





European Platform Undeclared Work

Joint inspection visit with Romania of agricultural workers in the province of Albacete

Spain

	<p>Summary</p> <p>The Spanish Labour Inspectorate (ITSS) invited the Romanian Labour Inspectorate to carry out a joint inspection during the garlic harvesting campaign in the Spanish province of Albacete from 1-4 July 2019 as part of the staff learning visits and joint actions activity of the EU Platform tackling undeclared workⁱ.</p>
<p>Name(s) of authorities/bodies/organisations involved</p>	<ul style="list-style-type: none"> • The Spanish Labour and Social Security Inspectorate (<i>Inspección de Trabajo y Seguridad Social, ITSS</i>); • Spanish National Anti-Fraud Office, Spanish Labour and Social Security Inspectorate Directorate (ITSS); • Regional Labour and Social Security Inspectorate of Albacete, Spain; • Spanish Police force (<i>Guardia Civil</i>); • The Romanian Labour Inspectorate (<i>Inspectia Muncii</i>); • Romanian Police force.
<p>Sectors</p>	<p>Agriculture and fishing</p>
<p>Target groups</p>	<ul style="list-style-type: none"> • Romanian agricultural workers working in the province of Albacete, Spain (directly targeted).
<p>Purpose of measure</p>	<p>Deterrence: improve detection</p>

	<p>Aims and objectives</p> <p>The purpose of the joint inspection activity was to strengthen cooperation between the two countries in the prevention, detection and deterrence of undeclared work and labour exploitation. It also allowed the exchange of best practice and information, and the creation of synergies to improve inspection results.</p>
<p>Background context</p>	<p>The agricultural sector in Spain experiences labour exploitation and social security fraud. In 2018 32% of the victims of these types of offences and 69% of the perpetrators detected in the agricultural sector were Romanian.ⁱⁱ</p> <p>The Spanish Labour and Social Security Inspectorate (ITSS) thus invited the Romanian Labour Inspectorate to</p>



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	<p>participate in a joint inspection activity during the garlic harvesting campaign in the Albacete region, Spain.</p> <p>Many Romanians working in the region were at high risk of:</p> <ul style="list-style-type: none"> • engaging in undeclared work; • becoming victims of traffickers; • working under conditions which violate both Spanish and European law. <p>The purpose of the joint inspection was to contribute to strengthening cooperation between the two countries, exchanging best practices and information, and creating synergies to improve inspection results. The Romanian Inspectorate provided valuable language/cultural support as well as important information related to Romanian legislation, including legislation concerning Romanian recruitment agencies. The Spanish and Romanian Police were also involved.</p>
<p>Key objectives of the measure</p>	<p>General Objectives:</p> <ul style="list-style-type: none"> • To detect possible crimes of labour exploitation, and human trafficking for the purpose of labour exploitation, involving Romanian workers; • To detect possible infringements concerning undeclared work, labour, social security and occupational safety and health (OSH) regulations.
<p>Main activities</p>	<p>Between 1 and 4 July 2019, the Spanish Police and labour inspectorate along with the Romanian Police and labour inspectorate carried out four days of intensified inspections on the situation of workers in the garlic harvesting campaign in Albacete.</p> <p>The key activities included the following:</p> <ul style="list-style-type: none"> • On day one, consultations took place between the participants of the joint inspection. An action plan was presented, discussed and agreed; • On days two to four, inspections were carried out around Minaya, La Roda, La Gineta, Balazote and Barrax in the province of Albacete. The inspection activities focused on labour relations and working conditions. More than 65 Romanian agricultural workers, a number of Moroccan agricultural workers, their Spanish employers, two Spanish temporary employment agents, and Romanian intermediaries were interviewed and inspected, and their status checked; • The actual fieldwork amounted to an average of six hours per day; • During the joint activity, information was shared with the Spanish authorities about the labour market and economic situation of the Romanian



	regions from where the identified Romanian workers originated, and about Romanian identity cards.
Funding/organisational resources	The visit of the Romanian Labour Inspectorate was funded through the European Undeclared Work Platform, with support from the EU Programme for Employment and Social Innovation. In addition, more than 30 police officers and labour inspectors from both countries were also involved in the joint inspection activity.

	<p>Outcomes</p> <p>As a result of the visit, information on workers' rights in Spain was distributed to more than 500 workers. Important information was also gained by the Spanish Labour Inspectorate on the Romanian workers identified during the visit, and by the Romanian Labour Inspectorate on innovative ways of preparing inspection visits etc.</p>
Achievement of objectives	<p>Outcomes for the activity included the following:</p> <ul style="list-style-type: none"> • More than 500 workersⁱⁱⁱ were informed about their rights in Spain; • Four people were arrested for trafficking crimes for the purpose of labour exploitation; • Eight victims were released from situations involving precarious working and living conditions (working hours, environmental conditions, salaries, threats, injuries, etc.).
Lessons learnt and success factors	<p>Success factors and lessons learnt include the following:</p> <ul style="list-style-type: none"> • A key success factor was the information shared by the Romanian Inspectorate with the Spanish authorities concerning the labour market and the economic situation of the Romanian regions from which the identified Romanian workers originated; • The Romanian participants gained valuable knowledge regarding, for example, innovative ways of preparing inspection visits, ways to approach people for interview, ask questions, and how to process and apply brief checks to information gathered in the field; • Another success factor was the opportunity the visit provided for the Spanish Labour Inspectorate to share information with the Romanian participants on its procedures, its remit and the special status held by the Spanish labour inspectors.



Transferability	Transferability of this measure depends on the desire for cooperation and the availability of sufficient funding to complete the activity.
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Further information	
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ⁱ The 2019-2020 work programme of the EU Platform Tackling Undeclared Work is available here: <https://ec.europa.eu/social/BlobServlet?docId=16358&langId=en>

ⁱⁱ Source: <http://www.cuadernosmanchegos.com/agricultura/la-guardia-civil-y-la-inspeccion-de-trabajo-y-seguridad-social-junto-con-la-policia-y-la-inspeccion-de-trabajo-de-rumania-han-llevado-a-cabo-varias-jornadas-en-las-que-se-han-intensificado-las-inspecciones-para-conocer-la-situacion-de-los-trabajadores-en-la-campana-de-recoleccion-del-ajo-en-albacete-4708.html>

ⁱⁱⁱ Including declared and undeclared workers.