

**POST-INSPECTION REPORT XX/2020
FOR CONCERTED AND JOINT INSPECTIONS**

This Post-inspection report shall be drafted in accordance with the law or practice of the Member State where the inspection takes place. The Post-inspection report shall only be completed in the parts that bare relevance for the case at hand.

According to the law or practices of the Member States in which the inspection takes place some findings of the inspectorates can be subject to communication to social partner organisations. According to the law or practices of the Member States in which the inspection takes place some findings can be subject to non-communication to the other parties (e.g. criminal cases).

Subject:

Reference number:

1. Description of the inspection (Content can be copy/pasted from the inspection Agreement document if still up to date)

Describe which institutions/enforcement bodies/social partner organisations in each Member State were directly involved and mention the respective national coordinators:

Member State A:

Member State B*:

Other stakeholders:

Date of the inspection:

Describe the case before the inspection:

Specify the purpose of the concerted or joint inspection (general, targeted, follow-up) and issues inspected:

* If applicable, add Member States C, D etc.

Describe the process of the concerted or joint inspection (number of people involved, investigation methods used, etc.):

Specify the costs incurred during the inspection:

2. Involvement of ELA and/or other stakeholders (Content can be copy/pasted from the inspection Agreement document if still up to date)

When applicable, please describe any cooperation with the European Labour Authority:

When applicable, please describe any cooperation with other organisations (e.g. Europol, Eurojust, social partners):

3. Details of the entity(-ies) being inspected (Content can be copy/pasted from the inspection Agreement document if still up to date)

- Name(s):
- Legal status (company, partnership, etc.):
- Relation to other entities and companies (e.g. subsidiaries):
- Description of business(es)/economic sector(s):
- Number of mobile workers:
- Other relevant information about the entity(-ies):

4. Specify the total number of companies and mobile workers (including posted, self-employed, other status (e.g. company owner, volunteer)) concerned by the inspection

Companies	Mobile workers	Posted workers	Self-employed	Other status (e.g. company owner, volunteer)

5. Describe the results of the concerted or joint inspection. Where appropriate, indicate the number of companies and mobile workers (including posted, self-employed, other status (e.g. company owner, volunteer)) concerned by the infringement in respective areas

Non-compliance with labour rights of EU mobile workers (e.g. underpayment/ non-payment of wages)

Incorrect payment or non-payment of social security contributions and/or unlawfully obtained social benefits

Cross-border undeclared work					
Non-genuine posting of workers					
Bogus self-employment					
Bogus, fraudulent or illegal temporary work agencies					
Letterbox companies and fictitious company constructions					
(Organised) illegal employment of third country nationals					
Trafficking of human beings and/or labour exploitation					
Other findings (including suspected irregularities in the application of Union law):					
Total number of companies/ mobile workers concerned by the above mentioned infringements	Companies	Mobile workers	Posted workers	Self-employed	Other status (e.g. company owner, volunteer)
6. Specify, if applicable, which other laws were breached based on which findings	<ul style="list-style-type: none"> • Tax law: • Company law: • Criminal law: • Immigration law: 				
7. Can the inspection teams use the data collected during the inspection as evidence?					

8. When applicable, provide additional information in case any special type of evidence is needed (video, certified copies, original documents, etc.)			
9. Please clarify who will lead any follow-up of the inspection	Member State A:	Member State B*:	ELA:
Criminal prosecution (<i>involvement of a public prosecutor</i>)			
Civil procedures via social partner organisations			
Administrative fine			
Recovery of social contributions			
Payment of wages			
Recovery of undue social benefits			
Tax contributions			
Other coercive measures (license withdrawal, public procurement, etc.)			
Conciliation or other out-of-court dispute resolution procedures			
Follow-up inspections (including with ELA support)			
Any other follow-up activities (such as liaising with or reporting to EU institutions and bodies, international organizations, third countries' authorities or other stakeholders)			
10. Did you communicate results to other relevant authorities (in other Member States)?			

11. Should there be any further cross-border actions, e.g. preventative campaigns based on the above mentioned findings, including with ELA support? Please specify:					
12. What are the lessons learnt? What operational changes are necessary to update the inspection process?					
13. Key Performance Indicators¹					
Quantitative KPIs					
Number of penalties from cases (administrative, civil and/or criminal)					
Number of tax/social contribution recoveries and back payments from cases (administrative, civil and/or criminal)					
Number of administrative advices, warnings or ordinances etc. issued to companies					
Qualitative KPIs					
Availability and adequacy of relevant material and guidance for the execution of CJJ	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Not at all available	Slightly available	Moderately available	Very available	Completely available
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Not at all adequate	Slightly adequate	Moderately adequate	Very adequate	Completely adequate

¹ Fill in "N/A" (not available) for the KPIs that are not available at the time of preparing this report or cannot be reported to ELA

Knowledge of EU legislation and/or national practices of other MS in the context of cross-border labour mobility law enforcement	<input type="checkbox"/> Very low	<input type="checkbox"/> Low	<input type="checkbox"/> Medium	<input type="checkbox"/> High	<input type="checkbox"/> Very high
The level of communication and cooperation among CJIs participants	<input type="checkbox"/> Very low	<input type="checkbox"/> Low	<input type="checkbox"/> Medium	<input type="checkbox"/> High	<input type="checkbox"/> Very high
Ease of the use of evidence in administrative or criminal proceedings resulting from CJIs	<input type="checkbox"/> Completely difficult	<input type="checkbox"/> Very difficult	<input type="checkbox"/> Moderately difficult	<input type="checkbox"/> Very easy	<input type="checkbox"/> Completely easy
Amount of human resource involved in CJI	<input type="checkbox"/> Completely insufficient	<input type="checkbox"/> Slightly insufficient	<input type="checkbox"/> Sufficient	<input type="checkbox"/> Very sufficient	<input type="checkbox"/> Completely sufficient
Perceived language barriers during CJI	<input type="checkbox"/> Very low	<input type="checkbox"/> Low	<input type="checkbox"/> Medium	<input type="checkbox"/> High	<input type="checkbox"/> Very high
Qualitative assessment	<i>Please provide additional comments or suggestions about possible improvements regarding to your quality assessment.</i>				