



Good practice fiche

Title of the policy or measure (in English)	Declaration of Works and Checkin@Work
<ul style="list-style-type: none">• Case study/good practice name	Declaration of Works and Checkin@Work: monitoring the chain of sub(contractors) in the construction industry to prevent undeclared work
<ul style="list-style-type: none">• Country	Belgium
<ul style="list-style-type: none">• Sectors	Construction sector
<ul style="list-style-type: none">• Target groups	(Foreign) employees, (sub)contractors, employees of (sub)contractors
<ul style="list-style-type: none">• Type of measure	Prevention
<ul style="list-style-type: none">• Short sentence summarising the measure	<p>The Declaration of Works (DoW) and Checkin@Work (C@W) are electronic registers or databases that monitor the chain of (sub)contractors in the construction sector (and also in other sectors) in Belgium in order to combat undeclared work within the chain of (sub)contractors. The sectors covered by the two measures are considered to be at a higher risk of engaging in undeclared work.</p> <p>Encompassing <i>all</i> workers and contractors (domestic and foreign), these systems facilitate the declaration of employment of workers and contractors on construction sites as well as record the daily presence of all workers and contractors on site. The Declaration of Works helps authorities to ensure that Checkin@Work is being carried out properly and that the relevant authorities are provided with information on all workers active on the Belgian territory.¹</p>
Background	
<ul style="list-style-type: none">• Background context driving the implementation of the measure	The Belgian State aims to create a more attractive work environment which guarantees the rights and working conditions for all construction workers while also ensuring that employers and employees in the sector meet their legal obligations. In order to achieve this, Belgium introduced these electronic monitoring and control systems.
<ul style="list-style-type: none">• When was the measure implemented? (including start date and end date/ongoing)	<ul style="list-style-type: none">• The Declaration of Works was introduced in March 2012.• Checkin@Work was introduced in April 2014.
<ul style="list-style-type: none">• Names(s) of authorities/bodies/organisations involved	Federal Public Service Social Security (FBS)

¹ Internet: <http://www.law-right.com/what-is-the-statement-of-work-declaration-des-travaux-and-check-in-at-work-under-belgian-law/>

<ul style="list-style-type: none"> • Scope of the measure (a pilot project, nationwide, regional wide) 	Mainstream measures implemented at national level
<ul style="list-style-type: none"> • Type of (policy) measure 	A liability system triggering mechanism in the event of non-payment of wages or where social security debts exist (Declaration of Work) and an electronic presence-recording system (Checkin@Work)
<ul style="list-style-type: none"> • Key objectives of the measure 	<p>General objectives:</p> <ul style="list-style-type: none"> - To introduce electronic monitoring and control systems for undeclared workers in Belgium <p>Specific objectives:</p> <ul style="list-style-type: none"> - To create easy access for Belgium authorities to information on declared workers, helping them to distinguish between declared from undeclared workers - To deter, prevent, detect and fight fraud
Specific measure	
<ul style="list-style-type: none"> • Description of how the measure operates in practice 	<p>Declaration of Works</p> <p>The Declaration of Works is an electronic declaration of work, submitted to the National Social Security Office (NSSO) by the main contractor before the commencement of the work. The contractor must declare all information associated with the construction site, contractors and subcontractors to the NSSO (small assignments with a total value of less than EUR 30 000 are exempt). The main contractor is also responsible for declaring any changes made to the main contract. The information to be declared must include:</p> <ul style="list-style-type: none"> • Start / end of the work on the construction site; • Start / end of activities of each contractor and subcontractor; • Identification of each contractor & subcontractor; and • Description of the works. <p>The employer must ensure direct payments are made to ensure social security for workers.² The Declaration of Works enables the NSSO to trigger the mechanism of liability for company debts if no deduction is made.³ For non-declaration of works by contractors and/or subcontractors in the construction-specific system, liability commences immediately. If the non-declaration is due to an administrative error there is a penalty of 5 % of the total value of the work.</p> <p>For subcontractors with social security debts, the main contractor has to check the status of the subcontractor before each outstanding invoice. Subcontractors with social security debts are registered on the social security portal (www.socialsecurity.be). If the subcontractor has social security debts, the contractor has to deduct 35 % on each payment by the subcontractor and transfer the amount to the NSSO. The money will be used to pay the outstanding social security contributions.</p> <p>Checkin@Work</p>

² Internet: <http://www.law-right.com/what-is-the-statement-of-work-declaration-des-travaux-and-check-in-at-work-under-belgian-law/>

³ Excerpted from the following source: <http://www.law-right.com/what-is-the-statement-of-work-declaration-des-travaux-and-check-in-at-work-under-belgian-law/>

	<p>Checkin@Work is an online service for the registration of the presence of workers in the immovable property sector and activities related to the meat sector. In the construction sector, It helps to tackle fraud by showing who is present on a construction site, when and for whom the work is carried out, and under which status (employee or self-employed). This enables targeted inspections to be made. The following data must be recorded for all works on construction sites with a total value of EUR 500 000 or more:</p> <ul style="list-style-type: none"> • Identification of the worker, • Address of the construction site, • Capacity in which the person carries out his activities (employee, self-employed, project supervisor, employers, coordinator etc.), • Identification of the employer or of the person by who has ordered the work to be carried out, • Identification number of the declaration of work, • Time of recording. <p>Data can be entered online, for example, using a laptop or a smartphone, making the information easily accessible. The database is managed by the NSSO on behalf of the FPS.</p>
<ul style="list-style-type: none"> • Which groups are targeted by the measure? 	<ul style="list-style-type: none"> - Labour inspectors (direct) - Workers, contractors and sub-contractors involved in undeclared work (indirect)
<ul style="list-style-type: none"> • What resources and other relevant organisational aspects are involved? 	<ul style="list-style-type: none"> • Federal Public Service Social Security – National Social Security Office • Federal Public Service Employment, Labour and Social Dialogue • Federal Public Service Finance • Social Partners (Sectoral Employers Organisations and Employees Unions)
<ul style="list-style-type: none"> • What are the source(s) of funding? 	<p>National funding</p>
<p>Evaluation and outcome</p>	
<ul style="list-style-type: none"> • Has the measure achieved its objectives? 	<p>No evaluations have been carried out thus far. However, based on the feedback received from the NSSO, the databases seem to be successful in tackling undeclared work on large-scale construction sites. Potential problems can now be better monitored and detected. High risk sites and contractors can now be targeted for effective inspections. The success of the databases can also be measured by the interest other sectors have shown in adopting a similar model for inspection, such as the security services and meat processing industry.</p>
<ul style="list-style-type: none"> • Assessment method (including indicators used to measure its impact), and the outputs and outcomes achieved 	<p>Among the outputs and results achieved by the measures are:</p> <ul style="list-style-type: none"> • Raising awareness of undeclared work in the sector; ▪ Faster locating of possible targets for inspection at construction sites and thus more effective inspections at high-risk sites; ▪ The use of available data collected via Declaration of Works and Checkin@Work for data mining projects; ▪ Recuperating non-paid social security contributions; ▪ Protecting worker rights ▪ Excluding fraudulent or financially unviable companies from the market

<ul style="list-style-type: none"> • What are lessons learnt and the key conditions for success? 	<p>The factors for success and key lessons learnt include the following:</p> <ul style="list-style-type: none"> • In collaboration with social partners, it has been possible to introduce the administrative obligations attached to the Declaration of Works and Checkin@Work on the construction sector despite the accompanying administrative cost. • The need to create a level playing field has also grown in the sector. • User-friendly ICT solutions and effective administrative structures are key to fighting undeclared work.
<ul style="list-style-type: none"> • Level of transferability (e.g. other countries/groups/sectors) 	<p>There is a high level of transferability given that the structures can be replicated in other sectors.</p>
<p>Additional information</p>	
<ul style="list-style-type: none"> • Contacts 	<p>Eddy Van Herreweghe, Social Inspector – Team Manager National Social Security Office Email address: Eddy.vanherreweghe@rszonslss@fgov.be</p>
<ul style="list-style-type: none"> • Sources 	
<ul style="list-style-type: none"> • Metadata and key words for online search 	<p>Belgium; chain of subcontractors; main contractor; liability system; construction sector; electronic monitoring and control; online registration; declaration of works; checkinatwork; rights and working conditions; social security contributions</p>