



# **WORKFLOW GUIDANCE FOR REPORTING SUSPECTED IRREGULARITIES**

**DECEMBER 2020**

## List of abbreviations

<b>Abbreviations</b>	<b>Definition</b>
<b>CJIs</b>	Concerted and Joint Inspections
<b>ELA</b>	European Labour Authority
<b>MS</b>	Member State(s)
<b>PIR</b>	Post Inspection Report

## Introduction

According to Article 9(9) of Regulation (EU) 2019/1149, if the ELA in the course of concerted or joint inspections, or in the course of any of its activities, becomes aware of suspected irregularities in the application of Union Law, it may report such suspected irregularities, where appropriate, to the Member State concerned and to the Commission.

In the context of inspections and for the purposes of this document, the term "irregularity" means any infringement or suspected infringement of Union Law which ELA becomes aware of as part of a concerted and joint inspection, which does not directly fall within the scope ELA.

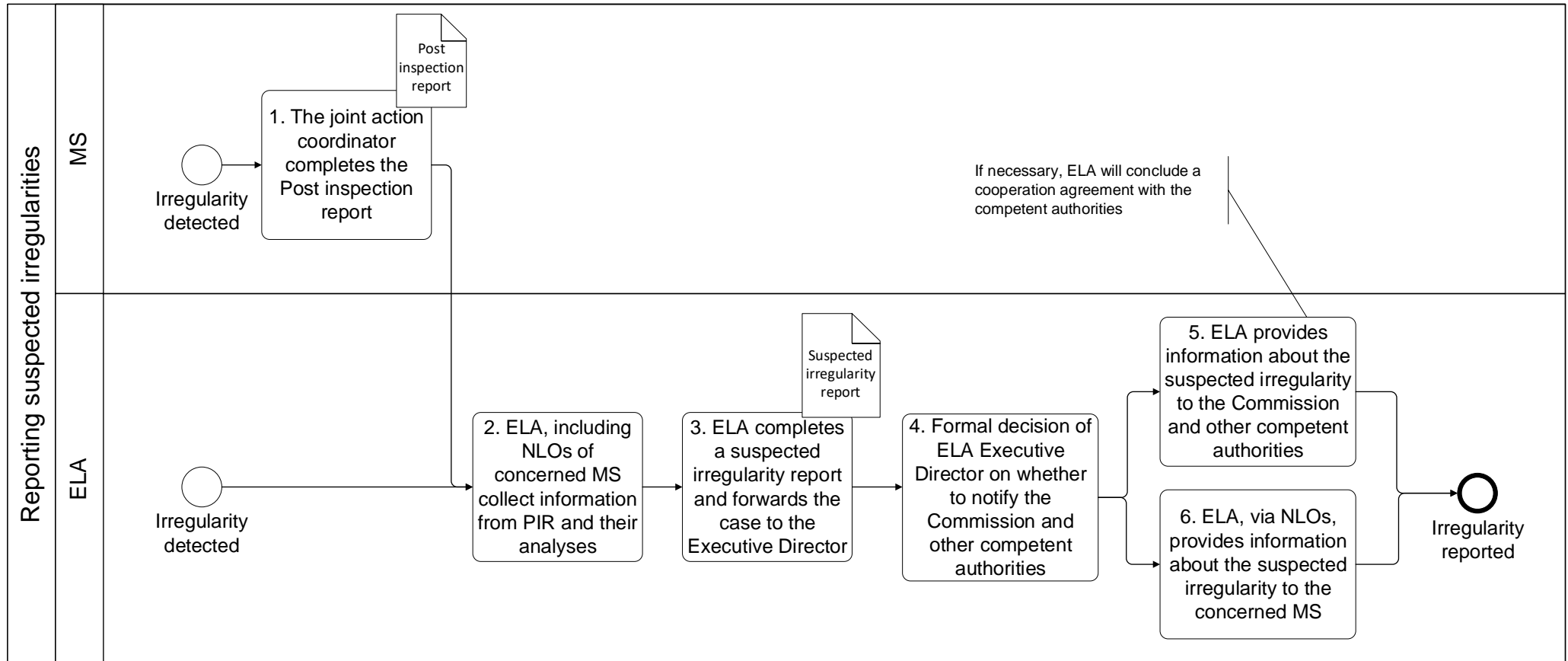
The workflow guidance for reporting suspected irregularities defines the steps for processing and reporting suspected irregularities.

## Workflow guidance for reporting suspected irregularities

This workflow guidance establishes the procedure for reporting suspected irregularities.

1. The joint action coordinator completes a post inspection report - the national authority of the MS that carries out the CJI reports to the Authority on the outcome of the inspection in that MS and on the overall operational running of the CJI within six months of the end of the inspection. Information on suspected irregularities should be included in this report (sections 5-6).
2. ELA, including NLOs of concerned MS, collects information from PIR and other analyses - information from CJI, their analyses and data provided by MS.
3. ELA completes a suspected irregularity report, for which a template is available, and forwards the case to the Executive Director.
4. A formal decision of the ELA Executive Director on whether to notify the Commission and/or competent authorities of MS is made.
5. ELA provides information about the suspected irregularity without delay to the Commission and other competent authorities.
6. ELA, via NLOs, provides information about the suspected irregularity to the concerned MS.

## Workflow guidance for reporting suspected irregularities



### Explanatory Notes

