

Guidelines for concerted and joint inspections

November 2025



List of abbreviations

Abbreviation	Definition
CJI(s)	Concerted and Joint Inspection(s)
ELA	European Labour Authority
EU	European Union
EUROJUST	The European Union Agency for Criminal Justice Cooperation
EUROPOL	The European Union Agency for Law Enforcement Cooperation
IMI	The Internal Market Information System
CD	Case Description
NLO	National Liaison Officer
PIR	Post Inspection Report
SPO	Social Partner Organisation

Glossary of Terms

For the purposes of this document, the following terms apply:

Term	Definition
Concerted Inspection	An inspection carried out simultaneously in two or more Member States regarding related cases, with each national authority operating in its own territory, and supported, where appropriate, by ELA staff
Joint Inspection	An inspection carried out in a Member State with the participation of the national authorities of one or more other Member States, and supported, where appropriate, by ELA staff
Initiating Member State¹	The Member State that submits a case to ELA in order to receive support for organising a CJI in cooperation with other Member State(s)
Concerned Member State	The Member State(s) who receives a request to participate in a CJI either from another Member State or from ELA and whose involvement is necessary for investigation/inspection
Host Member State	The Member State that carries out a CJI on its territory
Participating Member State	All Member States taking part in the CJI (initiating and concerned)
National Liaison Officer	ELA staff member designated by each EU Member State to work at ELA who helps to support and coordinate CJIs ²
National Coordinator	A person appointed by the Member State to coordinate with ELA on the organisation, implementation and follow-up of a specific CJI
ELA Case Handler	ELA staff member assigned to support and coordinate a specific CJI on behalf of ELA
Participants in a CJI	All persons taking part in the carrying out of a CJI, including representatives of the national authorities of the participating Member States, SPOs, ELA staff and other stakeholders. Participants who do not hold inspection powers granted by the national practice or the legislation of the host Member State join the CJI as observers

¹ For the purposes of this document the term 'Member State' includes the EU Member States and the countries of the European Economic Area (Iceland, Liechtenstein and Norway)

² Articles 32 and 33 of the [ELA Regulation \(EU 2019/1149\)](#)

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PDF ISBN 978-92-9415-257-2 | doi:10.2883/6617647 | HP-01-26-024-EN-N

Introduction

This document contains guidance for Member States and SPOs on how to prepare for, organise, carry out and follow up on cross-border inspections supported and coordinated by the European Labour Authority (ELA). In line with Articles 8 and 9 of the ELA Regulation³, ELA provides conceptual, logistical and technical support, and, where appropriate, legal expertise, translation and interpretation services to national authorities. ELA also organises the reporting of the results of CJIs and offers equipment for secure exchange of information during CJIs.

The CJI workflow can generally be divided into three phases:

1. initiation and planning,
2. carrying out of the inspection,
3. reporting and follow-up.

During the initiation phase, one or more Member States may submit a case to ELA. ELA may also suggest organising a CJI to Member States, whether on its own initiative or based on cases brought to its attention by SPOs. A key milestone in this phase is the conclusion of a CJI Agreement that sets out the terms and conditions necessary for carrying out the CJI.

The planning phase is crucial for ensuring the success of activities and efficient use of resources. During this phase, ELA and the participating Member States and other stakeholders cooperate closely to prepare the CJI, both logistically and from an operational standpoint.

The CJIs are **carried out** in line with EU Law, ELA Regulation and national legislation. The CJIs shall also follow the arrangements set out in the CJI Agreement. The Member State where the CJI takes place (host Member State) sets the approach and methodology of the inspection in close cooperation with the other participants.

The reporting and follow-up phase is organised by ELA. It consists of a satisfaction survey which is sent to all participants, followed by initial inspection results (within 15 working days after the CJI) and more detailed reporting within six months of the CJI. In especially complex cases, further follow-up can be organised upon the request of a Member State, ELA or other stakeholders.

Figure 1 below (General workflow guidance to plan, carry out and follow up on a CJI supported by ELA) provides a structured overview of the main steps of the CJI. Each of these steps is further described in the dedicated sections below.

Further resources

These Guidelines should be read together with the [Practitioners' toolkit](#) developed by the European Platform tackling undeclared work that provides details on the strategic approach to cross-border undeclared work and steps for successful inspections⁴. Further information on some organisational aspects of CJIs and good practices can be found in the archived version of the [Guidelines](#)⁵. Finally, ELA has developed a step-by-step guide (checklist) to help Member State authorities to understand and benefit from all types of support offered by ELA during each phase of the CJI⁶. It details the types of support available as well as limitations and other support-related conditions.

Means of communication

Unless otherwise specified in the text, the communication between ELA, Member States and other stakeholders shall be in writing, and carried out between ELA and the Member States concerned either directly, through the National Liaison Officers (NLOs) or via other secured electronic means.

³ [Regulation – 2019/1149 – EN – EUR-Lex](#)

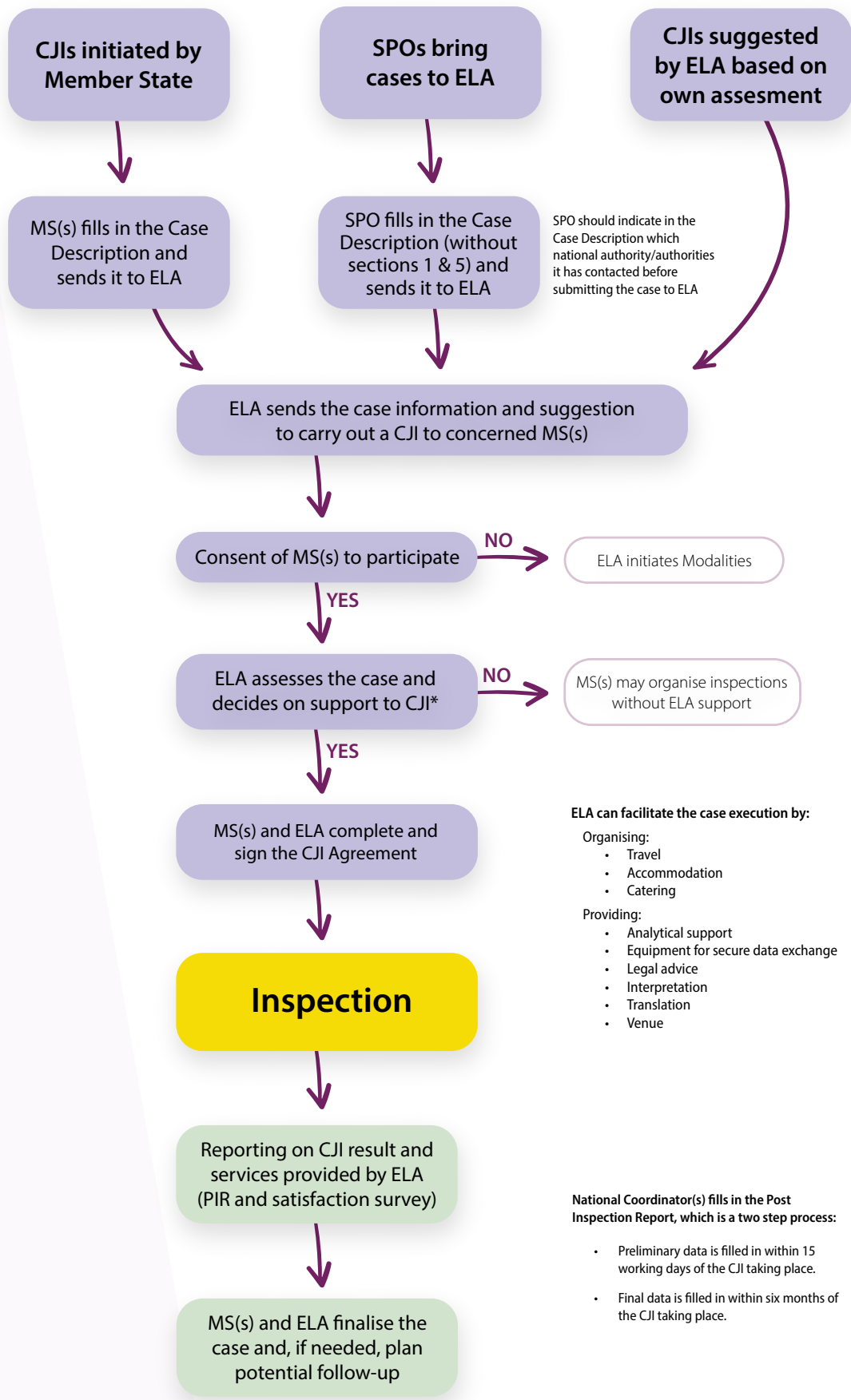
⁴ [Practitioner toolkit - Publications Office of the EU](#)

⁵ [Documents | European Labour Authority](#)

⁶ [ELA Inspections - Library](#)

Figure 1: General workflow guidance to plan, carry out and follow up on a CJI supported by ELA.

The figure below presents an overview of the key milestones relevant to the **planning**, **carrying out** and **following up** on any CJI. Each of these steps is further described in the sections below.



1. Initiation of CJIs

CJIs can be initiated (section 1.1) in three ways: upon the request of a Member State(s), suggested by ELA based on a case brought to ELA's attention by SPOs and suggested by ELA to Member States on its own initiative. Independently of the way a CJI is started, the following steps are common for all situations: consent from the participating Member States (section 1.2), assessment of the case by ELA (section 1.3), conclusion of the CJI Agreement (section 1.4) and modalities in the event that one or more Member States decides not to participate in the CJI (section 1.5).

The Case Description (CD) ([Annex 1](#)) can be submitted to ELA in one of the following ways:

1. sent to the respective ELA National Liaison Officer(s)⁷ (NLO),
2. sent directly to ELA Inspections (inspections@ela.europa.eu) (with a copy to the respective NLO(s)),
3. submitted by other secured electronic means made available by ELA.

ELA can support cooperation between Member States and other stakeholders planning to submit a Case Description by organising dedicated meetings and facilitating exchange of information among them. The NLOs play a key role in facilitating such exchanges.

1.1 Initiation of a CJI

CJIs initiated by Member States

A Member State can initiate a CJI by filling in the Case Description (CD) and submitting it to ELA together with a draft agenda of the planned CJI. Two or more Member States may submit a case jointly.

The initiating Member State identifies other concerned Member States and stakeholders that, based on its assessment, should participate in the CJI. The initiating Member State is encouraged to involve all competent national authorities in the CJI, such as, but not limited to, labour inspectorate, social inspectorate, social security authority, transport authority, tax and customs authority, police, prosecutors etc. Where the national law/practice allows it, the Member State can also involve SPOs in the inspection activities.

Where required, other EU agencies, such as EUROPOL or EUROJUST, may be involved in CJIs; for example, in cases

that concern criminal investigations, such as cases related to labour or economic exploitation or other complex fraud cases.

If at the time of submission (all necessary) participants are not yet known, ELA may help to identify and invite them to join the CJI.

Important

According to Article 8(5) of the ELA Regulation, Member States and ELA shall **keep information** about envisaged inspections **confidential** with regard to third parties.

If the initiating Member State requests ELA's analytical support (see Section 2 for more details), additional concerned Member States or other relevant stakeholders may be identified in the analytical report prepared by ELA. The involvement of other Member States and stakeholders is at the discretion of the initiating Member State.

Cases brought to the attention of ELA by SPOs

According to Article 8(1) of the ELA Regulation, SPOs at national level may bring cases to the attention of ELA. Such cases must be within ELA's mandate (Article 1(4) of the ELA Regulation) and have a clear cross-border element. They should concern serious suspected irregularities or violations of labour mobility or social security coordination rules.

Before submitting the case to ELA, the SPO contacts the competent national authority(ies) in their Member State, informing them about the intention to bring the case to ELA and providing all relevant information.

If the Member State, in response to the SPO, requests ELA's support for organising a CJI based on the information received, the Member State follows the guidance laid out above. The Member State informs the SPO about the submission of the case to ELA.

If the Member State does not take the case forward, no action is taken or no response is received from the national authority within a reasonable time, the SPO may bring the case to ELA.

In exceptional cases of suspected multiple serious violations of labour mobility or social security coordination rules on a large scale (e.g. complex fraudulent structures involving companies operating in two or more Member States) which require urgent action due to their severity for the workers concerned (see examples below), SPOs may bring such cases directly to ELA while simultaneously informing the concerned Member States about the submission.

⁷ The email address of ELA NLOs has the following format: nlo-ms@ela.europa.eu, where 'MS' must be replaced with the acronym of the respective Member State, for example: Austria, AT.

The SPO fills in the CD ([Annex 1](#)) (Section 1 – National coordinator and Section 5 – Estimated support required from ELA do not have to be filled in) and submits it to ELA at inspections@ela.europa.eu. In the submission, the SPO should also clearly indicate which national authority(ies) in their Member State they have contacted beforehand.

Examples of complex cases brought directly to the attention of ELA by SPOs

Case 1: *a substantial number of third-country nationals were posted to a Member State without having previously worked in the Member State where the posting undertaking was established. Although they were registered as working, travel documents indicate their direct arrival in the host Member State from their non-EU country of residence. Additionally, their working conditions were inadequate.*

Case 2: *a Temporary Work agency established in Member State A posted a substantial number of workers to a user undertaking in Member State B, which in turn posted them to Member State C. The workers never truly worked in Member States A or B, and the intention from the very beginning was to post them in Member State C without applying the equality principle in relation to the workers directly employed by the so-called user undertaking in Member State C.*

ELA may propose that the concerned Member States carry out a CJI if the case is admissible, necessitates action at cross-border level or the use of other available tools (such as information exchange via IMI, direct exchanges between stakeholders involved or via NLOs) is not sufficient to tackle the case.

Instead of proposing a CJI, ELA may suggest other actions at its disposal such as, but not limited to, information campaigns, capacity building activities etc.

ELA informs the SPO on the outcomes of its assessment and actions already taken or planned.

ELA ensures that the SPO is regularly informed about the progress of the case, taking confidentiality requirements into account and fully respecting Member States' relevant procedures. Once the case is closed, ELA, if necessary, together with the participating Member States, informs the SPO about the outcomes of the case.

CJIs suggested by ELA

According to Article 8(1) of the ELA Regulation, ELA may, on its own initiative, suggest to the authorities of the Member States concerned that they carry out a CJI. Such cases must fall within ELA's mandate.

For this purpose, ELA, together with the NLOs of the concerned Member States where appropriate, uses its internal analytical capacity, collects all available information and assesses the need for a CJI based on the set criteria (see Figure 2 below). Following this assessment, it may suggest to the Member States concerned to carry out a CJI.

ELA may also launch enforcement campaigns, such as Weeks of Action, to address specific labour mobility irregularities or sectoral challenges. These campaigns are planned in close cooperation with Member States (ELA Working Group on Inspections) and relevant stakeholders (including enforcement networks). To ensure proper coordination, ELA coordinates with Member States and, when relevant, with other stakeholders involved to establish the schedule of campaigns during the year preceding their implementation. In such cases, ELA sends the proposal for participation in an enforcement campaign to the NLOs. If Member States plan to participate in the enforcement campaign, they proceed in the same way as for cases initiated by Member States and express their consent to participate or host an inspection by submitting a CD.

1.2 Consent from the concerned Member States

Member States undertake to participate in CJIs in accordance with the principle of sincere cooperation (Article 8(3) of the ELA Regulation).

Once ELA either receives the CD (or in SPO or 'own initiative' cases, once ELA has decided to proceed with the suggestion of a CJI), it requests consent to participate in the CJI from the concerned Member States.

If the initiating Member State has previously agreed to the organisation of a CJI with the concerned Member States, this should be clearly stated when submitting the CD. In this situation, no further formal consent from the concerned Member States are required.

1.3 Assessment of the case by ELA

Once ELA receives consent from at least one concerned Member State, it assesses the request based on a set of criteria (see Figure 2 below) as soon as possible, but not later than within 10 working days.

ELA may request additional information from the Member States or SPOs to facilitate the assessment.

If ELA determines that a case is urgent based on information at its disposal, requiring the prompt organisation of a CJJ, ELA may proceed with the assessment of the request without having received consent from a concerned Member State. If it decides to provide the support, it initiates the signing of the CJJ Agreement (see Section 1.4). In this case, the signing of the CJJ Agreement serves as the formal consent to participate in a CJJ by the Member State(s).

Following the assessment, ELA informs the initiating and concerned Member States on whether or not it supports the organisation of the CJJ, explaining the types and limitations of the support available⁸.

The following criteria serve as a basis for ELA to evaluate requests for inspections:

Figure 2: Criteria for case assessment

The sequence in which these criteria appear bears no impact on the intended outcome.

Admissibility criterion

The proposed CJJ should concern a cross-border case within the scope of the mandate of ELA (Article 1 of the ELA Regulation).

Other assessment criteria:

- Number of workers/companies concerned, active at cross-border level
- Geographical balance of support by ELA
- Severity of the impact on workers and/or labour markets
- Recurrence of the irregularity or lack of prior intervention
- Sector Coverage

Priority is given to sectors identified following the risk assessment and approved by the Management Board. Other sectors are covered if the cases clearly meet the above set criteria.

⁸ If ELA does not support the organisation of the inspection, the use of the template of the Agreement, including Agenda, as well as reporting to ELA about the outcome of the CJJ (Annex 3 and 3A), is encouraged as guidance for the participants.

1.4 CJJ Agreement

Once ELA decides to support a CJJ, it arranges the signing of the [CJJ Agreement \(Annex 2\)](#). The agreement sets out the terms and conditions for carrying out that inspection, including the scope and purpose of the inspection and, if relevant, any arrangements with regard to the participation of ELA staff and of other stakeholders.

Among others, the CJJ Agreement specifies the contact details of the national coordinators responsible for the exchange of all relevant case-related data and for reporting and follow-up.

A Member State can sign the CJJ Agreement independently of the other participating Member States by using electronic means, but all parties willing to participate must sign it before the inspection date.

1.5 Modalities in the event that one or more Member State decides not to participate in the CJJ

According to Article 8(4) of the ELA regulation, the Member State that refuses to participate in a CJJ shall inform ELA and the other concerned Member States without undue delay. In particular, the Member State shall indicate the reasons for its decision not to join the CJJ and the measures it plans to take to resolve the case, including specifying concrete actions and the envisaged timeframe.

ELA has adopted the Modalities to ensure appropriate follow-up where a Member State decides not to participate in a CJJ⁹.

ELA may suggest that the Member State which did not participate in a CJJ undertakes its own inspection on a voluntary basis.

Once known, the Member State that has not joined the CJJ shall inform ELA and the other concerned Member States about the outcomes of the measures undertaken.

ELA, in close cooperation with the Member States involved in the case, will analyse the information provided and may suggest follow-up actions.

In the event that one or more concerned Member States decide not to participate in a CJJ, the participating Member States shall carry out such an inspection only on their territory. The Member State that decides not to participate shall keep information about such an inspection confidential.

⁹ [ELA Inspections - Library](#)

ELA and the participating Member States may inform the Member State(s) that refused to participate about the outcomes of the inspection. If suspected irregularities indicated in the CD are outside the scope of its mandate, ELA may report them to relevant stakeholders, including other competent EU authorities.

2. ELA support to CJIs

ELA provides conceptual, logistical and technical support as well as legal expertise, translation and interpretation services to Member States carrying out CJIs, including preparatory and follow-up meetings. Namely, ELA may support Member States through i) the logistical organisation of the inspections (travel, accommodation, catering and venue), ii) the interpretation to facilitate the communication among the inspection participants, as well as to interview workers or employers' representatives, iii) the translation of case-related documentation and other material, iv) legal expertise, v) analytical support, and vi) the provision of equipment for the secure exchange of information and data. ELA also supports the CJI by

Important

Member States may ask ELA to provide analytical support to CJIs.

This support is provided in the form of an analytical report. The report includes information on companies targeted by the CJIs relevant for enforcing legislation within ELA's mandate. Additionally, the report may contain relevant information about other companies that may be of interest to enforcement authorities, given their ownership and/or business connections with the primary CJI targets.

The analytical report draws on business intelligence databases that include data from national commercial registers and publicly available sources, information shared with ELA by Member States and data collected by ELA itself during its operational activities.

The report covers the economic, legal and business details of the targeted companies and, where relevant, companies linked through ownership and/or business ties.

ELA does not interpret or provide a legal opinion on information provided in the analytical report.

deploying its own staff (case handlers and/or NLOs) in the inspection.

To ensure the smooth organisation of CJIs, the types of support required should be clearly indicated in the CD. Detailed information on requested support should be provided to ELA and/or its contractors upon request and within the deadlines set by ELA. ELA defines the rules for providing support to carry out CJIs.

ELA can support the secure exchange of information and data during CJIs by providing the participants with a dedicated tool. Member States should identify the need for such support within the CD. Member States shall also identify the relevant staff that should be granted access to the dedicated tool for the purpose of the individual CJI.

In cases related to the posting of workers, in accordance with Article 21 of Directive 2014/67¹⁰, the information should be exchanged via the Internal Market Information System (IMI)¹¹.

3. Planning of CJIs

The initiating Member State (nominated national coordinator of a CJI), other concerned Member States (nominated national coordinators), ELA (assigned case handler and NLOs) and, where necessary, other stakeholders cooperate closely to prepare the CJI.

ELA facilitates the collection and information sharing, including by identifying and involving other concerned Member States, international organisations, EU agencies and enforcement organisations and bodies.

The participating Member States decide whether a concerted or joint inspection is best suited to address the case, and when the inspection should take place. ELA may advise the participating Member States on what type of inspection would be most suited to address the case based on its specificities.

ELA organises both online and in-person meetings to coordinate cases, discuss developments, clarify the different roles and competencies of participating authorities and organise CJIs. In that regard, ELA has prepared an overview of the institutions with competence related to the enforcement of labour mobility legislation, including the rules related to cross-border inspections and the collection of evidence, as well as an overview on the rights and obligations of visiting inspectors in the EU and the European Economic Area (EEA)¹².

¹⁰ [Directive - 2014/67 - EN - EUR-Lex](#)

¹¹ IMI is a secure platform enabling the use of exchanged information in courts. More information are available at the following link: [Internal Market Information System \(IMI\) - The EU Single Market - European Commission](#).

¹² Link available soon

Important



Concerted inspections are more time- and cost-effective, and do not require travel and accommodation support or a full understanding of the inspection procedures of the participating authorities. However, advanced planning, constant communication and coordination is vital.

Joint inspections are best suited for cases when participating Member States need to collect evidence onsite or perform interviews with workers and/or company representatives. They may also serve as an opportunity to exchange good practices and share experience on inspection tools or on approaches to enforcement of labour mobility and social security coordination legislation.

In complex cases, ELA may propose the establishment of dedicated task forces to enable the exchange of information and data, and to plan, coordinate and discuss results of enforcement actions already taken.

It may also provide premises (with logistical and technical support) to support the operational coordination of a CJI (coordination centre).

As a rule, briefing and debriefing meetings before and after a CJI for all the participants in the inspection are organised by the host Member State.

4. Carrying out a CJI

The CJIs are carried out in line with EU Law, ELA Regulation and the national legislation. The CJIs shall also follow the arrangements set out in the CJI Agreement.

ELA develops strategic analyses and guidance documents (checklists, questionnaires, interviewing techniques etc.) to facilitate the enforcement of labour mobility rules in practice in close collaboration with the concerned stakeholders. These materials can be used in the preparation and execution of the CJI¹³.

5. Reporting and follow-up of CJIs

Collecting participants' feedback, reporting on CJI outcomes and conducting follow-up activities play a crucial role in the success of CJIs. These actions provide valuable insights into the impact and relevance of a CJI and contribute to enhancing their overall effectiveness.

5.1 Satisfaction survey

After the CJI, participants receive a brief survey to evaluate the support provided by ELA. Based on this feedback, Member States and ELA identify gaps and potential actions to improve the support for future CJIs.

5.2 Post inspection Report

Purposes of reporting

According to Article 9(6) of ELA Regulation, the Member State that carries out a CJI has to report to the ELA on the outcome of the inspection within that Member State and on the overall operational running of the CJI at the latest six months after the end of the inspection. These Post Inspection Reports (PIR) serve as the basis for the biannual reports that have to be submitted to the ELA Management Board twice a year (Article 9(8) of the ELA Regulation).

It is essential that the national coordinator of the host Member State submits the PIR within the designated deadlines and ensures that it includes all pertinent information¹⁴.

The PIR shall contain sufficient quality data on the outcome and overall operational running of the CJI in line with Article 9(6) of the ELA Regulation.

Preparing the Post Inspection Report

The PIR is prepared in the following sequence:

1. ELA prefills the introductory part of the draft PIR based on available information in the CD and CJI Agreement. The General PIR template ([Annex 3](#)) is used for all CJIs. Notwithstanding the above, roadside inspections are reported by using a specific Roadside Check PIR ([Annex 3A](#)).

¹³ All these guidance documents are available on CIRCABC: [ELA Inspections - Library](#)

¹⁴ In case of a concerted inspection all Member States that organise inspection activities on their own territory must submit a PIR

2. ELA makes the relevant draft PIR available to the national coordinator of the host Member State prior to carrying out the CJI.
3. Within 15 working days after the CJI, the national coordinator of the host Member State shares the draft PIR with ELA and the national coordinators of other participating Member State(s), which shall include the **preliminary** results of a CJI. The participating Member States may provide their input.
4. Within six months after the CJI, the national coordinator of the host Member State shares the draft final PIR with the **final** results of the CJI with ELA.
5. ELA promptly shares the draft final PIR with national coordinators of other participating Member States for their input or information.
6. ELA finalises the PIR in close cooperation with the host Member State and shares it with the other participating Member State(s).

5.3 Follow-up activities

Member States and ELA finalise the case and identify necessity for follow-up actions to the CJI based on the results. If a follow-up inspection requires ELA coordination and support, a new CJI Agreement should be concluded.

Based on the findings of the CJIs, ELA can conduct risk assessments on its own initiative or in cooperation with the Member States and, where appropriate, SPOs, to expand the understanding of specific situations. ELA may also carry out focused in-depth analyses and studies to investigate specific issues. ELA organises discussions and/or informs all Member States, not just those concerned by the case, as well as other stakeholders about such assessments, taking confidentiality requirements into account.

In line with Article 9(9) of ELA Regulation, if ELA, during a CJI or in the course of any of its activities, becomes aware of suspected irregularities of EU Law, it may report those suspected irregularities, where appropriate, to the Member States concerned and to the Commission.

Annex 1. Case description template

CASE DESCRIPTION TO REQUEST A CONCERTED/JOINT INSPECTION

This inspection shall be carried out in accordance with the law or practice of the Member State where the inspection takes place.

Please DO NOT provide any personal data in this document.

1. National coordinator of the inspection

Please provide the contact details of the entity and person in charge of the national coordination of the proposed concerted/joint inspection for the initiating Member State.

2. Objective, background and timeline of the inspection

- Targeted inspectionⁱ
- General inspection

Please provide a general description of the initial complaint or information, as well as the rationale behind the request, i.e. why a CJI appears to be necessary. Briefly list all relevant information about the case and evidence already available – for example, via preliminary research or joint risk assessment, investigations already carried out, including identified infringements – and provide information about actions already taken to tackle the problem at national or EU level, the results of those actions and the involvement of other Member States or stakeholders (if applicable).

Please indicate planned timeline (and duration) of the inspection.

In case of targeted inspection, please specify the targets/objectives for the inspection and the estimated number of companies (including, if possible, the name of the company(ies) and the mobile workers, including posted, self-employed or other status (e.g. company owner, volunteer)) directly concerned by the inspection so that ELA can assess the impact of the possible infringements on workers and/or on the labour market.

3. Sector, NACE code and company(ies) to be inspected in each Member State

Please specify the sector, NACE code and, if possible at this stage, the name of the company(ies) to be targeted.

4. Participants

Please list all stakeholders that may participate in this CJI: national authorities (of initiating Member State and, if possible, of other concerned Member States), EU/international bodies and, if relevant, social partner organisations.

5. Estimated support required from ELA

- | | |
|---|---|
| <input type="checkbox"/> Accommodation | <input type="checkbox"/> Legal advice |
| <input type="checkbox"/> Analytical support | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Translation |
| <input type="checkbox"/> Equipment | <input type="checkbox"/> Venue |
| <input type="checkbox"/> Interpretation | <input type="checkbox"/> Other support [please specify] |

If the Case Description is filled in by an SPO, sections 1 and 5 are not required.

The SPO should indicate which Member State national authority(ies) it has contacted before submitting the case to ELA.

ⁱ A targeted inspection is to be understood as an inspection that targets a specific company(ies) or case or focuses on one or more pre-identified aspects, phenomena or irregularities that fall within the jurisdiction of the respective enforcement body.

Annex 2. Model Agreement template

MODEL AGREEMENT ELAYY-INSP-XXX ON CROSS-BORDER CONCERTED AND JOINT INSPECTIONS

This inspection shall be carried out in accordance with the law or practice of the Member State where the inspection takes place. This Agreement shall not affect any existing bilateral/multilateral agreements nor memoranda of understanding concluded by the participating Member States. This Agreement shall not entail any legal obligation for the signing parties, other than those described in Regulation (EU) 2019/1149. The parties to this Agreement shall only complete those parts relevant to the case at hand.

1. Parties to the agreement and coordinators

Member State A

Name of the coordinating national authority:

Name of the responsible national coordinator:

Member State Bⁱ

Name of the coordinating national authority:

Name of responsible national coordinator:

European Labour Authority

Name of the responsible ELA Case Handler:

Name of National Liaison Officer for [Member State A]:

Name of National Liaison Officer for [Member State B]:

2. Participants and their role

(Article 9(3) and 9(5) of the founding Regulation)ⁱⁱ

[a reference to the new Overview of the institutions with competence related to the enforcement of labour mobility legislation, including the rules related to cross-border inspections, and the collection of evidence, as well as an overview of the rights and obligations of visiting inspectors in the EU and the European Economic Area (EEA), will be added for guidance purposes]

3. Format and scope of the concerted/joint inspection

The parties agree to perform a:

- concerted** general inspection
- concerted** targeted inspection
- joint** general inspection
- joint** targeted inspection

to take place in [add Member State(s)] in [add economic sector] on [add timeframe (specific date is not necessary)].

The concerted/joint inspection aims to tackle:

ⁱ If applicable, add Member States C, D etc.

ⁱⁱ [link available soon]

- non-compliance with the applicable European and national rules on the free movement of workers, and/or
- non-compliance with the applicable European and national rules on the free movement of services (posting of workers)

Please refer to the Case Description and the agenda of the inspection for further information on the scope and timeline of the inspection.

4. ELA coordination and support

ELA provides the following types of support in line with Regulation (EU) 2019/1149:

- Accommodation
- Analytical support
- Catering
- Equipment
- Interpretation
- Legal advice
- Transport
- Translation
- Venue
- Other support [*please specify*]

5. Signatures

Member State A

Member State B

European Labour Authority

Name:
Function:
Institution:
Date:

Name:
Function:
Institution:
Date:

Name:
Function:
Date:

Annex 3. General Post-Inspection report template

GENERAL TEMPLATE: CJI REPORT ELAYY-INSP-XXX			
Legend:			
	To be filled in by ELA		
	To be filled in by host MS within 15 working days of the inspection. needed, other participating MSs may provide their input.		If
	To be updated and filled in by host MS within 6 months of the inspection. participating MSs may provide their input.		Other
CJI GENERAL INFORMATION			
CJI number	...		
ELA case handler	...		
Start date of the inspection	<i>dd/mm/yyyy</i>	End date of the inspection	<i>dd/mm/yyyy</i>
EU/EFTA MS (COUNTRY) of inspection	<i>Select MS:</i>	<i>If needed, include more details</i>	
Include LOCATION (CITY)	...	Include NUTS 3 (region)	
Main economic sector(s) of activity	Economic sector 1	Economic sector 2	If needed, include more details
	...		
NACE Code(s) of inspections Rev. 2.1	Nace Code 1	Nace Code 2	If needed, include more details
	<i>Include 4-digit code</i>	<i>Include 4-digit code</i>	...
Short case description and objective of inspection	...		
Specify if JOINT, CONCERTED		If the inspection took place within the Week of Action (WoA) tick the box: <input type="checkbox"/>	
Specify if GENERAL or TARGETED		Tick the box if labour intermediary is/was involved: <input type="checkbox"/>	
Number of ELA STAFF participating in the inspection	<i>Nr.</i>	Type of ELA support:	<input type="checkbox"/> Accommodation <input type="checkbox"/> Analytical support <input type="checkbox"/> Catering <input type="checkbox"/> Equipment <input type="checkbox"/> Interpretation <input type="checkbox"/> Legal advice <input type="checkbox"/> Transport <input type="checkbox"/> Translation <input type="checkbox"/> Venue <input type="checkbox"/> Other support
Member State (MS) coordinator NAME	...	MS coordinating INSTITUTION	...
PARTICIPANTS			
MEMBER STATE	Authority name	Authority type	Nr. of persons
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
COMPANIES/PREMISES/OTHER SITES CHECKED			
Number of locations (workplaces/premises/sites) checked	<i>Nr.</i>	<i>If needed, include more details</i>	
Number of companies checked	<i>Nr.</i>	<i>If needed, include more details</i>	
Number of companies with suspected infringements	<i>Nr.</i>	<i>If needed, include more details</i>	
Letterbox companies and fictitious company schemes (chains)	<i>Nr.</i>	<i>If needed, include more details</i>	

Companies checked	Name of the company		Company identifier (VAT or national number)		Address		
Total number workers/self-employed checked (Total number of all PEOPLE such as local workers, EU national mobile workers, third-country nationals (TCNs) and posted workers checked)	Total Nr.						
Total number of workers/self-employed impacted by infringements (Total number of all PEOPLE such as local workers, EU national mobile workers, third-country nationals (TCNs) and posted workers impacted)	Total Nr.						
Total number of people checked for specific categories relevant for ELA's mandate (Cross-border element)	EU national mobile workers	EU nationals posted workers	TCN workers	TCN posted workers	Cross border Self-employed	If needed, include more details	
	Nr.	Nr.	Nr.	Nr.	Nr.	...	
INFRINGEMENTS (SUSPECTED)							
Number of those impacted by infringements for specific categories relevant for ELA (cross-border element). Include total and specify per category	Total number of those impacted by infringement	EU national mobile workers	EU nationals posted workers	TCN workers	TCN posted workers	Cross border Self-employed	If needed, include more details
	Total Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	...
INFRINGEMENTS and FINES reported per company (multiply the report as needed)							
Name of the company							
Summary of INFRINGEMENTS	Provide a short summary of type(s) of infringement(s) detected						
NON-COMPLIANCE WITH LABOUR RIGHTS							
Type of infringement	Total number of those impacted by each infringement:	EU national mobile workers	EU nationals posted workers	TCN workers	TCN posted workers	Cross border Self-employed	Include the FINE amount in EUR
Underpayment/non-payment of wages	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Working time/resting time	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
OSH (Occupational safety and health)							
OSH (Safety and health regulations)	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Posting of workers							
Non-genuine posting of workers	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Infringements related to posting declaration (e.g. documents not provided, incomplete or invalid or fraudulent)	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Social Security Coordination							
PD A1, e.g. document incomplete or invalid or fraudulent	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Fraud involving the applicable social security system, where a company registered their workers and pays their social security contributions in one MS, but in fact carries out its main activities in another MS	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Fraud in social security contribution (e.g. under-payment SSC, non-payment SSC, other)	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Fraud to obtain social security benefits (unlawfully obtained benefits - related to workers)	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	

Undeclared work, illegal employment, labour exploitation							
Undeclared work	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Underdeclared work	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Bogus self-employment	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Illegal employment of third country nationals (e.g. work without permits)	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Trafficking in human beings/labour exploitation	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Other infringements	Nr.	Nr.	Nr.	Nr.	Nr.	Nr.	
Company	<p style="text-align: center;">Tick the box if the company is suspected to be one of the following:</p> <p style="text-align: center;"> Bogus, fraudulent or illegal labour market intermediaries: <input type="checkbox"/> Letterbox companies and fictitious company schemes (chains): <input type="checkbox"/> </p>						
FINES							
Total amount of fines for all companies in EUR	Total amount in EUR			If needed, include comments			
FINAL RESULTS CONFIRMATION							
Describe final result(s) of the CJ	...						
Number of penalties from cases (administrative, civil and/or criminal)	...						
Number of tax/social contribution recoveries and back payments from cases (administrative, civil and/or criminal)	...						
Number of administrative advice, warnings or ordinances, etc., issued to companies	...						
Number of court procedures and convictions	...						
Innovative TOOLS, METHODS and/or GOOD PRACTICES used during inspection	...						
IMI used	<input type="checkbox"/> Before the inspection <input type="checkbox"/> During the inspection <input type="checkbox"/> After the inspection			If needed, include more details			
EESSI used	<input type="checkbox"/> Before the inspection <input type="checkbox"/> During the inspection <input type="checkbox"/> After the inspection			If needed, include more details			
Other comments/recommendations	...						

Annex 3A. Post Inspection Report template for roadside inspections

ROADSITE CHECK TEMPLATE: CJ I REPORT ELAYY-INSP-XXX			
(Note: for company premises inspections please use the General post-inspection report)			
Legend:			
	To be filled in by ELA		
	To be filled in by host MS within 15 working days of the inspection. If needed, other participating MSs may provide their input.		
	To be updated and filled in by host MS within 6 months of the inspection. Other participating MSs may provide their input.		
CJ I GENERAL INFORMATION			
CJ I number	...		
ELA case handler	...		
Start date of the inspection	<i>dd/mm/yyyy</i>	End date of the inspection	<i>dd/mm/yyyy</i>
EU/EFTA MS (COUNTRY) of inspection	<i>Select MS:</i>	<i>If needed, include more details</i>	
Include LOCATION (CITY)	...	Include NUTS 3 (region)	...
NACE Code(s) of inspections Rev. 2.1	NACE Code	IF other sector or NACE Code (s) of inspection please specify (4-digit NACE Rev. 2 code including letter)	
	<i>Include 4-digit code</i>	<i>Include 4-digit code</i>	
Case description and objective of inspection:	...		
Specify if JOINT, CONCERTED or MIXED		If the inspection took place within the Week of Action (WoA) tick the box: <input type="checkbox"/>	
Specify if GENERAL or TARGETED		If labour intermediary is/was involved tick the box: <input type="checkbox"/>	
Number of ELA STAFF participating in the inspection:	<i>Nr.</i>	Type of ELA support:	<input type="checkbox"/> Accommodation <input type="checkbox"/> Analytical support <input type="checkbox"/> Catering <input type="checkbox"/> Equipment <input type="checkbox"/> Interpretation
			<input type="checkbox"/> Legal advice <input type="checkbox"/> Transport <input type="checkbox"/> Translation <input type="checkbox"/> Venue <input type="checkbox"/> Other support
Member State (MS) coordinator NAME	...	MS coordinating INSTITUTION	...
PARTICIPANTS			
MEMBER STATE	Authority name	Authority type	Nr. of persons
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
			<i>Nr.</i>
VEHICLES/OPERATORS CHECKED			
Total number of VEHICLES checked	<i>Nr.</i>	<i>If needed, include more details</i>	
Breakdown of number of VEHICLES checked per country of registration	EU/EEA		Third countries
	National	Non-national	<i>Nr.</i>
	<i>Nr.</i>	<i>Nr.</i>	

Total number of VEHICLES with detected infringements	Nr.	If needed, include more details			
Breakdown of number of VEHICLES with detected infringements per country of registration	EU/EEA		Third countries		
	National	Non-national	Nr.		
	Nr.	Nr.			
Number of DRIVERS checked	Total Nr.	Please specify how many drivers were checked for posting		Nr.	
		Please specify how many of them were confirmed to be posted		Nr.	
Breakdown of posted drivers checked	EU/EEA	Third-country nationals (TCNs) drivers employed by EU/EEA operator		If needed, include more details	
	Nr.	Nr.			
Tick the box if PD A1 were checked: <input type="checkbox"/>	If needed, include more details				
INFRINGEMENTS (SUSPECTED)					
Type of infringement	Number of infringements	Monetary amount of fines in EUR		Notes	
Regulation (EC) No 561/2006					
Breaks	Nr.	Amount in EUR			
Resting periods	Nr.	Amount in EUR			
Driving times	Nr.	Amount in EUR			
Tachograph (Regulation (EU) No 165/2014)					
Driving without a driver card	Nr.	Amount in EUR			
Driving with someone else's card	Nr.	Amount in EUR			
Tachograph manipulation	Nr.	Amount in EUR			
Failure to produce records	Nr.	Amount in EUR			
Failure to use mode switch correctly	Nr.	Amount in EUR			
Tachograph calibration	Nr.	Amount in EUR			
Posting of drivers					
Infringements related to the POSTING declaration (e.g. document not provided, incomplete or invalid or fraudulent) per EU / TCN Driver	EU driver	Third-country national driver	Notes		
	Nr.	Nr.			
Remuneration of posted drivers	Nr.	Nr.	
Other Infringements					
Undeclared work	Nr.	Amount in EUR			
Underdeclared work	Nr.	Amount in EUR			
Illegal employment of third country nationals, without work permits	Nr.	Amount in EUR			
Illegal employment of third country nationals, without driver atestation	Nr.	Amount in EUR			
Trafficking in human beings/labour exploitation	Nr.	/			
Operators					
Include names of operators with 'Most Serious infringements' (MSIs) detected as stated in Annex 4 of Regulation (EC) No 1071/2009 and classified accordingly in Commission Regulation (EU) 2016/403 (Art. 6.1-6.3/561/2006 & 2016/403; Art. 3.1 & Art. 22, Art.27, Art. 32.3/165/2014 & 2016/403)	Name of the operator	Company identifier (VAT or national number)		Address	

SANCTIONS		
Monetary value of FINES in EUR	Total amount of FINES in EUR	If needed, include more details
Total number (count) of fines imposed	Total number of FINES	If needed, include more details
Number of companies (operators) fined	Nr.	If needed, include more details
Prohibitions	Nr.	If needed, include more details
FINAL RESULTS CONFIRMATION		
Describe final result(s) of the CJI	...	
Number of penalties from cases (administrative, civil and/or criminal)	...	
Number of tax/social contribution recoveries and back payments from cases (administrative, civil and/or criminal)	...	
Number of administrative advice, warnings or ordinances, etc., issued to companies	...	
Number of court proceedings and convictions	...	
Innovative TOOLS, METHODS and/or GOOD PRACTICES used during inspection	...	
ERRU used	<input type="checkbox"/> Before the inspection <input type="checkbox"/> During the inspection <input type="checkbox"/> After the inspection	If needed, include more details
IMI used	<input type="checkbox"/> Before the inspection <input type="checkbox"/> During the inspection <input type="checkbox"/> After the inspection	If needed, include more details
EESSI used	<input type="checkbox"/> Before the inspection <input type="checkbox"/> During the inspection <input type="checkbox"/> After the inspection	If needed, include more details
Other comments/recommendations	...	



European Labour Authority

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 <https://www.facebook.com/europeanlabourauthority>

 @EU_ELA

 <https://www.linkedin.com/company/european-labour-authority>

 [instagram.com/eulabourauthority](https://www.instagram.com/eulabourauthority)