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**'Enhancing administrative cooperation through
coordinated transnational actions'**

**December 2015
December 2017**

Detailed draft

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Preliminary remarks

The posting of workers reveals tensions between the implementation of conditions to facilitate the development of the single market and those intended to guarantee workers' protection.

The necessary regulation of these tensions is thus a challenge for the social partners of the European Union, Member States and their administrations.

But the task of addressing this challenge is made more difficult by the fact that the posting of workers is part of a wider phenomenon of the transnational provision of services. This phenomenon is complex and changes constantly, making it difficult to identify the various structures, activities and strategies of players involved in production chains.

Globalisation and its corollary, increased competition, result in permanent changes in production processes (a longer production chain, outsourcing of activities and increased use of sub-contracting).

In practice, posted workers have widely varying impacts on working and employment conditions depending on the approaches used by companies.

Specialised sub-contractors provide services temporarily in another Member State of the European Union with qualified, well-paid staff members. In these cases, there are many positive aspects to the mobility of workers, which helps increase production capacity.

But it also results in the use of cheap, often unqualified workers and results in the development of intermediaries who sometimes operate as 'letterbox companies' and the fragmentation of the value chain of small firms in which workers are vulnerable with regard to their employment and working conditions.

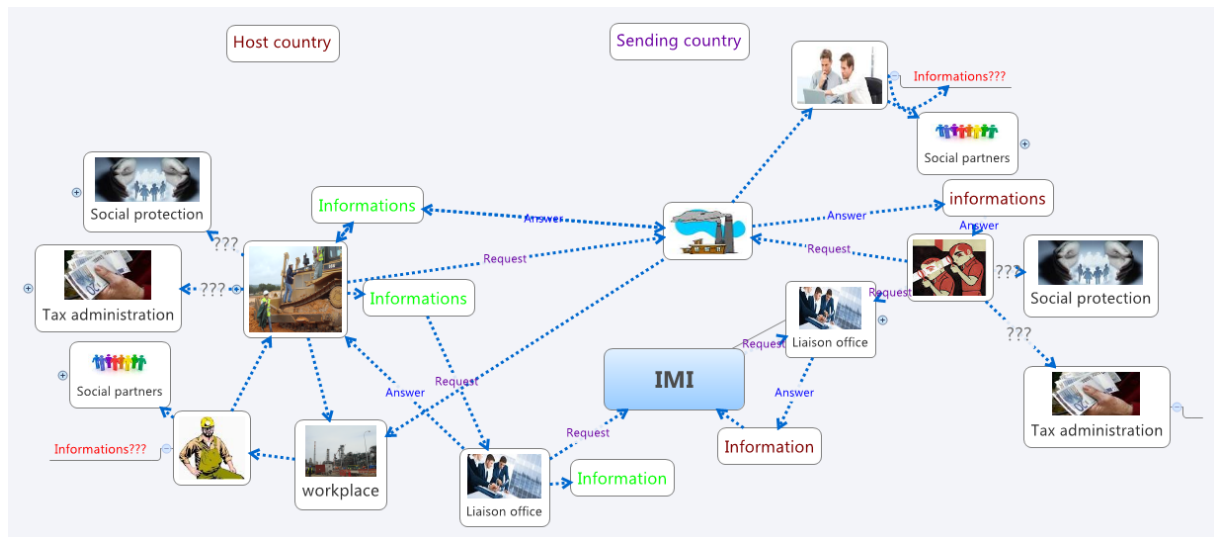
To provide adequate protection of the rights of posted workers, the Directive of 16 December 1996 placed certain limits relating to the application, during the period of posting, of a 'core' of minimum protective rules on working conditions and terms of employment, which must be followed by the service provider in the receiving country.

Noting that national frameworks are no longer sufficient in reacting to these situations, it introduces a requirement for Member States to make a provision for transnational cooperation between public authorities (defined in Article 4 of Directive 96/71/EC).

Directive 2014/67/EU of 15 May 2014 further reinforced this by reaffirming the general principles, rules and procedures necessary for effective administrative cooperation and assistance by establishing the legal basis necessary for information to be exchanged (IMI) and investing in accompanying measures intended to support and further improve administrative cooperation.

This diagram illustrates the process of information exchange between two systems of actors by way of the IMI tool in the context of administrative cooperation.

We have listed all the stakeholders likely to be involved in this exchange.



The challenge is to link together two different systems of stakeholders

In the face of sometimes complex transnational organisation of production, the traditional national regulatory systems designed to ensure the effective enforcement of Directive 96/71/EC face limitations.

These national systems have their own form of consistency when inspecting in-country situations but are destabilised by the development of the transnational provision of services.

The difficulties experienced by stakeholders lie in their obligation to coordinate actions on either side of borders and to link together fields of expertise, legal instruments, working methods and strategies that are different from one country to another.

This requirement modifies the practices of public authorities and professionals in the field because their practices are developed in a specific national historic, organisational and legal framework.

Administrative cooperation or transnational collaboration cannot be dictated from above: they are built piece by piece as part of an overall process.

To make this cooperation possible, each national system must contribute to advancing its field practices, organisations, internal collaborations, legal framework and tools in order to better coordinate with those of other Member States.

Stakeholders' capacity to coordinate their demand and thus to develop new policy frameworks and acquire new skills based on mutual trust.

Since 2010, INTEFP and ASTREES have implemented three consecutive projects with six, ten, and fourteen partner Member States and five European federations (in the construction, agriculture and temporary work sectors; see the history of the approach EURODETACHEMENT in the appendix). This shared experience has allowed the various public authorities that are partners in the initiative to witness significant changes in the implementation of administrative cooperation and the practices of other stakeholders, including social partners.

We have observed these developments in three fields of action:

1) Awareness raising, information, support

- Improvement of public authority websites (as stipulated by the implementing Directive)
- Information campaigns targeted at posted workers (e.g. ACT Portugal; Labour Inspectorate of Estonia)
- Awareness raising of main contractors and clients (e.g. ITM Luxembourg)
- Tools to inform and accompany workers by trade union organisations (e.g. Faire Mobilité, CSC in Belgium and a transnational project between CFDT France in France and Podkrepa in Bulgaria)

In other areas, room for improvement remains, in particular with regards to access to reliable information for companies and workers, access to posted workers and descriptions of their living and working conditions.

Strengthening synergistic cooperation public authorities and social partners is more than ever a relevant field of action.

2) Control and monitoring

Cooperation is strengthened in a number of areas:

- Development of national legal systems, tools and means in multiple countries, in particular as a result of the enforcement Directive 96/71/EC.
-
- Bilateral or multilateral meetings to boost administrative cooperative (Finland, Estonia, Poland, Belgium, France, Portugal, Spain, Netherlands, etc. See the library of bilateral agreements on the EURODETACHEMENT website).
-
- Restructuring liaison offices in order to meet the requirements of inspectors in the field (IMI played a determining role in the structuring of liaison offices for a certain number of countries).
- Organisational adaptation in order to improve the quality of information exchange and to 'professionalise' inspectors (decentralisation of liaison offices, creation of specialist networks, internal request and answer circuits for other countries, training programmes, creation of tools for sharing information with other administrations, etc.).

- Awareness of a common labour market in particular in situations of transborder employment (e.g. in Finland and Estonia).
- Finally, although there are still major areas for improvement, cooperation between public authorities (such as social security, revenue/tax authorities and legal institutions) is a cornerstone of fighting against social dumping on wages and social security contributions and to tackle the issue of 'letterbox' companies.

3) Anticipation and prevention

These initiatives, while still marginal, allow to identify and to act in advance on foreseeable or recurrent operations:

- on large-scale building sites, or 'harvesting campaigns' in the agriculture sector, or on a given territory or in a given sector;
- towards main contractors, clients and service providers.

The 2015-2017 Project

The developments described above attest to the **stages** involved but also **generate new needs**, expressed in the course of the last project in labour inspectors' reports, the transnational workshops, the seminars and the status report produced with the members of the steering committee. The current project was developed around two major pillars identified during discussions with our partners, notably during the final steering committee working sessions held on 28 and 29 January 2015:

- the need to progress towards a more 'operational' phase for the posted workers inspection operations carried out on either side of borders,
- the need to develop forums for exchanging ideas in order to analyse and share experiences on the developments that take place in the construction, agriculture and temporary work sectors and on the implementation of Directive 2014/67/EU of 15 May 2014.

- **The ultimate goal of the 2015-2017 project:** to improve the application and enforcement of Directive 96/71/EC on posted workers.

- **Project scope:** a sector-wide approach has been chosen, which focuses on the construction, agriculture and temporary work sectors.

The available studies and statistics as well as public authorities' inspection practices in fact converge with respect to the importance of posted workers for the companies and employees in these sectors. In addition, this issue is a shared area of concern and action for our partners.

- **Project position:** At the institutional level, political and technical discussions are being held among bodies and stakeholders such as the European Commission, the Member States, the European Parliament, social partners, etc.

The project is punctuated by these legal and political debates within the current context. These debates are useful in that they help to clarify the rationale for the actions taken by the relevant stakeholders.

The aim of the project is not to interfere in this process, such as by making legal or organisational recommendations at the European level.

The project team acts as a third party and not as a stakeholder taking part in these debates.

Its role is to organise a working process that facilitates convergence and the development of concrete solutions to problems.

However, the needs of each system of stakeholders will differ depending on their history, configuration, means of intervention and their objectives.

Given the experience acquired by the 14 partner MSin the previous project, we now feel it is worthwhile to establish a tailored, flexible system designed to support the partners in advancing towards new stages while respecting each system of stakeholders' unique speed of change, direction and capacities.

- Specific objectives and working methods

Objective no. 1: Target audience: public authorities

Improve the operational capacity of public authorities to implement efficient administrative cooperation

- ✚ Improve their capacity to pre-emptively act with regard to foreseeable or recurrent operations (large-scale construction sites, infrastructure, supply of employment services, etc.).

- ✚ The first phase of the project consists of improving the ability to identify these 'high-risk operations'. It urges public authorities to implement or improve an existing monitoring system used to identify these operations and direct future action.

- ✚ Improve public officials' capacity to ensure administrative cooperation during inspection operations.

The 'action learning' immersion periods provided for immediately operational transnational teams make it possible to conduct investigations of identified situations or companies test panels in both the receiving country and the sending country in order to improve:

- ✚ Stakeholders' capacity to set common transnational policy objectives for these situations

- ✚ Their capacity to exchange relevant information and make better use of the IMI system

- ✚ To keep each other informed of any actions carried out in order to reinforce their impact

- ✚ To collectively ensure that these situations are regularised with regard to the obligations under the core of rules in Directive 96/71/EC

- ✚ To capitalise on the achievements of this experience in a report prepared by each participant

- ✚ Improve public authorities' capacity to deliver information that is relevant in terms of substance (educational) and form (access to information) to their colleagues and the general public, and by improving knowledge of the various information systems in other countries and the sharing of good practices.

Working method: this consists of working on two levels:

1) With 40 professionals in the field by way of a **transnational action learning training programme** for pre-identified situations identified by transnational teams in order to strengthen inspection practices, the exchange of information and cooperation on follow-up actions.

2) Within the steering committee, with labour administration managers from the 10 Member States. By building on professional reports, we facilitate **a discussion to improve the legal and organisational national frameworks that structure the process of administrative cooperation.**

This method can be used to launch a back-and-forth process between two levels: the participants are not focused on the development of legal recommendations at the European level (the temptation is strong) but on the ways in which they can shift the outline of the current framework. Awareness is raised by way of comparison with other systems. This is applicable for managers as well as professionals in the field.

This method makes it possible to have a systemic impact.

Objective no. 2: Target audience: public authorities and social partners

Strengthen the understanding of the economic and social determinants in the agriculture, construction and temporary work sectors.

- ✚ Shift focus, raise awareness and improve understanding of the transnational mechanisms in the affected sectors at the European level,
- ✚ Exchange information on identified developments among various Member States,
- ✚ Share information on the financial and legal arrangements of 'system of fraud' and the actions undertaken in the various Member States,
- ✚ Identify the most relevant initiatives.

Objective no. 3: Target audience: public authorities and social partners

Share knowledge on the developments resulting from the implementation of Directive 2014/67/EU of 15 May 2014

- ✚ Changes in national legal frameworks
- ✚ Changes in investigation tools and methods
- ✚ Organisational changes
- ✚ Impact of these changes (most notably on the coherence of initiatives carried out by Member States)

The public authorities round table held during the final seminar of the previous project (on 28 January 2015) highlighted the fact that important changes at these three levels were in progress among several of our partners.

Working method: for these two objectives, the method is as follows:

'Overlapping perspectives' seminars with the social partners involved in the experiences, the 13 co-applicant or partner public authorities and experts to share experiences and information. These discussions will focus firmly on stakeholders' practices and concrete experiences with the goal of highlighting an improved understanding of situations in the three sectors, scope for action, legal or technical tools and methods, organisations' performance, cooperation among stakeholders (see the 'action' pages available on the website) and the identified difficulties and levers for action.

They will be led by the members of the project team, by Jan Cremers and by other experts having participated in previous project events, whose advice we wish to seek when needed: (Université de Strasbourg, networks of experts mobilised by the European partner federations, University of Westminster, LENTIC, etc.)

Objective no. 4: Target audience: public authorities and social partners

Capitalise on the project results by preparing a report on:

- ✚ Changes in the legal frameworks of the various countries involved,
- ✚ Changes in organisations likely to improve administrative cooperation (organisation and role of liaison offices, ties between the liaison offices and the services that carry out investigations, internal collaboration with the bodies in charge of social protection and the tax authorities),
- ✚ The quality of information exchanges, particularly via the use of the IMI system,
- ✚ Information campaigns focusing on the European legal framework and the national frameworks for the posting of workers.

Disseminate results

- ✚ Develop a plan for disseminating the report produced after the end of the project with the partners so that they may distribute it within their departments (for public authorities) and within their networks (for the four federations of European social partners),
- ✚ Organise a final seminar to present the results.

Working method: The report will be drawn up by the INTEFP/ASTREES project team supported by Jan Cremers.

The six months scheduled for the completion of the report will allow for involving participants as well as other stakeholders or experts through questionnaires and telephone interviews.

The report will draw on the work produced by the labour inspectors during their action learning exercises, material from the seminars and discussions among the partner organisations involved in steering the project.

Each part of the report will be validated by the party to which it refers.

It will be available on the EURODETACHEMENT website.

Project steering

The project will be steered by the INTEFP/ASTREES project team and the partners according to the following procedures, which allow for different levels of involvement depending on the capacity or preferences of the relevant organisations:

Phase 1 of the project:

The public authorities of the Member States **Belgium, Finland (two regional organisations), France, Ireland, Netherlands, Poland, Romania, Portugal, Latvia and Sweden** have decided to become involved in the action learning programmes. The '**Arbeit & Leben**' organisation in Germany will also contribute, with the support of the public authorities, to an initiative focusing on posted workers in Germany.

These organisations:

- participate in the launch seminar,
- identify one or two situations related to construction, companies test panels (involving service providers or temporary employment agencies) or harvesting campaigns in their region,
- participate in the seminar for forming operational teams,
- contribute to the operational implementation of the various action learning programmes (see the detailed work programme),
- ensure that their officials prepare a report.

The social partners involved in the project:

- participate in the launch seminar,
- during the identification phase, contribute to identifying the aforementioned situations,
- support, as necessary, their national member organisation when the public authority wishes to involve it in part of an operation.

Phase 2 of the project:

The public authorities of the Member States **Belgium, Finland (two regional organisations), France, Ireland, Netherlands, Poland, Romania, Portugal, Latvia, Sweden, Croatia, Estonia and FIEC, EFBWW, EFFAT, EUROCIETT, ETUC** and the '**Arbeit & Leben**' organisation in Germany

- will participate in preparing and holding the working seminars on 28 and 29 September and 24 and 25 November 2016,
- mobilise the participants in their network or administration.

Phase 3: capitalisation and dissemination

The public authorities of Belgium, two Finnish regional organisations, France, Netherlands, Poland, Romania, Portugal, Latvia, Sweden, Croatia, Estonia and FIEC, EFBWW, EFFAT, EUROCIETT, ETUC and the 'Arbeit & Leben' organisation in Germany

- contribute to the preparation of the final report,
- participate in the final seminar on 9 November 2017,
- participate in the steering committee for the project review of 10 November 2017,
- at the end of the project, disseminate the final product within their organisations.

The INTEFP/ASTREES project team

- develops the work programmes for all events,
- gathers, designs and disseminates the educational resources needed by participants,
- coordinates all project phases,
- mobilises participants,
- leads all working sessions, including those of the steering committee,
- oversees the immersion periods when necessary,
- coordinates the drafting process and prepares the final report,
- disseminates the results.

INTEFP

- steers, coordinates all activities,
- implements the logistics phase of the initiative (travel, stay, interpreting, translation, room bookings),
- monitors the financial aspects of the action.

Through their research and knowledge, **the experts** contribute to clarifying the discussions of the project team and add value to the work produced by participants during events.

Framework and implementation

This product will include:

- An operational arm, the 'action learning' programmes, to implement objective number 1,
- The analysis and sharing of experiences to implement objectives number 2, 3 and 4.

Kick off meeting (launch seminar)

15 December 2015 (Brussels)

- Target audiences: public authorities involved in the action learning programmes; social partners at the European level
- Implementation of the project steering
- Sharing of project objectives and provisions

I) The “training” stream : 'action learning' (objective 1)

Objective no. 1: Target audience: public authorities that are involved in the action learning programme and the 'Arbeit & Leben' organisation in Germany

Improve the operational capacity of public authorities to implement efficient administrative cooperation

Preliminary stage: Case study selection process: site/operation and company case studies

From 15 December 2015 to 31 March 2016

Target audiences: public authorities, European social partner organisations

- ✚ Each partner seeks to identify in its country a range of relevant such as large-scale construction sites, targeted companies (undertakings providing services, temporary work agencies), harvesting operations in the agriculture sector, on a given territory, etc.
- ✚ Operations would be ideally include the use of existing national tools to alert or to monitor the use of posted workers.

- ✚ The project team will coordinate the selection process and support the partners (telephone interviews with each partner to determine the progress of the identification process, transmission of information to other project partners).
- ✚ The objective is to determine and select a range of situations on which the partners would like to act.

During this preliminary stage, synergies may be developed, for public authorities that wish to do so, with the initiatives of European and national social partners and the understanding of the situations that they may encounter in the field.

Phase A: Constituting a team that participate for the monitoring and control operations

13 and 14 April 2016 (The Hague)

Seminar to choose situations and form the transnational operational teams

Target audiences: the public authorities that are involved in the action learning programme and the 'Arbeit & Leben' organisation in Germany

The seminar will be held in The Hague in synergy with the events organised by the Dutch Ministry of Social Affairs at the time of the Dutch presidency of the EU (previous contacts have already been made with this Ministry).

- ✚ For each organisation involved, presentation of the chosen situation(s) to the other partner public authorities.
- ✚ Discussion and sharing of specific policy objectives for these situations (information, awareness-raising, monitoring and control or prevention).
- ✚ Determination of which stakeholders should be involved by forming **'intervention zones in the receiving country/sending country' according to the flow of workers and/or companies foreseeably affected by each situation.**
- ✚ Determination of the number of public officials that should be involved per country by forming 'operational teams' as selected by participants from the receiving country/sending country.
- ✚ Formation of one or two operational teams to work on the issue of public information with the 'Arbeit & Leben' association in Germany.
- ✚ Choosing of dates for the immersion periods and working methods.

This initial work will be used to form transnational pairs.

The selected working hypotheses may be revised as situations change.

Phase B: implementation of transnational actions during the operational immersion periods

15 June 2016/31 December 2016

Target audiences: Public officials appointed by their administrations depending on the chosen situations and according to the preferences of public authorities

- + Using the shared objectives, formation of pairs on either side of borders.
- + Implementation of transnational actions in one or more fields of action depending on the specific needs, operations or companies identified.
- + **These actions may be carried out in cooperation with the national social partners according to the possibilities opened up by their initiatives (information, awareness-raising or prevention).**

For each receiving country/sending country operational team, the project will cover:

- + Two immersion periods of four days each, with the aim of:
- + carrying out investigations on the selected operations or companies in both the sending and the receiving country,
- + outlining policy objectives when shortcomings have been identified,
- + ensuring that the situations are regularised with regard to the obligations imposed by the core of rules in Directive 96/71/EC: informing employers and employees concerned, payment of salaries and social security contributions, improvement of working conditions, criminal proceedings in cases of fraud, etc.,
- + capitalising on the finding through **a report prepared by each participant.**

The project will provide:

- one interpreter per team during the immersion periods if required.
- translation of documents necessary for this action.

The project team will be responsible for:

- Coordinating the actions implemented. The partners will be fully in charge of steering the operational actions, setting objectives and choosing the methods and follow-up to be given.

II) The stream “Analysis and sharing of experiences” (objectives number 2, 3 and 4)

Objective no. 2: Target audience: public authorities and social partners

Strengthen the understanding of the economic and social determinants in the agriculture, construction and temporary work sectors

Working seminar between managers of public authorities combining specific working sessions with the social partners at the European level

28 and 29 September 2016 (Lisbon)

Each stakeholder holds part of the knowledge and skills relating to its territory. The objective is to pool the knowledge held by stakeholders of each Member State by bringing in expert perspectives.

Day 1:

Sharing insights on changes in three sectors (agriculture, construction, temporary work).

Target audiences: Interested public authorities, social partners at the European level, experts

Day 2:

The development of large-scale legal and financial 'systems of fraud', including the practices and actions undertaken in the various countries, sharing of information.

Target audiences: public authorities, experts according to need

Objective no. 3: Target audience: public authorities and social partners

Share knowledge on the developments resulting from the implementation of Directive 2014/67/EU of 15 May 2014

Working seminar between managers of public authorities combining specific working sessions with the social partners at the European level

24 and 25 November 2016 (Dublin)

Day 1:

Sharing insights on changes in legal frameworks, most notably through the implementation of the enforcement Directive.

Target audiences: Public authorities, social partners at the European level

Day 2:

The evolution of tools (legal or technical, investigation and enforcement methods, type of criminal proceedings, etc.), the impact of these changes, notably in order to strive for coherence among Member States.

Target audiences: public authorities

Objective no. 4: Target audience: public authorities and social partners

Valorisation of the project results

January 2017 - June 2017

Drafting of the final report coordinated by the project team

Final seminar

9 November 2017 (Brussels)

Target audiences: Public authorities, social partners at the European and national levels

(160 participants)

Presentation of the report and discussions on the conclusions

Steering Committee

10 November 2017 (Brussels)

Target audiences: Public authorities, social partners at the European and national levels

- ✚ Review the project,
- ✚ Organise a dissemination plan for the report produced at the end of the project with the partners (European bodies and institutions, public authorities in Member States, national social partner organisations, other stakeholders concerned with the field).

Outcomes

For all participants:

Acquisition of knowledge on:

- the European legal framework and legal frameworks of other Member States and their changes,
- the organisations, rationale for action, methods, legal tools, practices of public authorities and social partners in the various countries involved and their changes,
- the transnational organisations of production underlying the postings and the impact on the situation of workers and companies.

Acquisition of knowledge on:

- The three fields of action: '**inform and raise awareness**' of companies and employees (quality of information sites, sharing experiences with awareness campaigns, communication tools), '**prevent and anticipate**' posting operations and '**control and monitor**' in the sectors targeted by the project (construction, agriculture and agency work).
- The capacity to act together in synergy and complementary with the other stakeholders (labour administration/social protection/tax authorities, social partners).
- The capacity to identify foreseeable or recurrent operations and share information at the transnational level.
- The creation of new networks and the consolidation of existing networks, the development of mutual trust and shared working habits.

For public authorities

- Improvement of their capacity to collaborate with other Member State administrations (development of mutual trust among professionals working together following training).
- Sharing of feedback on the various organisations set up within Member States to:
 - Strengthen internal coordination with the public authorities in charge of social protection and tax inspection in order to support administrative cooperation in the fight against fraud.
 - Improve the relevance of the information exchanged by consolidating ties between the liaison office(s) and the workplace inspection authorities.
 - Set up organisations that improve the performance of public authorities in the relevant field and in the cooperation processes (inspection units, networked organisations, local liaison offices, etc.).
- Improve their ability to exchange information via the IMI system.

For 'requesting' authorities: track information requests, identify the information to be communicated in order to explain requests to the recipient countries, use the information that they receive in a more efficient manner in order to improve follow-up action, keep their counterparts informed of the proceedings instituted and the results obtained.

For 'requested' authorities: conduct relevant investigations in order to meet demand and track the actions undertaken.

For all report recipients (depending on the dissemination plan prepared at the end of the project) and participants in the final seminar, acquisition of knowledge on:

- ✚ Changes in the legal frameworks of the 13 Member States involved in the project,
- ✚ Changes in organisations likely to improve administrative cooperation (organisation and role of liaison offices, ties between the liaison offices and the departments that carry out investigations, internal collaboration with the bodies in charge of social protection and the tax services),
- ✚ The quality of information exchanges, particularly via the use of the IMI system,
- ✚ Information campaigns focusing on the European legal framework and the national frameworks for the posting of workers.

Project review and evaluation

The steering committee of 10 November 2017 will focus on the 'on-the-spot' assessment of the project.

A questionnaire will be sent by the project team to project participants. Responses will be used to prepare the technical assessment of the project two months after the end of the initiative.

In reference to objectives 1, 2 and 3 and with regard to the acquisition of knowledge and skills, the criteria of this assessment will refer to the previously developed expected results:

- for all participants;
- for public authorities.

Project partners

(See also Appendix 2)

Project initiator

As the project coordinator, the Institut National du Travail, de l'Emploi et de la Formation Professionnelle (National Institute of Labour, Employment and vocational Training, or INTEFP) has been an administrative public authority under the domain of the French Ministry of Labour since 1st January 2006. Its goals include:

- initial and ongoing training of all central and local agency officials under the authority of the minister or ministers in charge of labour, employment and professional training,
- inter-ministerial training of public employees in the field of occupational health and safety,
- contribution to the development of social dialogue in France,
- the implementation of partnership and cooperation initiatives at the national and international levels with public administrations in the fields of labour, employment and professional training.

In 2014, INTEFP and its six inter-regional training centres conducted 62,572 days of training for more than 7,000 trainees, mobilising nearly 750 instructors, all of whom are active working professionals.

The Institute is an active member of Réseau des Ecoles de Service Public (Network of Public Service Schools, or RESP), which includes the 40 main public service schools in France.

In the field of bilateral and multilateral cooperation, the Institute works in partnership with the International Labour Office, the International Training Centre in Turin and Expertise France to develop training initiatives intended to strengthen labour inspection capacities in various partner countries (Maghreb, sub-Saharan and central Africa, countries in Central and Eastern Europe and China).

Alongside the International Training Centre of the ILO in Turin, it is a founding member of the International Network of Training Institutions in the Field of Labour (RiiFT) created in 2002, and which includes twelve member institutions from the European Union and the southern Mediterranean.

INTEFP has led the EURODETACHEMENT initiative since 2010 (see Appendix, 'History of the initiative')

For over twenty years, the Institute has been dedicated to promoting and supporting social dialogue. Every year since 1996, INTEFP's national tripartite sessions have brought together 30 decision-makers (10 business managers and leaders, 10 representatives of employee trade unions, 10 senior officials from national and local public sectors) for two study and exchange trips in European countries and abroad.

ASTREES

This independent association (an association constituted in accordance with the French law of 1901 concerning non-profit organisations) has two key strengths.

- It includes all stakeholders involved in social transformation, both present and contemplated, including: companies (Air France, St Gobain, AG2R, Sanofi and Fnac), trade unions (CFDT, CGT, UNSA and CGC), consulting firms (Altedia, Capstan, Grumbach, Alpha, Syndex, Sextant and Technologia), associations, academics, media, experts and qualified persons.
- Its national and international network allows it to compare on-the-ground and European approaches and to link experience acquired in companies or at the local level with private and public regulations under construction at the European level.

ASTREES is overseen by a multi-stakeholder Management Board chaired by Frédéric Cluzel, the former Vice-President of Social Relations Europe for Sanofi-Aventis. The team is led by Claude Emmanuel Triomphe, managing director. Its wide range of activities include studies and publications, operational experimental or training workshops, debates, conferences, and more. They focus on three major themes:

- Transformations of increasingly networked companies as well as changes in working patterns, forms of employment, wage relations and places of social regulation.
- New challenges in the fields of human resources and work participation, from the impact of sustainable development strategies to the need to take into consideration issues of health, diversity or inter-generational relations.
- Local employment markets, what they have to offer in terms of prospects for employment, career paths and territorial dialogue.

The work of ASTREES: an ambition both intellectual and practical

ASTREES's recent works have focused on:

- The restructuring of companies in Europe. These works include reports and contributions relating to a proposal for a European code of conduct, their impacts on the health of individuals and the reorganisation of public services
 - The labour crisis, via a 20-point assessment and a 20-point action plan
 - Changes in social legislation in Europe, particularly in times of crisis as well as the implementation of corporate social responsibility policies
 - Local labour markets and the implementation of a job and skills management plan (GPEC) at the regional level
 - Social dialogue, in particular the interactions between national and European representative bodies (European works councils, transnational bargaining)

In addition, the association runs the ALIZE® programme in some thirty employment areas which, with the support of DATAR and Caisse des Dépôts, supports a skills-based sponsorship programme between large corporations and emerging SMEs at the regional level.

ASTREES co-runs the EURODETACHEMENT initiative in partnership with INTEFP since 2010

Finally, ASTREES contributes to the Metis website (www.metiseurope.eu), which publishes information, analyses and interviews every two weeks on major changes in work and employment.

Public authorities

Belgium: Belgian Federal Public Service Employment, Labour and Social Dialogue

Croatia: Ministry of Labour and Pension System

Estonia: Labour Inspectorate

Finland: Regional Labour Inspectorate of Southern Finland (Division of Occupational Health and Safety of Regional State Administrative Agency for Southern Finland)

Regional Labour Inspectorate of Southwestern Finland (Division of Occupational Health and Safety of Regional State Administrative Agency for Southwestern Finland)

France: General Labour Directorate

Ireland: Workplace Relations Commission/National Employment Rights Authority

Latvia: National Labour Inspectorate

Netherlands: Inspectorate SZW

Poland: National Labour Inspectorate

Portugal: Working Conditions Authority

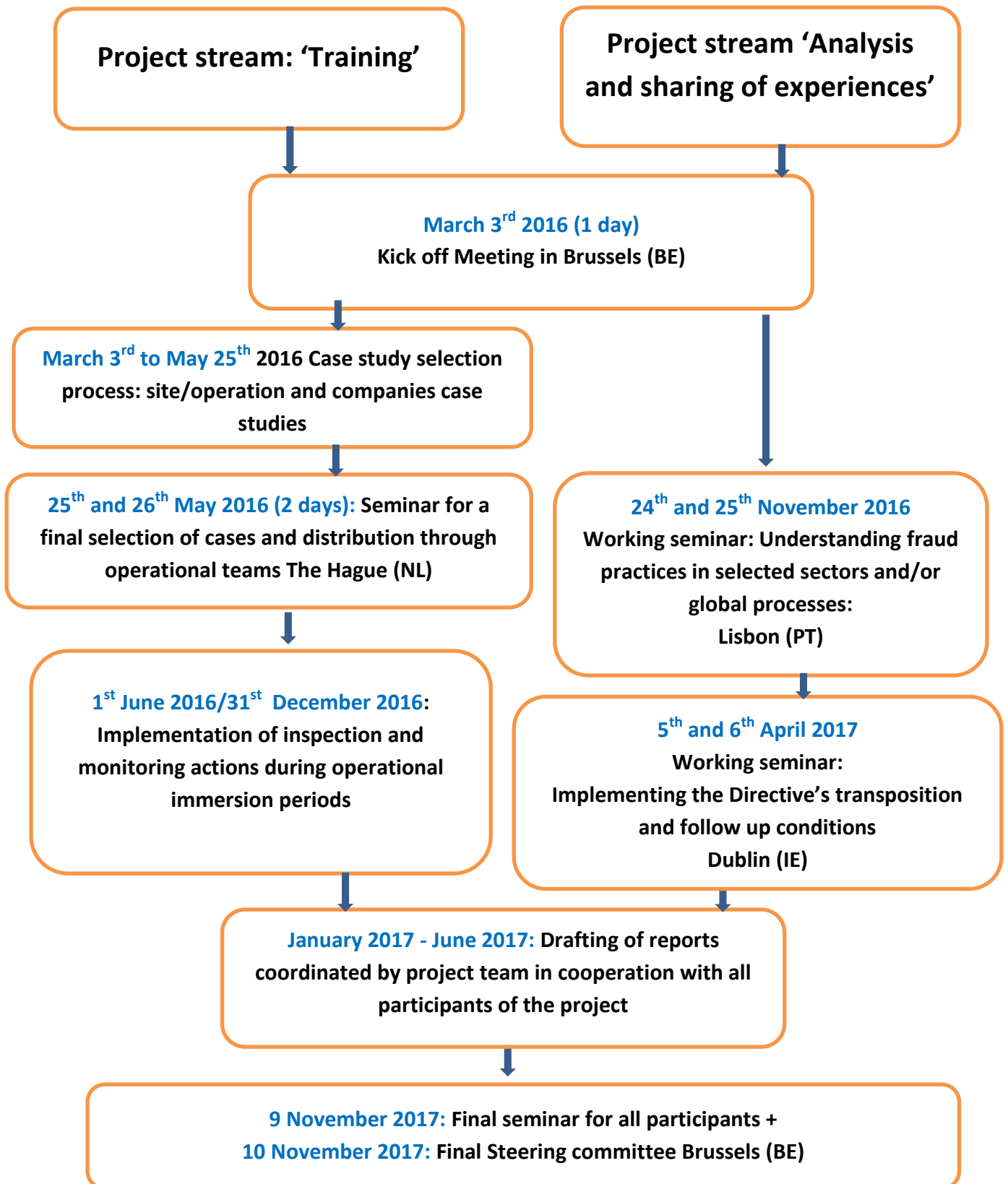
Romania: Labour Inspectorate

Sweden: Swedish Work Environment Authority

Social partners

- European Trade Union Confederation
- European Construction Industry Federation - FIEC
- European Federation of Building and Woodworkers -EFBWW
- European Federation of Food, Agriculture and Tourism – EFFAT
- European Confederation of Private Employment Services EUROCIETT
- 'Arbeit & Leben' (Berlin and Hamburg) in Germany

Summary calendar



Appendix 1

History of the project

On this basis, the labour administrations of Belgium, France, Luxembourg, Poland, Portugal and Spain engaged in a common training initiative for their officials, which was led by INTEFP and ASTREES from **December 2010 to December 2011**.

The aim was to support the changes required to implement or strengthen cooperation between these administrations.

By drawing on the analysis of specific cases and on 'immersion' periods carried out in the various countries involved, this project led to the creation of the first European network of 30 'relay' labour inspectors. The network developed a common transnational resource centre on the posting of workers: the EURODETACHEMENT website.

<http://www.eurodetachment-travail.eu/>

But it also highlighted the fact that, faced with the complexity of situations encountered, public authorities cannot act alone.

Social partners also have a major role to play, as emphasised by the European Commission in a communication on 13 June 2007¹. They act as a key interface between companies, employees and public authorities.

On 1st July 2012, a new project was launched with the aim of building on the momentum created by EURODETACHEMENT in order to expand it by focusing on two sectors that are particularly affected by the posting of workers: agriculture and construction.

This second project took up the challenge of expanding in two main ways: in terms of countries and partnerships. The project was expanded to Denmark, Estonia, Finland, Lithuania and Romania. In addition, the European trade union and employers' federations in the construction and agriculture sectors have committed to this new initiative, as well as 19 national trade union and employers' federations.

The final aim of the project is to seek complementarity and synergy between public authorities and social partners and to strengthen networks of stakeholders and the impact of the initiatives they carry out.

Transnational workshops in three geographical areas, determined according to the specific economic activities and the flow of workers, were held in the different partner countries, drawing on concrete examples experienced by public authorities or social partners.

These works resulted in a summary presented during a final seminar on 17 June 2013 in Brussels (where 20 Member States were represented by 120 participants). The final version of the summary is available on the EURODETACHEMENT website.

Communication: 'Posting of workers in the framework of the provision of services - maximising its benefits and potential while guaranteeing the protection of workers' of 13 June 2007

From 5 February 2014 to 29 January 2015 the third project focused on consolidating and expanding the momentum already created.

Overseen by 19 representatives from 14 labour administrations (Belgium, Estonia, Finland, France, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania and Spain) and five European federations (FIEC, EFBWW, EFFAT, GEOPA and EUROCIETT from the agriculture, construction and temporary work sectors), its aim was to improve transnational collaboration among the various stakeholders in this area.

It was coordinated by an INTEFP/ASTREES project team, with expert advice and support from Jan Cremers.

The first stage of the project focused on administrative cooperation between public authorities. Work was carried out on multiple levels in order to help the various systems of stakeholders change their methods of collaboration:

Within the steering committee, with the managers of the 14 labour administration systems, focusing on the legal and organisational frameworks that make it possible to improve transnational administrative cooperation.

Within a network of 56 professionals who attended a training course with a common curriculum in 2014 including:

- An immersion period in a 'host administration'. During this period they worked on improving the exchange of information between public authorities, participated in actions in the field with their colleagues from other countries and, as a group, debriefed after these operations in the presence of the relevant professionals.

- Transnational workshops allowing them to work on bottlenecks and the levers for transnational administrative cooperation in order to draft a common technical reference framework.

A second project stage focused on collaboration between the stakeholders, in particular the social partners.

A two-day experience-sharing seminar on 27 and 28 January 2015 welcomed 167 participants from 25 Member States: Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Spain, Sweden and the United Kingdom. During the seminar, participants shared their experiences from the fields of action: spreading information and raising awareness, inspection and monitoring, and prevention and anticipation of potentially problematic situations.

Appendix 2

Partner organisations

Co-applicants

Public authorities:

Belgium: Belgian Federal Public Service Employment, Labour and Social Dialogue

Finland:

Division of Occupational Health and Safety of Regional State Administrative Agency for Southern Finland

Division of Occupational Health and Safety of Regional State Administrative Agency for Southwestern Finland

Ireland: Workplace Relations Commission/National Employment Rights Authority

Latvia: National Labour Inspectorate

Netherlands: Inspectorate SZW

ASTREES

Affiliated entity

France: General Labour Directorate

Associate organisations

Public authorities

Croatia: Ministry of Labour and Pension System

Estonia: Labour Inspectorate

Poland: National Labour Inspectorate

Portugal: Working Conditions Authority

Romania: Labour Inspectorate

Sweden: Swedish Work Environment Authority

European social partners

- European Trade Union Confederation - **ETUC**
- European Construction Industry Federation - **FIEC**
- European Federation of Building and Woodworkers -**EFBWW**
- European Federation of Food, Agriculture and Tourism – **EFFAT**
- European Confederation of Private Employment Services **EUROCIETT**

Social partners at the national level

Germany: Arbeit & Leben Berlin

Germany: Arbeit & Leben Hamburg

Experts

CLR