implementation of and compliance with legal acts and administrative decisions by public administration entities; (3) the evaluation by public administration bodies of information on the implementation of, and

⁷⁵ During the preparation of the Report in 2024-2025.

compliance with, regulatory activities and administrative decisions; (4) the imposition of sanctions by public administration bodies for infringements of the implementation of and compliance with legal acts and administrative decisions.

Supervision of the implementation of and compliance with legislation and administrative decisions is only considered public administration if it is ensured by the power conferred on the executing public administration body to issue legally binding instructions to subordinates (Article 18.2 of the LPA). Supervision of the implementation of and compliance with legislation and administrative decisions shall be carried out only within the framework of the powers conferred on the supervising public administration bodies in accordance with the procedure laid down in this Law (Article 18.3 of the LPA). Checks of economic entity can be planned or unplanned. The primary purpose of planned ones is to assess information on economic entity and to provide methodological assistance (Article 33.1 of the LPA).

4.5 Statistics on the outcome of the inspections related to the enforcement of the posting rules in Lithuania

As the main sanctions relevant to the topic at hand are provided for in the CAO, we will refer to the concepts set out in this Code (Article 5 "Administrative offence"):

1. An administrative offence is a dangerous act (act or omission) committed by the perpetrator, prohibited by this Code, which meets the characteristics of an administrative offence for which an administrative penalty is provided.

2. A person shall be held administratively liable under this Code for an offence which meets the elements of an administrative offence provided for in this Code, provided that the offence does not give rise to criminal liability.

Bellow we provided only statistics of the SLI and the TSA as the main institution related to the inspections of posting of workers. The PES, however, does not carry out any inspection in the fields. While Vilnius division claimed to be working with documentation checks only, if necessary. Therefore, to their understanding they are not authorised and do not carry out any inspections.

Outcome of the SLI inspections:

The general statistics of the SLI does not reflect outcomes of inspections how they specifically related to the posting of workers, nor it was carried out any specific inspections related to posting of workers in 2023 by the SLI.

The SLI Carried out 10 639 inspections in total in 2023. The SLI did not carry out any specialised inspections targeting posting of workers/ posted workers in 2023. However, specialised inspections were carried out in 47 enterprises / economic entities, other companies did not make any breaches in 2022.

The SLI carried out targeted inspections of companies employing posted workers in 2024. In total, inspections were conducted in 28 companies in 2024. During these inspections, 12 administrative offence protocols were drawn up for illegal and undeclared work, as well as for breaches of the procedures governing the employment of foreign nationals. The main infringements identified concerned the failure to submit mandatory LDU notifications. The main challenge, is the SLI stated, is „identifying companies that have not been inspected previously and where the presence of posted workers is expected”.⁷⁶

⁷⁶ Interview with the SLI, January 2025.

The total number of inspections carried out by the TSA, therefore related to transport vehicles and their drivers only were as follows:

- ✓ 6,937 inspections of transport vehicles and their drivers were conducted, of which 2,784 concerned foreign hauliers in 2023. In 7 cases infringements have been detected and no breaches in the rest of the cases in 2023,
- ✓ 15,891 inspections were carried out in total, of which 11,415 involved foreign hauliers in 2024; and
- ✓ 10,889 inspections were conducted, of which 9,735 concerned foreign hauliers in 2025 (covering the first 11 months of the year).

4.5.1 Statistics on the type of infringements detected during inspections related to the enforcement of the posting rules in Lithuania

Type of infringements detected during inspections related to the enforcement of the posting rules in Lithuania:

By the SLI out of 10 in 2022:

- ✓ in 2 cases breaches in the recording of working time and rest time of posted workers were found;
- ✓ in 7 cases breaches were detected in companies related to non-declaration or late declaration of posted workers, such as failure to submit work permit notifications for foreigners;
- ✓ in 1 case breach was detected as employer did not have and could not provide to the inspector documents relating to the posted worker.

By the TSA in 2023: 7 infringements detected by the TSA. All of them were related to the breach of the obligation to have declaration (Article 450.5 the CAO).

The sanctions imposed by the SLI:

Article 23.1 of the CAO establishes that a person who commits an administrative offence/breach of law may be subject to the following administrative penalties: 1) warning; 2) fine; 3) community service. Community service shall be imposed as an alternative administrative sanction to a fine or part of a fine in accordance with the procedure laid down in this Code (Article 23.2 of the CAO).

In 2023

- ✓ in 2 cases of breaches in the recording of working time and rest time of posted workers with fines of €210 each case was imposed;
- ✓ in 7 cases of breaches were of non-declaration or late declaration of posted workers, such as failure to submit work permit notifications for foreigners' fines of amount of €180-200 euro were imposed;
- ✓ in 1 case breach was detected as employer did not have and could not provide to the inspector documents relating to the posted worker - a fine of €120 (less than the above-mentioned fine) was imposed under Article 96.2 of the COA for violation of labour law and occupational safety and health legislation. Fines were imposed both to legal (enterprises) and physical persons (responsible persons in enterprises).

According to the SLI and MSSL data, in 2024, four infringements related to the working conditions of workers posted **to** the RL were identified (compared to three in 2023 and seven in 2022). These involved breaches concerning the working conditions of employees hired through temporary employment agencies, maximum working hours, minimum rest periods, and other violations. Meanwhile, 24 infringements were identified in relation to the working conditions of workers posted **from** the RL (compared to 10 in 2023 and two in 2022). These primarily concerned issues such as wage determination, the procedure for concluding employment contracts, and other related violations.

Fines amounting to approximately EUR 15,000 were imposed in 2025. In accordance with the SLI activity plan, inspections were also carried out in companies employing posted workers. A total of 27 inspections were conducted and were highly effective: 9 illegally employed foreign nationals were identified, 7 administrative offence protocols were issued, and fines amounting to approximately EUR 35,000 were imposed in 2025.

In 2025, the SLI identified violations in the following sectors: manufacturing; construction; transport and storage; and professional, scientific and technical activities. In 2024, violations within these sectors were identified in the following specific activities: manufacture of plastic plates, sheets, pipes and profiles; wholesale of solid fuels; construction of residential and non-residential buildings; other specialised construction activities not elsewhere classified; data processing, web hosting and related activities; installation of water supply, heating and air conditioning systems; repair and maintenance of various types of ships; wholesale of pharmaceutical goods; and road freight transport.

The main subcategories of violations identified by the SLI in 2025 were as follows:

- ✓ Obstruction of a labour inspector in performing their assigned duties
- ✓ Failure to provide documents or concealment of documents
- ✓ Non-compliance with lawful requirements or instructions of a labour inspector
- ✓ Violation of procedures for reporting employed foreign nationals
- ✓ Responsibility of the contractor / host company for illegal employment
- ✓ Other guarantees for employees seconded to Lithuania
- ✓ Violations of procedures for employing third-country nationals

The sanctions imposed by the TSA:

Article 450.5 the CAO provides for administrative liability for the carriage of goods by road where drivers do not have a posting declaration, which carries a fine of between EUR 300 and EUR 500 for drivers and between €400 and €700 or the managers of legal persons or other persons in charge of the management of freight transport activities. In all cases, according to the information provided by the TSA, the drivers were fined between €300 and €500, or half of the minimum fine (an administrative instruction (in Lithuanian – “administracinis nurodymas” is imposed if the person has not already been sanctioned for such an offence in the 12 months preceding the offence, Chapter XXXI of the CAO).

Statistics on the recovery of financial sanctions (fines) and un(der)paid remunerations in Lithuania⁷⁷

There is no legal definition of ‘recovery’ in Lithuanian legislation. Article 676 of the COA "Enforcement of penalty (fine) orders" provides that if the offender fails to pay the fine within the time limit set out in Article 675(2) of this Code, or if a part of the fine is not paid on time in accordance with the procedure for staggering its payment, and the payment of the fine in instalments is interrupted, the penalty order shall be submitted to the enforcement procedure (Article 676.1). The fine shall be enforced by bailiffs in accordance with the procedure laid down in the Code of Civil Procedure (Article 676.2). We did not manage to obtain any further information about recoveries.

⁷⁷ As a result of sanctions imposed for infringements detected during inspections related to the enforcement of the posting rules.

4.6 Possible irregularities

The official information obtained from institutions through a formal request for the preparation of this Report, as well as publicly available data, will be supplemented with data and expert opinions gathered during qualitative interviews.

As, during the preparation of this Report, only limited information was available regarding violations identified during inspections, this study relies primarily on information gathered through interviews with experts, representatives of the SLI⁷⁸, trade unions, and legal practitioners.⁷⁹ The aim was to determine which types of violations related to the posting of workers occur in practice.

4.6.1 Fictitious posting

Based on the interviews conducted, several key issues related to the posting of workers from Lithuania were identified. These include instances of fictitious posting, whereby workers were formally posted from Lithuania despite not being genuinely employed there or having any real connection to the country. Engaging in fictitious posting often involving TCNs formally employed by companies registered in Lithuania (frequently companies established by Ukrainian nationals), however not only – some EU nationalities are also involved. In such cases, employers obtain documents legalising employment in Lithuania (typically notifications of employment), but the individuals never actually begin work in Lithuania. The sole purpose for the TCNs is to use this status as a means to gain entry into other EU/EEA countries. This constitutes a distortion and misuse of the posting mechanism, originally intended as a legitimate form of cross-border service provision.

Regarding Belgium, a phenomenon involving so-called “mailbox companies” has been identified. The SLI received a formal request via the ELA from Belgium concerning multiple Lithuanian companies whose directors are interconnected. These companies employ EU citizens—primarily from countries such as Romania, “where living standards are lower, as well as TCNs who, in reality, work exclusively in Belgium, mostly in warehouses. Although officially employed by companies registered in Lithuania, these workers have often never set foot in Lithuania”⁸⁰.

An investigation was initiated, revealing that foreign nationals coordinate employment arrangements with employers based in Belgium, the Netherlands, and Germany. These workers generally have little or no knowledge of Lithuania, other than perhaps having visited as tourists. Despite this, their contracts are governed by Lithuanian law, their work is supposedly based in Lithuania, and their wages are paid there. However, this arrangement serves as a mechanism to avoid taxes in Lithuania, while the employees physically perform their work in Western European countries such as Belgium, the Netherlands, and Germany. Notably, these workers do not return to Lithuania and lack social security protections, when accidents or illness happens, as periods of unemployment are often recorded as unpaid leave or downtime. The investigation was prompted by incidents in Belgian warehouses where workers suffered serious injuries, raising questions about insurance coverage and liability for compensation. When asked whether these entities operated as temporary employment agencies, the response was negative; however, the investigation focuses on three companies each employing approximately 1,000 workers. These companies operate through accounting firms without actual offices in Lithuania, effectively functioning as “mailbox companies.” They rent postal addresses, maintain only accounting services, and lack any physical premises for document management.

⁷⁸ Interview with representatives of the SLI, May 2025.

⁷⁹ Interviews September - December 2025.

⁸⁰ Interview with representatives of the SLI, May 2025.

4.6.2 Wage-related abuses

Additional concerns relate to wage-related abuses, such as underpayment through informal oral arrangements, manipulation of daily allowances (per diems), partial payment or non-payment of wages through unpaid leave or lay-offs, and consequently the avoidance of tax and social security contributions. TU representatives during the interview stated that they face various situations where employers' promises made prior to recruitment of TCNs regarding remuneration levels were only partially implemented in practice. In reality, employees received lower wages than those promised before employment. Furthermore, drivers were instructed to remove their time cards during certain periods which, by their nature, should be regarded as working time. As a result, these periods were unlawfully excluded as a result of from fraudulently recorded working hours, leading to an improper reduction in payable wages. One of the major issues is that drivers themselves cooperate with their employers in complying with these unlawful demands, which makes it practically impossible to prove any working time recording breaches.

According to data obtained through interviews with representatives of the MSSL, the transport sector recorded more than five million days of unpaid leave in 2024. Nevertheless, such periods of unpaid leave or other non-insured periods are permitted under Lithuanian law and must not exceed 90 days within any 180-day calendar period. Representatives of the business community have indicated that a significant share of this unpaid leave (which is treated as non-insured period) results from the personal choices of drivers who are TCNs, particularly their decisions to return to their countries of origin to visit family members or to remain on holiday between assignments in various Western European countries rather than returning to Lithuania. This position has been confirmed during interviews with representatives of the MSSL. Such an established legal practice model is also reflected and perpetuated in the works of legal scholars (Petrylaitė et al, 2022).

However, in the course of preparing this Report, we were unable to identify comprehensive, sector-wide work and rest time planning practices that would substantiate the claim that this pattern of unpaid leave genuinely reflects the free and informed choice of the workers themselves, namely the drivers. Therefore, there are currently no adequate tools to objectively measure the extent to which foreign workers voluntarily take unpaid leave, making it challenging to assess the prevalence and impact of this phenomenon.

However, it is important to note that according to the Order No V-253 an employee is not considered to meet the condition of being de facto insured in Lithuania for those calendar months during which a period of non-insurance covering the entire calendar month is recorded in the Register of Persons Insured by State Social Insurance of the RL and Recipients of State Social Insurance Benefits (point 22² valid since 10th of July, 2021). But not under Article 13 of the BR.

It is important to emphasise that there is active cooperation and communication between institutions across different countries regarding possible violations. These institutions exchange information and support one another in the investigation and enforcement processes.

A legal expert working in the transport sector revealed that many cases in Lithuania concerning the guarantees applied—or improperly applied—to posted workers are initiated by the Lithuanian Carriers' Trade Union primarily related to unpaid or underpaid wages for drivers. A significant challenge is that these cases often proceed to court, where judges request information from foreign state labour inspectorates regarding the appropriate wage levels that should have been applied. Frequently, courts do not receive timely or any responses from these foreign labour inspectorates, which complicates the adjudication process. In this context, it is important to highlight that the Supreme Court of Lithuania has ruled that the determination of wages is a matter of law rather than fact. Consequently, the courts themselves must establish and verify the appropriate wage levels, as relying solely on the evidence provided by the parties is insufficient. This procedural requirement often results in prolonged case durations. According to the expert, approximately

50% of the labour disputes currently handled by the dispute commissions within the SLI relate precisely to these issues.

It is posited that significant issues arise from the practice of increasing wages through the allocation of per diems, particularly within the transport sector, where per diems may constitute up to 50% of total remuneration. This wage structure has notable social implications, as per diems are currently exempt from taxation, thereby reducing the social security contributions of workers and potentially undermining their long-term social protection.

4.6.3 Possible irregularities related to liberalisation of regulations governing temporary employment agencies

Currently, it appears that there are notable developments involving transport companies in Lithuania. During an interview, representatives of the SLI stated that, following the liberalisation of regulations governing temporary employment agencies, such agencies have increasingly begun employing TCNs as temporary workers and immediately posting them abroad—typically to Germany—to user undertakings. Certain temporary employment agencies actively seek and recruit temporary workers in Lithuania for the purpose of hiring them out, primarily to businesses based in Germany. These claims are supported not only by the SLI interview but also by publicly available job advertisements, which offer positions for drivers holding category C or CE licences in Germany.

A simple internet search using keywords such as "*įdarbiname darbui Olandijoje*" (we hire for work in the Netherlands) yields numerous advertisements for similar jobs—not only in Germany, the Netherlands (e.g., for drivers, warehouse workers), but also in Belgium (e.g., factory work), Denmark (e.g., construction), and Spain (e.g., agricultural work). This evidence suggests that these are not cases of existing company employees being temporarily posted abroad, but rather a broader phenomenon involving so-called "*employment business schemes*", in which individuals are hired in Lithuania specifically to meet labour demands in Western European countries. At present, there are no available methodologies to measure the precise scale of this phenomenon—that is, how many of the PD A1s issued relate to such cross-border labour supply schemes, and how many genuinely concern the posting of regular employees of Lithuanian companies.

The core issue here relates to Article 2 of the PWD, which defines the concept of a "posted worker".

Article 2 - Definition

1. For the purposes of this Directive, a "posted worker" means a worker who, for a limited period, carries out work in the territory of a MS other than the State in which he or she **normally works**.
2. For the purposes of this Directive, the definition of a worker is determined by the law of the MS to whose territory the worker is posted.

This situation raises important questions regarding the adequacy of social protection for transport workers and the potential fiscal implications for state revenue, underscoring the need for legislative reform and rigorous enforcement.

Regarding the issue of social security protections, representatives from the transport sector unanimously agree that employees—particularly those from Belarus—prefer to take their rest periods outside Lithuania, often returning to their country of origin. Concurrently, there is a notable tendency within Lithuania to formalise these rest periods as unpaid leave, meaning that some of this additional time is not covered by social insurance.

When discussing the statistics collected through the PD A1 system, it is important to note that while the data reveal the overall destinations and economic sectors involved in postings, they do not provide insight related business models governing these postings. Specifically, the Vilnius Division does not collect statistics distinguishing whether employers post their employees temporarily to provide services to another service contract party or to their own branch abroad. Similarly, *Sodra* lacks information on whether Lithuanian workers are posted by temporary employment agencies to temporary work users. According to two interviews with representatives of the SLI, this latter model—where temporary employment agencies post workers from Lithuania, particularly in the transport sector—is currently wide spreading.

In a subsequent interview, a representative of the SLI noted that temporary employment agencies based in Lithuania typically post TCNs—particularly those working in the transport sector—to temporary work users in Germany. The same representative also highlighted that in companies licensed to carry out international transport operations, approximately 90% of the workforce consists of foreign nationals. This suggests that Lithuania is not primarily addressing domestic labour market needs but is, in effect, responding to labour shortages in Western European countries, such as Germany, which, according to the SLI, is currently facing a significant shortage of drivers. According to the SLI expert⁸¹, the vast majority of these posted workers indicate that their actual workplace is located abroad. Nevertheless, their PD A1 - confirming social insurance coverage—are issued by Lithuanian authorities.

Another concern is that many of these posted workers spend the majority of their time outside Lithuania. Although they hold temporary residence permits, in practice they predominantly live abroad (i.e. during their rest or idle periods). This raises potential issues regarding their access to healthcare and other social insurance benefits in Lithuania. Sociological surveys targeting such posted workers would be particularly useful in identifying and understanding the scope of these social protection gaps, whether they in fact exist, and to what extent.

With regard to temporary employment agencies posting workers to Lithuania, interviews with representatives of the SLI revealed that while in the past such postings primarily involved the construction sector, they now predominantly concern industry and manufacturing. TCNs are most frequently posted to Lithuania from Latvia and Poland.

Even where these agencies are obliged to inform the SLI about postings, errors occur. For example, agencies may declare that a worker is posted to India, when they in fact mean that the posted worker is an Indian national, without specifying the actual destination. As a result, although such information is updated monthly and is held by the SLI, it is not suitable for more detailed analysis.

4.6.4 Practices of Lithuanian businesses to establish themselves in other MSs

It is also important to note that PD A1s do not capture scenarios in which Lithuanian nationals establish companies in Poland and post workers to Lithuania via those entities. In such cases, PD A1s remain under the jurisdiction of Polish institutions. From Lithuania's perspective, such arrangements may constitute tax avoidance schemes. At the same time, these practices may also relate to the freedom of establishment: Lithuanian companies may choose to register in other EU MSs where it is more advantageous for them from a business perspective, for example due to more favourable regulatory, tax, or other.

Favourable conditions in some MSs also extend to easier access to residence permits for TCNs, more lenient procedures for employing them, and a generally less restrictive legal environment for temporary employment agencies. For example, Poland allows businesses to "employ" individuals as self-employed

⁸¹ Interview with the SLI expert (AP).

persons who are then treated similarly to employees and can be posted by a “contracting entity.” Consequently, when Lithuanian businesses operate through Polish-registered entities and post workers to Lithuania, they may avoid the obligation to pay social insurance contributions and personal income tax. These responsibilities fall on the workers themselves, who are often unaware of this and may ultimately be left uninsured.

The rationale behind similar patterns involving Latvian businesses remains unclear. For example, Latvian nationals appear to be establishing companies in Lithuania on a similar basis, hiring directors, and subsequently posting workers either back to Latvia or potentially to other countries. In such cases, the PD A1s remain in Lithuania. Therefore, it would be relevant to analyse how many A1 forms have been issued in Lithuania for the purpose of posting workers to Latvia.

4.6.5 Self-employed as posted workers: lacking social insurance?

Irregularities in postings to Lithuania are predominantly linked to workers sent from Poland, including TCNs registered as self-employed there. Available evidence suggests that some of these individuals have never actually been present in Poland. In practice, such postings may be facilitated through entities established in Lithuania by Polish companies. As a result, the SLI frequently does not recognise these arrangements during inspections, since the workers lack a conventional employer and therefore workplace relationship in the country from which they are ostensibly dispatched. Consequently, when posted as self-employed or employed persons, these workers may fall outside the Polish or Lithuanian tax and social security systems. Article 109.4 of the LC states that a worker posted into the territory of the RL may defend their violated rights in accordance with the procedure for examining labour disputes on rights.

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