



Assistance on the Spot, Czech Republic

Title of the policy or measure (in English)	Assistance on the Spot
<ul style="list-style-type: none">• Case study/good practice name	Assistance on the Spot – providing support to companies to avoid violations of labour legislation with respect to bogus self-employment
<ul style="list-style-type: none">• Country	Czech Republic
<ul style="list-style-type: none">• Sectors	Business sector
<ul style="list-style-type: none">• Target groups	Entrepreneurs/employers (direct) Self-employed workers (indirect)
<ul style="list-style-type: none">• Type of measure	Prevention
<ul style="list-style-type: none">• Short sentence summarising the measure	The labour inspectorate provides information and advice to employers who are found to be (or are at risk of being) in breach of labour regulations with respect to the bogus self-employment of workers. It assists companies to stay within the law by informing (and possibly fining) employers who are not in compliance with the law, informing workers of their rights, and supporting and advising employers to avoid future violations. The provision of advice and guidance is an integral part of the fight against illegal work in the Czech Republic.
Background	
<ul style="list-style-type: none">• Background context driving the implementation of the measure	Through their inspection activities in companies, the Labour Inspection bodies were made aware of the dependent nature of work being carried out for these companies by so called ‘self-employed’ workers. Violations of labour laws have been occurring by some companies that contract workers on a self-employed basis but who are effectively employees of these companies since they are carrying out regular, repetitive and long-term work for a company.
<ul style="list-style-type: none">• When was the measure implemented? (including start date and end date/ongoing)	From 1 January 2012 – ongoing
<ul style="list-style-type: none">• Names(s) of authorities/bodies/organisations involved	State Labour Inspection Office
<ul style="list-style-type: none">• Scope of the measure (a pilot project, nationwide, regional wide)	National
<ul style="list-style-type: none">• Type of (policy) measure	A tool/approach to inspection activities in the newly acquired field of competence of the State Labour Inspection Office (i.e. legality of employment inspections) that was implemented in 2012.
<ul style="list-style-type: none">• Key objectives of the measure	General objective:

	<ul style="list-style-type: none"> - increasing general awareness of labour regulations among both employers and employees/workers. <p>Specific objectives:</p> <ul style="list-style-type: none"> - prevention of bogus self-employment - awareness raising - protection of worker rights and entitlements
Specific measure	
<ul style="list-style-type: none"> • Description of how the measure operates in practice 	<p>The measure operates in the following way:</p> <ul style="list-style-type: none"> • Following an inspection by the Labour Inspectorate, if a company appears to be engaged in bogus self-employment, the relevant contracts are identified, the relevant workers performing work based on such contracts are directly contacted and given an explanation of their rights. • Provision of advice by labour inspectors to both the company and workers is no guarantee that they will not be fined if this type of violation has occurred. However, it is hoped that they will be less likely to engage in similar behaviour in the future.
<ul style="list-style-type: none"> • Which groups are targeted by the measure? 	<ul style="list-style-type: none"> - employers (direct) - workers involved in bogus self-employment (indirect)
<ul style="list-style-type: none"> • What resources and other relevant organisational aspects are involved? 	<p>The presently discussed activity has been implemented as an integral part of inspections focusing on combatting illegal work. Nowadays, 190 inspectors (i.e. legality of employment specialists) are involved in this activity.</p>
<ul style="list-style-type: none"> • What are the source(s) of funding? 	<p>National funding</p>
Evaluation and outcome	
<ul style="list-style-type: none"> • Has the measure achieved its objectives? 	<p>This practice has not been assigned measurable objectives or metrics. It is a service to public, which has an educational/information impact. It should be stressed that provision of consultations and prevention are efficient tools in combatting illegal work.</p>
<ul style="list-style-type: none"> • Assessment method (including indicators used to measure its impact), and the outputs and outcomes achieved 	<p>The expected outcomes of 'Assistance on the Spot' include the following:</p> <ul style="list-style-type: none"> • Decreasing rates of bogus self-employment • Greater social and health insurance contributions <p>Labour Inspection bodies provided in total approximately 16 000 instances of consultation to public (employers/employees).</p> <p>This practice has not been assigned measurable indicators. Therefore, there is no information available of this kind.</p>
<ul style="list-style-type: none"> • What are lessons learnt and the key conditions for success? 	<p>Lessons learnt and success factors include the following:</p> <ul style="list-style-type: none"> • the importance of starting at the bottom, or entering into contact with the shop-floor employees first and taking their written statements at an early stage of inspections. This bottom-up approach allows the information collected in this manner to be compared with what the company representatives have to say. • it is important that both the inspectorate and the employer have a full understanding of the rules and allow themselves appropriate amount of time to inform themselves of the same

<ul style="list-style-type: none"> Level of transferability (e.g. other countries/groups/sectors) 	<ul style="list-style-type: none"> Where information on the existing rules is inadequate, an explanatory campaign of individual rules is necessary Ensure the existence of a legal definition of the term “dependent work” and its features
Additional information	
<ul style="list-style-type: none"> Contacts 	<p>Jiří Macíček, Deputy inspector general and Director of inspection activities, State Labour Inspection Office of the Czech Republic Email: jiri.macicek@suip.cz Telephone: +420 950 179 102</p>
<ul style="list-style-type: none"> Sources 	
<ul style="list-style-type: none"> Metadata and key words for online search 	<p>Czech Republic; bogus self-employment; employment rights; workers’ rights; counselling; business support;</p>