

Platform study visit:

Demonstration of the Greek digital card project and digital inspection reports including on-site inspections

Athens, Greece, 10 - 11 October 2023

SUMMARY

This Platform study visit provided an opportunity for stakeholders to gain a deeper understanding of the tools and procedures used in Greece related to the digital card system, digital inspection reports and interoperability of relevant national databases. The goal was to explore, understand, and possibly transfer elements of these tools across different contexts, fostering a collaborative and mutually beneficial learning environment for all participants. The in-person study visit assembled 28 participants from among Platform members, observers, Greek representatives, bank sector stakeholders and social partners, and ELA representatives.

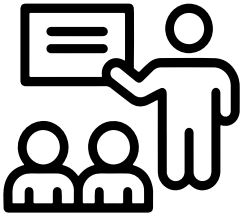
Introduction to the theme of the study visit



ELA representatives welcomed participants and highlighted their commitment to fostering inter-Member State cooperation and promoting digital solutions to enhance public authority efficiency, with an emphasis on navigating the practical challenges of implementing digital solutions for more efficient inspections in tackling undeclared work.

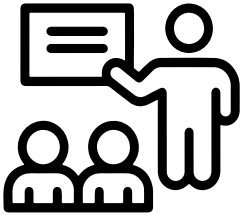
The Hellenic Labour Inspectorate Governor also gave a welcome speech, underscoring the significance of the recently established independence of Greece's Labour Inspectorate from the Ministry of Labour. He emphasised that the innovative digital card system, which allows inspectors to access detailed information about employee work conditions, is a valuable tool for enforcing labour law rather than applying penalties. He explained that the Labour Inspectorate's primary goal is to ensure that employees are paid for overtime work and that the digital card system is used to issue warnings, such as notification letters, to legal entities before inspections. The Governor also highlighted their commitment to transparency and collaboration between employees and employers, considering the digital card as a revolutionary tool.

Host Country presentations



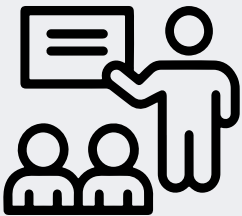
- ▶ The introductory presentation discussed the introduction and implementation of the digital card in Greece, which requires employers to maintain an electronic timekeeping system connected to a central information system. The digital card records employees' working hours in real time and issues fines for non-activation. The digital card is currently implemented in the banking sector, supermarkets, insurance services and private security services as a tool to improve a culture of compliance and Greece intends to expand it to more sectors. The digital card is accompanied by a mobile app for employees and a card scanner for employers. The digital card gives inspectors access to data not just in the moment but also an overview of each employee's working time, as well as leave time and is seen as a tool for employees to defend their rights such as payment for overtime. Moreover, the digital card data can be used as a risk analysis tool to target employers for inspections. The Hellenic Labour Inspectorate representatives provided live demonstrations of how employers can access and use the system. Questions by participants focused on real-time monitoring of overtime payments, potential use in remote work scenarios, and the role of social partners and state competent authorities in implementation.
- ▶ In the second presentation, the web application designed for on-site inspections was introduced. The application is meant to streamline the inspection process and improve efficiency, transparency, and consistency in labour inspections. It allows inspectors to use small tablets to input data, select predefined inspection steps, and create inspection sheets. The application is interoperable with Greece's integrated information system, providing access to company details, employment data, and past inspection information. Additionally, it ensures that inspection data is immediately updated in the integrated information system and notifies employers. During the discussion, participants asked questions related to the digital on-site inspection process, the timeline for appeals, the handling of interviews and written statements during inspections, concerns about potential report changes after initial inspections, risks of employers manipulating the system, challenges with tablets and internet connectivity during inspections and training provided to inspectors to use these new digital tools.
- ▶ The third presentation demonstrated how inspectors can use the digital platform to monitor and verify working hours and breaks. The use of digital tools and how they can help identify discrepancies in working hours was discussed. Participants raised questions about discrepancies in recorded working hours (e.g., 30 minutes for breaks or a 120-minute window of flexible arrival time at work) and how these are accounted for.

Host Country presentations



- ▶ The fourth presentation highlighted the crucial role of the interoperability between different databases owned by various public and private organisations in enabling inspectors to investigate cases and gather the necessary evidence to combat undeclared work. The significant work in this area of Greece's General Secretariat of Information Systems and Digital Governance and the Interoperability Centre was highlighted. The Centre provides a unified environment for web services and data exchange between public agencies, with over 200 services available, including user authentication, tax registry access, etc. Questions revolved around the process for agencies to request data and establish interfaces, outlining a detailed step-by-step procedure involving checks, legal requirements, and ministerial decisions. Concerns were raised about the time it takes for ministerial decisions to be issued, while the process can be expedited in emergencies.

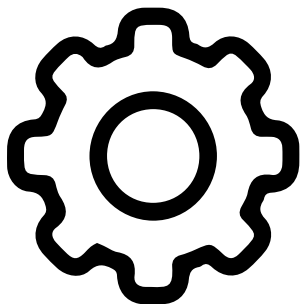
Member States presentation



The Lithuanian Labour Inspectorate representative presented the transparent worker identification QR code introduced in Lithuania's construction sector. This measure was implemented to combat illegal employment, based on statistics of inspections and the increasing risk in sectors like construction and transport. The presentation elaborated on the simplicity of the QR code, generated through the social insurance system, and how it aids in identifying workers. Statistics show a reduction in undeclared work, especially of foreign workers since the QR code introduction. Participants raised questions about whether the absence of a QR code always indicates undeclared work and how individuals without smartphones can provide a secure code.

Participants then described inspection practices and the current stage of their Member State's utilisation of digital tools for conducting more efficient inspections. For example, in Spain, inspection reports are primarily handled digitally; Ireland's inspection records are in paper format, and employers are informed about outcomes via postal communication; while Belgium has the DIMONA system which is similar to Greece's ERGANI and also uses digital ID cards, primarily in the construction sector, introduced by the social partners rather than public/state authorities.

Banking Sector Stakeholders views and experiences from the use of the digital card



The representative of Greece's Federation of Bank Employee Unions (OTOE) discussed the implementation of the digital card system for tracking working hours in the banking sector. They emphasised the importance of extending the digital card system to cover remote workers and ensuring that technical tools are in place to facilitate logging in and out. They also raised concerns about banks exempting certain employees, such as 'management staff' from the digital card requirement and called for stricter enforcement and oversight to ensure compliance with working hour regulations.

The Hellenic Bank Association (EET) representative pointed out that despite the legislation being in place since 2011, the digital card was only implemented in 2022. They emphasised the need for flexibility in modern work models, particularly in industries like banking, and argued that the digital card should be tailored to the specific needs of each sector where it is introduced.

In a detailed discussion, participants emphasised the challenges and importance of monitoring teleworking while balancing privacy concerns. The ongoing EU debate on teleworking was noted, and concerns were raised about employee-supervisor relations and potential overtime issues. Awareness campaigns, next steps, and the potential for the digital card to replace other HR tools for efficiency were also discussed. The challenges in implementing the digital card system, particularly for smaller businesses, were acknowledged, with feedback from Spain highlighting the significance of legal mandates for time registration and control.

Participants from two Member States presented examples of e-service initiatives that enforcement authorities can use to encourage purchasing of goods and services from the declared economy.

Onsite inspections



The labour inspections were conducted to demonstrate the effective use of the digital card for detecting instances of undeclared and underdeclared employment. The inspection procedure began with the host country labour inspectors identifying themselves, followed by recording employee names on paper to enhance efficiency. Afterwards, the labour inspectors employed tablets and smartphones to compile their inspection reports, highlighting the modernisation of the process. This process involved verifying the working hours declared by employees at the site through the real-time verification of worker registrations by inspectors. For this, two distinct systems for verifying working hours and card data were employed.

Conclusions / final remarks



During the closing session, participants expressed their gratitude and shared their main learning from the study visit. Participants highlighted the value of the exchange of information and experiences, particularly the practical insights gained from the Hellenic Labour Inspectorate digital tools. Participants acknowledged the challenges and complexities involved in implementing such systems but also recognised the benefits, such as increased efficiency, transparency, and accuracy. Overall, participants appreciated the first-hand experience of inspections and expressed their hope for future similar opportunities to exchange knowledge and experiences.

Further information: he study visit was integral to a larger mutual learning process among Platform members and observers and provided opportunities for exchange and collaboration. Further information on Platform activities is available at: <https://www.ela.europa.eu/en/undeclared-work>