

**Fifth meeting of the European Labour Authority
Working Group on Inspections
7 October 2020**

- Summary of the deliberations -

The Experts appointed by the ELA Management Board Members met in video conference on 7 October 2020 for the fifth meeting of the ELA Working Group on Inspections. The aim of the meeting was to provide updates from the Commission, to debrief on ELA pilot inspections and to update on ELA participation in the EUROPOL-EMPACT Joint Action Days. The deliverables were presented and discussed, together with the draft Guidelines for CJIs. The Experts also discussed trainings for 2020 and 2021. At the end of the meeting, the ELA task on Analyses and Risk assessment was presented. The representatives of PwC (ELA's contractor for consultancy and training services in 2020) attended only the relevant parts of the meeting.

Commission updates

During the meeting, the European Commission updated the Working Group on its initiatives, including on the protection of seasonal worker's rights. The Commission also informed the Working Group about the #EU4FairWork campaign and its week of action and on the adoption of the Work Programme 2021-2022 of the European Platform tackling undeclared work, in view of its transfer to ELA in 2021.

Presentation on ELA pilot inspections

The Member States that participated in ELA pilot cross border inspections presented their experiences. During the pilot inspections, ELA documents and forms were used and the national authorities were generally satisfied with the ELA coordination and support. It was pointed out that collaboration with social partner organizations is important and depends on the applicable national legislation. The pilot inspections were considered as successful. The exchange of information and data protection during the cross border cooperation was discussed and will be part of the training planned in November.

Presentation on ELA participation in EUROPOL-EMPACT

ELA representatives presented their participation in the EUROPOL-EMPACT Joint Action Days inspections. The goals of the inspections were to tackle human trafficking and labour exploitation in the EU and to address undeclared work in the agriculture and road transport sector.

Agreement on the deliverables

ELA presented the deliverables already discussed during previous meetings. Some of the deliverables, such as the Model Agreement and the Case description, were tested during pilot inspections (where relevant). The Workflow guidance documents, Case description, Model Agreement (including the Inspection Plan template) and the Workflow guidance and template for reporting suspected irregularities have been adopted and will be presented to the ELA Management Board for final approval. The Experts have also adopted the Post-inspection report and the list of Key Performance Indicators, with the agreement that some

specific amendments will be integrated in the documents. These documents will be presented to the ELA Management Board for final approval.

Review of the Guidelines for CJIs

The Experts welcomed the advanced draft of the Guidelines for concerted and joint inspections. They agreed to send a final set of comments and clarifications before adopting the Guidelines in written procedure. In particular, the revised document shall include comments that will clarify the position of some Member States concerning the legal basis for joint inspections. The Experts also proposed other minor adjustments to the document. The revised version of the Guidelines, once adopted by the Working Group, will be presented to the ELA Management Board for final approval.

Presentation on trainings for 2020 and update on 2021

ELA representatives presented four training modules combined in two sessions, which are planned on 26-27 November 2020 and January 2021. The trainings have been transformed into online sessions due to current travel restrictions. The training will be delivered with the "train the trainers" format. Up to two representatives from each Member State can participate in each module, who will then relay the information within that Member State. The invitation to the trainings, including practical details, will be shared with the WG Experts.

Presentation on Labour Mobility Analysis and Risk Assessment

ELA presented the approach to the task of Labour Mobility Analysis and Risk Assessment and the initial activities planned. The work on Analyses and Risk Assessment is expected to be closely linked with the one on Inspections.

General remarks

ELA has asked Experts for further feedback on Guidelines for CJIs by 16 October 2020.