





European Platform tackling undeclared work

Joining up operations: cooperation between enforcement authorities to tackle undeclared and precarious work

Portugal

	Summary Building on joint operations between authorities with responsibilities in the area of undeclared work, in 2018 and 2019 the Authority for Working Conditions (ACT) and the Social Security Institute (ISS) developed nationwide joint operations using jointly agreed risk indicators in a proactive approach.
Title of the practice in original language	<i>Ação nacional conjunta ACT – Segurança Social de combate à precariedade</i>
Name(s) of authorities/bodies/organisations involved	<ul style="list-style-type: none"> • ACT (Authority for Working Conditions); • ISS (Social Security Institute).
Sectors	All
Target groups	<ul style="list-style-type: none"> • Inspectors at the ACT and the ISS (directly targeted); • Companies with fixed-term contracts above the average for the sector (directly targeted); • Self-employed workers who deliver about 80% of their services to the same company (directly targeted).
Purpose of measure	Deterrence: improve detection

	Aims and objectives This inter-agency cooperation aims to achieve a more proactive type of cooperation relying on a more effective use of social security databases.
Background context	<p>The programme was motivated by the Government's Programme (2014-2019), which focused on promoting employment and combating job insecurity.</p> <p>Cooperation between different government authorities with responsibilities for tackling undeclared and precarious work at the national level (Labour Inspectorate, Social Security and Tax Authority) already existed, but there is no national strategic plan nor structure of coordination to oversee it.</p>



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	<p>This practice has been introduced in a context that favours more proactive cooperation between the ACT and the SSI.</p> <p>This shift includes defining risk indicators and common targets, carrying out joint inspections by enforcement authorities, as well as better data-mining of social security databases.</p>
Key objectives of the measure	<p>General Objective:</p> <ul style="list-style-type: none"> To improve the detection and regularisation of undeclared and precarious work. <p>Specific Objectives:</p> <ul style="list-style-type: none"> To carry out joint inspections involving inspectors from the ACT and ISS (institutional cooperation); To detect bogus self-employment by targeting self-employed workers who deliver 80% of their services or more to a single company; To detect the misuse of fixed-term contracts targeting companies with a higher proportion of fixed-term contracts than the average for the sector; To increase information sharing between relevant authorities.
Main activities	<p>The joint inspections involving inspectors from the ACT and the ISS have a national scope and have been carried out all over the mainland. 1 800 inspection visits of 1 597 companies took place in 2018 and 2 000 inspections visits of 1 454 companies took place in 2019. Targeted companies were of all sizes (micro, small-businesses, small and large companies).</p>
Funding/organisational resources	<ul style="list-style-type: none"> In 2018, there were 339 inspectors involved (247 from ACT and 92 from ISS). In 2019, there were 326 inspectors (248 from ACT and 78 from ISS). National Databases (ACT and ISS) were crucial to define common targets as well as to share information and results.



Outcomes

More than 3 000 employers were inspected and a similar number of workers in an irregular situation were detected thanks to joint operations. Furthermore, over 90% of the detected irregularities related to the misuse of fixed term contracts were voluntarily regularised.



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Achievement of objectives	<ul style="list-style-type: none"> • The practice is being monitored by means of indicators such as the number of joint operations conducted, the number of employers and self-employed individuals inspected and the regularisations achieved through the operations; • More than 3 000 employer inspections took place; • Approximately 3 000 workers in irregular situations related to bogus self-employment/misuse of fixed-term contracts were detected; • Over 90% of the irregularities related to misuse of fixed term contracts were voluntarily regularised.
Lessons learnt and success factors	<p>The main success factors are:</p> <ul style="list-style-type: none"> • Planning the operations in advance; • Setting clear roles and responsibilities for each organisation; • Joint communication of results; • Sharing information between institutions; • Political willingness to tackle the problem. <p>The main lessons learnt were:</p> <ul style="list-style-type: none"> • Voluntary regularisation was easily achieved; • Importance of planning annual operations.
Transferability	<p>This good practice shows the possibilities for tackling bogus self-employment and precarious work through cooperation between authorities.</p>

Further information	
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Useful sources and resources	<p>www.act.gov.pt www.seg-social.pt</p>