

LAW & POLICY GROUP | [GRIST](#)

## EU COURT: THIRD-COUNTRY WORKERS ENTITLED TO SOCIAL SECURITY RIGHTS AND BENEFITS

*By Mercer's Fiona Webster and Stephanie Rosseau  
20 Feb 2019*

Third-country nationals who are legally allowed to stay and work temporarily for an employer in the European Union (EU) and who work in two or more member states are covered by the EU's [social security coordination regulations](#) and entitled to benefits under the applicable national law, the EU's Court of Justice [ruled](#). The regulations allow people who work in multiple member states to pay only one set of social security contributions at a time.

Some member states had excluded third-country nationals from the scope of the EU social security regulations on grounds that these individuals didn't have a legal residence in a member state. This meant that people from outside the EU working in multiple member states — and their employers — had to pay social security contributions in more than one country.

The ruling likely will extend to the UK after its departure from EU membership — at that point, the UK could have third-country national status. Denmark's current exemption from extending social security coordination to third-country nationals (with the exception of nationals from other Nordic countries — Iceland, Norway and Sweden) is unchanged by the ruling.

### RELATED RESOURCES

- [Judgment and Preliminary Opinion](#) (Court of Justice of the European Union, 24 Jan 2019)
- [EU Social Security Coordination](#) (European Commission)

*Note: Mercer is not engaged in the practice of law, accounting or medicine, and this article, which may contain commentary on legal, tax or medical issues or regulations, does not constitute and is not a substitute for legal, tax or medical advice. Mercer recommends that readers of this article secure the advice of legal or tax counsel or a medical expert regarding any legal, tax or medical matters related to this article or otherwise.*