Work clothes

An employer is required to provide, at the employer's expense, an employee with personal protective equipment, special work clothes, and cleaning and washing means if the nature of the work so requires, and arrange training for the employee in the use of personal protective equipment (**clause 11 of subsection 1 of § 13 of the Occupational Health and Safety Act**).

Thus, work clothes, protective clothing and personal protective equipment provided by an employer are not considered to be a fringe benefit for the purposes of the Income Tax Act in a situation where, due to the nature of performance of work, it is necessary to wear the required work clothes in the performance of the duties.

As a rule, suitable clothing based on the nature of work is deemed to be work and protective clothing, which also considers the safety of work.

Employers must provide dressing rooms for employees wearing work clothes and must also provide a rooms for warming up and drying room for clothes to employees working outdoors (**subsection 3 of § 11 of the Occupational Health and Safety Act**).

If an employer establishes rules to its employees regarding wearable clothing at work (for example, employees must attend clients in respectful clothing) which cannot be regarded as the above-mentioned work or protective clothing, the employer must take into account the tax liability. If the employer reimburses the costs of acquiring the so-called respectful clothing or pays for it, then it is considered the employer providing the employee with a financially valuable benefit, which is treated as a fringe benefit according to **subsection 4 of § 48 of the Income Tax Act**.

If, for example, the employer prescribes uniform, so-called corporate clothing (formal suits, blouses, vests, shoes, etc.) for employees working in service halls, salons, etc., which is generally used at work, but which employees can also use outside of working hours, then taxation must be based on the principles set out in **subsection 3 of § 32 of the Income Tax Act**.

This means that the employer must determine the proportion of use of work clothes in business and personal consumption. If the employee pays for the part of personal consumption, there is no tax liability. If the employer pays for it, it is a fringe benefit. If the employer ensures that such clothing is only used at the place of work (employees change their clothes to work clothes before starting work and after the end of working time), there is no tax liability.

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