



## **European Project**

**2014-2015**

**“Act on situations of posting of workers:  
"Learning by doing"”**



**Supported by the European Commission  
Employment, social affairs and inclusion**

### Acting on Worker Posting Situations: “Learning by Doing”

To reinforce their ability to cooperate and to act more effectively with respect to worker posting situations, the labour administrations of **Belgium, Spain, France, Luxembourg, Poland and Portugal** committed to a joint training project for their agents. A programme was thus organised by INTEFP and ASTREES from December 2010 to December 2011.

This first project enabled a better understanding of the approaches, practices and constraints of the different partner labour administrations and to create shared work methods. Collaborative work carried out by the participants in this training programme led to the development of a transnational centre for sharing resources on worker posting, the EURODETACHMENT site:

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

It was also established that since the situations encountered are very complex, public authorities are unable to act alone, and social partners can play a major role in regulating posting situations.

On July 1, 2012, a new project was born which aims to develop the momentum created by EURODETACHMENT by focusing on two sectors which are particularly relevant: agriculture and construction.

Expansion was twofold. On the one hand, the 2012 project added **Denmark, Estonia, Finland, Lithuania and Romania** as partners. On the other, the European trade union and employer federations in the construction industry committed to this new initiative, along with 19 employer and worker organisations at the national level.

The goal of the project was to find synergies between public authorities and social partners in order to reinforce the network of players and have an impact on the actions of different parties concerned by these operations.

Three transnational workshops in three different geographical areas (determined according to economic activity and worker flow) were held in various partner countries. The workshops were based on concrete “cases” experienced by public authorities or social partners.

A total of 95 people who were involved in this field experience were able to establish methodological and operational markers in three areas of action: “sensitise, inform and support workers and companies”; “anticipate and prevent”; and “verify and supervise”.

This work was summarised and presented during a final joint seminar on June 17, 2013, in Brussels; this report will be available at the end of summer 2013 on the EURODETACHMENT site.

Based on what was learned through this action, the organisations involved (see the complete list in Annex 1) decided during the Steering Committee assessment meeting to continue momentum along two axes:

- Reinforce the transnational cooperation possibilities of the relevant controlling agents and liaison offices in order to improve the impact of actions carried out by public authorities;
- Continue the development of synergies between public authorities (labour inspection, social protection and fiscal authorities) and social partners.

### Overall goal of the 2014 project:

Contribute to better application of the 1996 Directive by improving transnational administrative cooperation and collaboration between participants in worker posting operations.

### Specific goals

- Promote the development of a European “relay” network of professionals who contribute to spreading good cooperation practice within their organisations.
- Contribute to better meshing of different national control and surveillance systems to reinforce the effectiveness of administrative cooperation.
- Promote the development of transnational synergies between parties concerned by these operations in the construction and temporary work sectors.

### Implementation of three goals

#### Goal 1: a training project focused on field practices

- 1) Transnational shared training of 55 control agents and liaison office agents focusing on cooperation between public authorities in the workers’ home countries and in the host countries;
- 2) Creation of “work zones” according to the flow of workers and priority countries for these authorities in order to obtain operational results which can be used directly;
- 3) An arrangement which alternates transnational workshops and seminars with a period of immersion in a partner administration including, in particular, field verifications;
- 4) Training led by the relevant authorities and adapted to their specific needs:
  - Choice of the number of participants by partner authorities according to their constraints and organisation (from three to five individuals per country),
  - Work programmes for the immersion periods established using a common reference but differentiated according to the practices to be developed;
- 5) Training oriented toward the three action areas targeted in the previous project (“sensitise, inform and support”; “anticipate and prevent”; “verify and supervise”).

#### Goal 2: A dynamic aiming to solve issues in the cooperation process which takes into account the organisational specificity of member countries involved

The goal is not to homogenise existing systems but to obtain better coordination between the different surveillance and control systems through interactive work between two levels:

- 1) The network of professionals being trained who take field notes on the organisation of host administrations, good practices, levers and blocking points in the cooperation process (with the writing of a report).
- 2) Members of the Steering Committee who use these reports to elaborate a “good practices” reference to enable structuring cooperation in a more effective way.

#### Goal 3: A project based on the development of operational partnerships

This would involve a working seminar on “cases” which would include public authorities who are project partners, social partners from both sectors, the authorities in charge of social protection and fiscal authorities to improve synergy between the parties concerned by these operations.



## Three-Step Training Programme

### Step 1

#### *Collect "Good Practices" in the Field*

**Target audience: 60 control agents and liaison office agents in the "relay network"**

**5<sup>th</sup>-6<sup>th</sup> February 2014**

**Steering Committee 1: two days**

**Goal:**

Project start

Organisation and piloting of Step 1

**January, February, March 2014**

**Preparation of immersion periods**

**Proactive documentary research by participants**

**Goals:**

- Become familiar with the economic and social environment and characterise the nature of posting operations in the host country for both sectors involved;
- Understand mission organisation, means and legal tools of authorities in the partner country.

**8, 9, 10 April 2014 and/or 22, 23, 24 April 2014**

**Immersion period: three days**

**- Goals:**

- Understand how the host administration acts (legal, organisational, strategic aspects)
- Collect cases where information has been exchanged using IMI exchanges
- List practices used in the three areas of action.

**- Activities: concrete involvement of participants in:**

- A field action (sensitisation, communication of information, prevention or control as done in the host country)
  - Elaborating one or more requests for information via IMI
  - Processing a request for information (which may involve "carrying out investigations in order to answer the request").
- Collective debriefing on these operations on site with the professionals involved
- Report made using a questionnaire model elaborated by the Steering Committee.

**Report goal:**

- Identify cooperation facilitators and blockers in information exchange
  - Identify good practices in the three action areas.

- Step 2

*Capitalise, Formalise*

**Target audience: 60 control agents and liaison offices in the “relay network”**

**May 21, 22 2014 Brussels - June 18,19 2014 Varsaw**

**Two transnational workshops per zone: two days**

**Goals:**

- Exploitation of the immersion period and work on IMI cases (facilitators and blockers)
- Elaboration of markers for a shared reference on the quality of information exchange
- On the basis of situations noted during the immersion period, work on the three action areas (“inform, sensitize, support”; “anticipate, prevent”; “supervise, control”).

**July - August 2014**

Exploitation of immersion reports and workshop results by the project team

Elaboration of a proposal for a “Good Practices Reference” for information exchange in collaboration with the partners involved

**September 10, 11 2014 Steering Committee 2: two days**

**Day 1:**

Work on immersion period reports and identification of facilitators and blockers in the information exchange process

**Consolidation and validation of the information exchange reference (end product to be added to the professional pages of the EURODETACHEMENT site)**

**Day 2:**

**Preparation of Step 3, *Collaboration between Interested Parties***

**Social partners participate in this second work day**

Preparation of the Step 3 seminar

Identification of “cases”

Distribution of contacts and list of participants

**October, November, December**

**Preparation of the Step 3 seminar**

**Mobilisation of participants**

**Step 3**

*Collaboration between Interested Parties*

**Target audience: 60 control agents and liaison office agents in the “relay network”**

**150 social protection and fiscal agents and social partners**

**January 27, 28 2015**

**Work exchange seminar: two days**

Work in groups and from “cases” stemming from identified parameters: worksites, territories, construction sector, temporary work sector.

**January 29 2015**

Steering Committee: report



## Partnerships

### Project team:

The INTEFP is project initiator and ASTREES is partner in the initiative.

The INTEFP takes charge of the administrative and financial management of the project.

Experts: - Jan Cremers CLR

-Fabienne Muller ITS

### Partner country organisations for the 2012-2013 project:

#### - Public authorities:

**Belgium:** Federal Public Service for Employment, Labour and Social Dialogue

**Estonia:** Labour Inspectorate

**Finland:** Ministry of Social Affairs and Health

**France:** Directorate General of Labour

**Ireland:** National Employment Rights Authority

**Italy:** Territorio Lavoro

**Latvia :** National labour Inspectorate

**Lithuania:** Ministry of Social Security and Labour

**Luxembourg:** Labour and Mines Inspectorate

**Netherlands :** Inspectorate SZW

**Poland:** National Labour Inspectorate

**Portugal:** Labour Conditions Authority

**Romania:** Labour Inspectorate

**Spanish :** General Inspectorate of Labour and Social Security

#### - European social partners:

- European Construction Industry Federation - FIEC

- European Federation of Building and Woodworkers -EFBWW

- Employers' Group of Professional Agricultural Organisations in the European Union - GEOPA COPA

- European Federation of Food, Agriculture and Tourism – EFFAT

- European Confederation of Private Employment Agency- EUROCIETT

## Summary of implementation

February 5<sup>th</sup> ,6<sup>th</sup> 2014

### Steering Committee: 2 days

D1 : project start

D2 : organization and management of the N°1 period

January, February, March 2014

### Préparation of « immersion period »

April 8, 9, 10 2014

### « immersions period »: 3 jours

- Understand how the host administration acts (legal, organisational, strategic aspects)
- Collect cases where information has been exchanged using IMI exchanges
- List practices used in the three areas of action.

May 21, 22 2014 Brussels - June 18, 19 2014 Varsaw

### Two transnational workshops per zone: two days

- Exploitation of the immersion period and work on IMI cases
- Elaboration of markers for a shared reference on the quality of information exchange
- Work on the three action areas

September 10, 11 2014

### Steering Committee N° 2: two days

Day 1: Consolidation and validation of the information exchange reference

Day 2: Preparation of Step 3, Collaboration between stakeholders

**Social partners participate in this second work day**

January 27,28 2015

### Work exchange seminar: two days

Work in groups and from “cases” stemming from identified parameters: worksites, territories, construction sector, temporary work sector.

January 29 2015

### Steering Committee N°3 : report:

One day

Step1

Step2

Step3