

# SEASONAL WORK IN GREECE



Guide about employment and social security  
of seasonal workers in Greece



# Table of Contents

DEFINITION.....	2
LEGAL FRAMEWORK.....	2
EMPLOYMENT CONTRACT.....	3
Early termination of the contract.....	3
Working Hours.....	3
Breaks, holidays.....	4
SALARY.....	5
Payment of Remuneration.....	5
Time of salary payment.....	5
How to pay the salary.....	5
SAFETY AT WORK AND SOCIAL SECURITY ISSUES.....	6
Benefits for Insured.....	6
Innocent Barrier – Illness.....	7
SPECIAL LEGAL PROVISIONS FOR THE PROTECTION OF THE RIGHTS OF SEASONAL WORKERS.....	8
A. Generally.....	8
B. Special provisions during the covid pandemic – the golden rule of "50".....	8
USEFUL LINKS.....	9

# DEFINITION

According to the Greek legislation and actual practice, **seasonal work** belongs to the flexible type of contracts, since it is provided only for a special period of time (up to six months), thus providing crucial support either to businesses involved in certain sectors, mainly tourism and agriculture, or to all-season businesses for the cover of special needs.

# LEGAL FRAMEWORK

The principle of free movement applies for all EU citizens. It is important to note, though, that the significant increase in demand usually results in employing third country national employees as well.

The Law 4332/2015 has modified the previous 4251/2014 (immigration code), in order to accomplish the adjustment of the Greek legislation to the Directive 2014/36/EU.

According to it, **seasonal work** means that it is offered up to six months on an annual basis in certain financial sectors.

Regarding the employment of the third country citizens, a complicated procedure is described involving the Greek state, through the issue of a ministerial decision depicting the potential vacancies per season, as well as the employers, through the filing of a relevant application under special terms.

# EMPLOYMENT CONTRACT

According to the Presidential Decree 156/1994, which also applies to fixed-term employment contracts, the employer bears the obligation (under penalty) to inform the employee within two months after recruitment in written form (the employment contract or other document) about the following specific terms:

- identification of the employer and the employee
- location of employment
- employee's exact field of specialty, employment category and duties
- date of the first day at work and the duration of the contract
- duration and terms concerning the paid leave
- terms concerning the earlier termination of the work contract (reasons, procedure, notification, compensation)
- salary and any kind of extra earnings
- daily and weekly working hours
- the collective agreement that might apply

## Early termination of the contract

A fixed-term contract can be terminated before it expires only upon a "serious reason", which could either involve the quality of the services provided by the employee or the employer him/herself and the activities of the business. In these cases, the employer is not obliged to pay compensation, although the meaning of the legal term "serious reason" is subject to interpretation from the courts. If the reason invoked is not judged as serious, the notice of termination of the contract is considered as invalid and compensation must be paid.

## Working Hours

**Legal working hours** are the working hours determined by legal provisions.

With article 55 of L.4808 / 2021 (Government Gazette A '101), the legal weekly working hours were set at 40 hours for each employee with a dependent employment relationship. For a 5-day working week the full conventional schedule is 8 hours per day and for a 6-day week the full schedule is six hours and forty minutes per day.

**Conventional working hours** are called the working hours determined by individual or collective agreements and may be shorter but never longer than the legal one.

In particular, with the 14-2-84 National General Collective Bargaining Agreement (EGSSE) it was set at 40 hours per week which amounts to 8 hours per day for five days of weekly work and 6.40 hours per day for six days of weekly work.

Στο πλαίσιο διευθέτησης του χρόνου εργασίας παρέχεται η δυνατότητα 4ημερης πλήρους απασχόλησης διάρκειας 40 ωρών εβδομαδιαίως και 10 ωρών ημερησίως, ύστερα από αίτηση του εργαζόμενου. Δεν είναι επιτρεπτή η απασχόληση πέραν των 10 ωρών ημερησίως και των 40 ωρών εβδομαδιαίως που κατανέμεται σε 4ήμερη βάση.

## Overtime and overtime employment

Exceeding 8 hours per day for five days and until 9 o'clock or 6.40 hours per day for six days and up to 8 o'clock provided that there is an excess of 40 hours per week and up to the limit of 45 hours for five days and 48 hours for six days is, according to Art. 1, Law 3385/2005 as amended by paragraphs 10 and 11 of Art. 74, Law 3863/2010, **overtime**, the accomplishment of which is at the discretion of the employer.

The 5 hours of overtime work for five days (from the 41st to the 45th hour) or the 8 hours of overtime work for six days (from the 41st to the 48th hour), are paid with the hourly wage **increased by 20%** and are not included in permitted overtime limits provided for in the relevant provisions.

Employment beyond 45 hours per week for five days and 48 hours per week for six days is considered - according to par. 2, Art. 74, Law 3863/2010 - overtime and is governed by all legal consequences, formalities and legalization procedures. It is paid with the hourly wage **increased by 40%**.

### **Legalization of overtime**

Overtime and overtime employment are legal only if they have been registered by the employer in the ITS "ERGANI", before the start of their implementation [(Art. 36, Law 4488/2017, as replaced by par. 1, Art. 80, Law 4144/2013)]

### **Breaks, holidays**

In any case where the daily working time exceeds 4 hours, a break of 30 minutes maximum must be granted, during which employees are entitled to leave their place of work. These breaks are not allowed to be granted continuously at the beginning or the end of the daily work (Art. 4, PD 88/1999). It has been clarified that break time is not working time.

# SALARY

There are no special provisions about the gross minimum salary in seasonal work. Therefore, apart from the general provisions, the salary is usually determined through collective agreements, especially in the tourism sector. These are usually in favour of the employee, since they usually provide for special bonuses and premiums.

Also, on an individual basis and depending on the type of the sector, the type of the contract and the special circumstances, other non-wage benefits could possibly be predicted (accommodation, meals etc.)

A person working in **Food/Hospitality/Tourism/Catering** in **Greece** typically earns around **1.620 EUR** per month. Salaries range from **620 EUR** (lowest average) to **4.520 EUR** (highest average, actual maximum salary is higher). This is the average monthly salary including housing, transport, and other benefits.

Salaries vary drastically between different Food/Hospitality/Tourism/Catering careers.

Here are some examples of the average wage per occupation:

Maid	Hotel	600 EUR	Dishwasher	570 EUR	Barista	900 EUR
r	Bartende	930 EUR	Front Desk Agent	860 EUR	Dining Room Supervisor	1.3 10 EUR
	Waiter / Waitress	720 EUR	Front Office Manager	1,55 0 EUR	Head Concierge	1.1 80 EUR
	Cook	1.3 00 EUR	Kitchen Staff	800 EUR	Luggage Porter	590 EUR

Source: [Salary Explorer](#)

## Payment of Remuneration

### Time of salary payment

The salary must be paid at the end of each period, which is the basis of its calculation (day-week-month). However, it is permissible by a different agreement, explicit or implicit, to specify e.g. that the monthly salary will not be paid at the end of each month but at intervals (eg at the end of each week or fortnight), as it can also be determined that the daily wage will not be paid every day but at the end of each week. In the event that there is no specific agreement on the time of payment of the salary, the last day of the period based on which the salary is calculated is considered a clear day, in the sense that from this day, the employer who does not pay the salary becomes overdue and therefore owes default interest.

### How to pay the salary

According to Nr. 26034/695/2019 (B 2362) Joint Ministerial Decision, the employers are obliged to pay the salaries of the employees exclusively in the payment accounts of the beneficiary employees, stating for each payment the reason and the time period it concerns. Payments to the accounts of eligible employees are made in any way, including the use of electronic means of payment or payment service providers.

# SAFETY AT WORK AND SOCIAL SECURITY ISSUES

The employer is obliged to provide all necessary means and measures for safety at work under all circumstances and free of charge. All employees under any kind of working contract are insured for medical care and pension. For seasonal workers employed in agriculture who are insured as employees or self-employed persons in their country of origin, it is advisable to apply for an A1 PD before their departure and also for a European Health Insurance Card.

## Benefits for Insured

### 1. Benefits in kind

The benefits in kind are provided by the National Organization for the Provision of Health Services (EOPYY) based on the Unified Regulation of Health Benefits (EKPY) ([eopyy.gov.gr/ekpy/view](http://eopyy.gov.gr/ekpy/view)).

Conditions for granting:

The directly insured of EFKA are entitled to benefits in kind if they meet the conditions for granting insurance capacity in kind and specifically:

- Employees are required to have completed fifty (50) days of insurance either in the previous year of illness or in the previous 15 months without in the latter case taking into account the last calendar quarter.
- The self-employed are required to have completed two (2) months of insurance during the previous calendar year.

### 2. Cash benefits

The cash benefits are as follows:

- a) sickness benefit
- b) maternity allowance
- c) invalidity or incapacity benefits
- d) funeral expenses
- e) other benefits

Employees of EFKA are subject to cash benefits from the former IKA-ETAM if: they have completed one hundred and twenty (120) working days in the previous calendar year of the announcement of the illness or the probable / actual date of birth or during the previous 15 months, not including in this case the working days that took place during the last calendar quarter of the 15 months in accordance with the provisions of par. 2, Art. 48, Law 3655/2008.

The directly insured of EFKA, who work in the private sector and are covered by the insurance of the former IKA-ETAM, are entitled to the sickness benefit according to Art. 35, Law 1856/1951 and is granted with the following conditions:

- Due to physical or mental illness they are deemed unable to continue their work according to the opinion of the treating physician and approval by the primary or secondary health committee of PEDY when the opinion is from a private doctor and when they are sick for more than 15 days.
- They are fired from their job after a certificate provided by the employer.
- The abstention lasts more than 3 days from the announcement (waiting time).
- During the period (1-3 days) from the declaration of incapacity for work until the beginning of the subsidy from IKA the employer is obliged to pay only half of the salary or the corresponding salary, and is not supplemented by IKA (article 5 of n. 178/1967). For this period the employer is obliged to pay stamps.

- If the illness lasts more than 3 days, the employee is entitled to receive a sickness benefit from IKA-ETAM from the fourth (4th) day and for as long as the illness subsidy lasts. If the employee has been working for more than 10 days, the employer is obliged to pay the difference between the salary and the sickness benefit for up to 13 days, when the employment is up to one (1) year, or 26 days or one month when the employment is beyond (1) year. The employer is obliged to pay the corresponding insurance contributions (Art. 657 and 658 of the Civil Code).

## **Innocent Barrier – Illness**

### Articles 657 and 658 of the Civil Code

Article 657 of the Civil Code (Presidential Decree 456/84) stipulates that: The employee retains his claim for the salary, if after at least ten days of employment he is prevented from working for a good reason that is not due to his fault.

The employer has the right to deduct from the salary the amounts that, due to the barrier, were paid to the employee by insurance obligatory by law".

Article 658 of the Civil Code stipulates: "The period during which the claim for wages in the event of a barrier is maintained, according to the previous article, may not exceed one month, if the obstacle occurred at least one year after the start of the contract, and the half of a month in any other case. The claim for this period exists even if the employer terminated the lease, because the obstacle provided him with this right".

The provisions of the above articles constitute a mandatory law and therefore no contrary individual or collective agreement is allowed as to the lower limits of the time during which the employee's claim to receive his salary is maintained.

# SPECIAL LEGAL PROVISIONS FOR THE PROTECTION OF THE RIGHTS OF SEASONAL WORKERS

## A. Generally

The Greek legislation also provides for specific regulations aiming to protect the rights of the seasonal workers.

In the tourism sector, the most important right concerns their re-employment during the following season, provided they apply for it within due course of time. If the employer denies to renew the work contract or dismisses the employee, the latter is entitled to certain types of compensation depending on the circumstances. This right is based on the constitutional principle of equality and protection of work, as well as on the article 8 of the Law 1346/1983, as modified by Law 1545/1985 and specified by collective agreements. Moreover, depending on the total duration of their working contracts, seasonal workers are also entitled to certain financial allowances and benefits from the employer.

During the so-called “dead period”, the seasonal workers are subject to special provisions concerning the unemployment benefit supplied by the Greek PES (OAED).

Moreover, they are entitled to a special seasonal allowance by OAED, usually in the autumn, depending on their field of specialty and their insurance days during the previous period.

## B. Special provisions during the covid pandemic – the golden rule of "50"

During the COVID pandemic, the sectors of accommodation and food services, as well as manufacturing, have been dealt a heavy blow, while the primary sector of economy (agriculture, forestry, fishing) has suffered a moderate impact. This resulted in job losses and declining working hours.

Therefore, special regulations were issued for the financial support of the seasonal workers:

- ✓ monthly allowance for the seasonal workers whose employment contract was suspended due to the restriction measures, plus
- ✓ the golden rule of “50” for the unemployment benefits in favour of the seasonal workers
  - 50** insurance days required per season
  - 50** insurance days for the characterization of seasonal worker for those working for the first time under this category
  - 50** days expansion of the unemployment benefits for all seasonal workers

# USEFUL LINKS

<https://www.oaed.gr/> - Hellenic Manpower Employment Organization

<https://www.efka.gov.gr/el> - National Institution for Social Security

<https://ypergasias.gov.gr/> - Ministry of Employment and Social Affairs

<https://www.sepenet.gr/liferayportal/2> - Labour Inspection Corps

<https://www.kepea.gr/#> - Information Center for Employees & Unemployed

<http://www.minagric.gr/index.php/en/> - Ministry of Rural Development and Foods

<https://mintour.gov.gr/en/archiki-english/> - Ministry of Tourism

<https://sete.gr/en/> - Greek Tourism Confederation

<https://www.gov.gr/> - Digital Gate connecting online services of public services