



Brussels,
ELA/RL/mit/ed.enf(2021)5461889

Eighth meeting of the European Labour Authority Working Group on inspections

6 July 2021

Summary of the deliberations

The experts appointed by the ELA Management Board Members met in a video conference on 6 July 2021 for the eighth meeting of the ELA Working Group on inspections. The aim of the meeting was to provide updates from the European Commission and ELA, to discuss the implementation of ELA's Action Plan on seasonal workers, developments in the road transport sector, ELA's capacity building activities including training in the inspections field, and an upcoming bulletin on inspections.

Update from ELA

Mr Robertas Lukasevicius, acting Head of Unit Enforcement and Analysis, welcomed the members and alternates and gave a brief introduction, reminding members to register for future events due to GDPR rules. He updated that since the last meeting, ELA has become financially autonomous, and preparations are ongoing regarding the ELA offices in Bratislava. ELA has also recently participated in the EMPACT Action Days and the Fair Recruitment Initiative of the OIM.

Updates from the Commission

The European Commission updated the Working Group on key information points including updating about a reorganisation in DG EMPL. E1 is the unit now responsible for ELA, labour mobility and public employment services. The Commission informed members of the new Occupational Safety and Health (OSH) strategic framework proposal for 2021-2027 and its actions – consultations are forthcoming. In addition, the Common Agricultural Policy will include a social conditionality on OSH and working conditions at the latest by 2025. Two calls for proposals will be launched soon – one on activities to tackle undeclared work, and another regarding enhancing administrative cooperation and access to information for posting of workers. The Commission has also published a [study](#) on intra-EU mobility of seasonal workers.

Implementation of the Action Plan on seasonal workers

Update on the awareness-raising campaign

Representatives from ELA provided an update on the three strands of the campaign on seasonal workers and the timeline. Members of the Working Group are encouraged to participate and follow progress on the campaign [website](#). A series of capacity building workshops have taken place already for information practitioners and a workshop between EU-OSHA and ELA is due to take place – a summary of the event will be shared with the Working Group. Templates of campaign materials are being prepared and will be disseminated via national coordinators. Capacity building events are also being organised.

Developments under the Enforcement pillar

On the enforcement side, cases which have been received by ELA have had their final assessment and draft agreements are being prepared. National Liaison Officers (NLOs) have been instrumental in this process. A secure online meeting platform has been identified and will allow for meetings with simultaneous interpretation. ELA can support on a variety of costs involved in inspections - procedures for claiming costs are being developed. Additional short updates were given by countries involved in the planned inspections.

Draft checklist on cross-border CJIs

ELA presented a draft checklist on cross-border CJIs which has the aim of being a supporting 'aide-memoire' for inspectors when planning, carrying out and following-up CJIs. The checklist was designed to be comprehensive and practical, and sit alongside existing materials including the guidelines on CJIs. The draft checklist integrates and synthesises existing questionnaires and checklists for inspectors received from the Working Group members and wider sources. It was proposed that a digital version could make this more user-friendly and ensure tailoring to specific situations, as well as further enhancements such as sector-specific additions or translated versions. Discussion took place and it was proposed that due to the short timescale for review, further reflection on the document - and how it could suit the needs of the Working Group - should take place via written comments to ELA by the end of August.

Inspections in the road transport field

Miroslava Anguelova, NLO of Bulgaria, presented how ELA can support CJIs in the road transport sector, with the aim of enhancing cooperation between Member States, authorities and wider partners and stakeholders. ELA is mandated to support the social aspects of international road transport regarding posting of drivers, driving and rest times and access to the occupation, and can provide organisational and financial support. ELA will be supporting roadside demonstration inspections during 11-17 October alongside ROADPOL and other authorities. Capacity building and training is also being developed to support inspections in the road transport field. Member States are invited to consider cross-border actions in this area – a letter will be sent to members to provide further information. The national representatives of the working group on posting of drivers will be shared with the Working Group members.

ELA capacity building activities

A representative of ELA presented ELA's plans for capacity building and training. ELA has a role to provide non-binding guidelines, peer learning, exchange of best practice and supporting cooperation. Activities are being planned for the second half of the year on horizontal training. ELA is exploring innovative learning solutions to support this. During 2021 it is planned to set up a capacity building centre at ELA. A strategy relating to learning strategies and pathways will be developed by 2022. A training event is being planned for November on social security coordination – four representative per member state will be invited.

As regards the inspections field, training needs were identified through a survey sent to participants of recent training and all representatives of the Working Group. Highlighted needs included modalities for CJIs, temporary work agencies and letterbox companies. A training webinar is taking place on 9 July to specifically address the aspects of temporary work agencies. Future topics can also be discussed at the next meeting of the Working Group.

Inspections bulletin

ELA is intending to launch a bulletin on inspections with the aim of disseminating good practices at the end of July. The bulletin is aimed at the Working Group as well as the wider stakeholders interested in the results of inspections. Members of the Working Group are invited to subscribe to receive the bulletin and to forward it to interested parties. It will also be published on the ELA website. A short poll was launched for members of the Working Group to highlight specific topics they would like to see covered in the bulletin (or future bulletins).

AOB

ELA is currently working on the translation of the guidelines which will be made available shortly. The training materials will also be translated into the languages requested – these are expected by end of July.

Further enhancements to the CJIs process internally at ELA have been made – members are encouraged to continue submitting their requests for ELA's assistance.

The next Working Group will take place (presumably in person) in Bratislava on 6 October.