

**Ref. VP/2018/011**

**Boosting transnational cooperation on posting of  
workers**

**December 2018  
November 2020**

***Detailed project***

## Summary

- **The 2018-2020 project**
  - Partners
  - Overall objective
  - Scope
  - Assumptions
  - Project ambitions
  - Specific objectives
  - Working methods **p. 3**
  
- **Project steering** **p. 7**
  - Detailed listing of the project partners
  - Role of the project team INTEFP/ASTREES
  - Role of the steering committee
  - Jan Cremers
  
- **Implementation** **p. 9**
  
- **Project review** **p. 13**
  
- **Appendix 1 Provisional timetable** **p.15**
  
- **Appendix 2 Project partners** **p. 16**
  - Co-applicants
  - Affiliated entity
  - Associate organisations
  - Coordinator: INTEFP
  - Astrées
  
- **Appendix 3 Project team INTEFP/ASTREES contacts** **p.19**

## The 2018-2020 Project

This project is built in order to answer to the European Commission's call for proposals, n° VP/2018/011 "*Posting of workers: enhancing administrative cooperation and access to information*". This is the 5<sup>th</sup> project coordinated by INTEFP in this field, pursuing the "Eurodétachement" approach.

### - Project partners:

This new project gathers 16 Member states (Belgium, Bulgaria, Croatia, Estonia, France, Germany, Ireland, Italy, Latvia, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania and Sweden) and 5 European social partners (FIEC, EFBWW, EFFAT, WEC Europe and ETUC).

The NGO Astrées and Jan Cremers, as expert from Tilburg University, are also involved in this project.

### - Overall objective of the project:

The general aim of this project is to contribute to the enhancement of the implementation and correct application of Directive 96/71/EC3 concerning the posting of workers in the framework of the transnational provision of services.

### - 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 assumptions:

There are institutional places in which political or technical discussions are developed. The project does not intend to intervene in this process by formulating, for example, legal or organizational recommendations at the European level, but to strengthen cooperation and operational collaborations with a scheme proposing:

- Involvement in the same time of the European (European trade unions and employers' federations of the concerned sectors, construction, agriculture, temporary work) and national levels (national public authorities and national and local representatives of trade unions and employers' organizations) in order to have an impact on the "system of actors";

- A cross-border work between "hosting country - sending country" to reinforce exchanges about workplaces and places of business establishment;
- A transnational exchange forum between public authorities and social partners.

### -Project ambitions:

- Continue the dynamics of the Eurodétachement process in the context of the creation of the European Labour Authority;
- Define, inside the framework of the project, pragmatic and realistic cooperation objectives, in order to lead concrete and evaluable results;
- Associate, at the national level, when partners agree, new stakeholders in order to promote synergies between public authorities and / or social partners at different territorial and sectoral levels;
- Improve collaborative working methods in order to share and capitalize the initiatives carried out during the project.

### - Specific objectives and working methods

The project has two specific objectives:

1/ "**Cooperation in action**" which aims to develop operational "cooperation plans", such as control and monitoring, information, awareness raising and prevention actions

2/ "**Cooperation in progress**", which aims to identify fraudulent complex legal-financial operations, obstacles and opportunities in terms of control and monitoring

Furthermore, the aim of the project leads to pursue a transversal objective: to ensure the **quality and dissemination of the knowledge** produced by the project partners, in the field of transnational cooperation.

### -Working methods:

#### **Preliminary information: working languages**

Steering Committee: English, French

Transnational seminars, workshops and working groups: English, French.

Operational Immersion Periods: 1 to 2 interpreters per country. Languages to be defined according to the language level of the participants.

Each one of these objectives is illustrated by its own work program, based on a methodology and specific activities (see below).

Collective times aim to promote emulation and sharing experiences (meetings, workshops, seminars).

The project architecture (complementarity of objectives, diversity of pedagogical methods and plurality of target audiences) intends to support a transnational cooperation dynamic in the field of posting of workers, based on real work.

### **1/Specific objective 1 - Develop operational "cooperation plans" such as control and monitoring, information, awareness raising and prevention actions**

To develop transnational cooperation, actors must coordinate with each other across borders, articulating fields of expertise, legal tools, working methods and strategies which are different from one Member State to another.

Their abilities to cooperate suppose that they build on their frameworks and practice.

It is made possible through the acquisition of new skills based on mutual trust. Therefore, it is necessarily built "step by step" in the long run.

**Through a "learning by doing" training** (co-operation plans co-constructed and implemented by the Member States), this new project means:

- to strengthen at operational level the collaborations between stakeholders through different types of action, control and monitoring operations, completed by information, awareness raising and prevention actions.

In this respect, enhancing collaboration between public authorities (in particular authorities in charge of social protection and tax) helps to make transnational cooperation more efficient. Public authorities and social partners acting together help to provide guidance on control and monitoring actions. It also aims to improve awareness of employers, workers, clients, so that they get reliable, relevant and easily usable information, and finally to better prevent situations of fraud.

- to share innovative and best practices related to information exchange and data sharing which is a challenge to foster cooperation nowadays.

## 2/Specific objective n ° 2 – Identify fraudulent complex legal-financial operations, obstacles and opportunities in terms of control and monitoring

Posting of workers and transnational provision of services take different forms of organizational frames. It could be a "virtuous" partnership between the contracting partners, for which worker mobility contributes to boost economic and social development, or become a fraudulent mechanism that can be deployed from one Member State to another.

The complexity of these operations, as well as their transnational dimension, makes their analysis even more difficult since it is impossible to establish a "standard model", making it necessary to develop new keys for understanding and new ways of acting.

Through this new project, it is proposed to identify specific cases to be analyzed in order to highlight the understanding of operations based on encountered situations, and to identify useful points of reference in terms of method and control strategies.

### 3 / Transversal objective: knowledge dissemination

The capitalization of the works is coordinated by INTEFP / ASTREES project team, in collaboration with all the participants; it will lead to the drafting of a final report.

The final report will be built from information gathered from project participants through questionnaires, telephone interviews, but also other actors or experts' analysis.

The report will also draw on the outputs of "learning by doing" trainings of labour inspectors, the work done during seminars, and reflections of the partners involved in the steering committee.

Each administration or organization will approve its own part.

The report will be published on the EURODETACHEMENT website: <http://www.eurodetachment-travail.eu/>

This Eurodétachement website will also be updated, in particular by highlighting the work done through action sheets and relaying the information campaigns launched by the project partners.

This work will be carried out during all the project duration, involving the INTEFP collaborative platform (Learning Management System).

## Project steering

Project steering is provided by the INTEFP / ASTREES team and the partners gathered together in the Steering Committee.

### 1/Detailed listing of partners:

#### Public authorities:

Belgium: Federal Public Service Employment, Labour and Social Dialogue  
Bulgaria: General Labour Inspectorate Executive Agency  
Croatia: Ministry of Labour and Pension System  
Estonia: Labour Inspectorate of Estonia  
France: Direction générale du travail (General Directorate of Labour)  
Ireland: Workplace Relations Commission  
Italy: Ispettorato Nazionale del lavoro (National Labour Inspectorate)  
Latvia: State Labour Inspectorate of the Republic of Latvia  
Luxembourg: Labour and Mining Inspectorate  
Netherlands: Inspectorate SZW, Ministry of Social Affairs and Employment  
Norway: Norwegian Labour Inspection Authority  
Poland: National Labour Inspectorate  
Portugal: Autoridade para as Condições do Trabalho, (Authority for Working conditions)  
Romania: Labour Inspection  
Sweden: Swedish Work Environment Authority

#### Social partners:

Arbeit und Leben (Berlin and Hamburg) in Germany  
EFBWW- European Federation of Building and woodworkers  
EFFAT-European Federation of Food, Agriculture and Tourism  
ETUC - European Trade Union Confederation  
FIEC- European Construction Industry Federation  
World Employment Confederation-Europe- WEC Europe

### 2/ Role of INTEFP-ASTREES project team:

- designs work programs of events.
- gathers, designs and disseminates the required training resources
- coordinates all phases of the project
- mobilizes the participants

- leads all the working sessions, including those of the steering committee
- supervises the immersion periods when necessary
- coordinates the drafting work and write the final report
- takes care of the dissemination of the results

The INTEFP (lead applicant, coordinator):

- pilots and coordinates all activities
- implements the logistic part of the action (travel, stay, interpreting, translation, room rental)
- ensures the financial monitoring of the action

### 3 / Role of the STEERING COMMITTEE:

- attends the Kick-off meeting,
- attends the seminar on approval and launching of cooperation plans
- identifies concrete situations, present, future or recurring on the subject of the posting of workers
- co-constructs cooperation plans between sending and receiving countries,
- constitutes the transnational teams of professionals who will carry out immersion periods
- identifies and mobilizes representatives of other public authorities and social partners who may be involved in national actions
- contributes to the implementation of cooperation plans
- ensures that reports are produced by their staff
- contributes to the design of the transnational workshop on complex cases
- attends the final seminar and the final steering committee

4/**Jan CREMERS**, involved in the project since the beginning of the Eurodétachement approach, provides expertise throughout the different activities of the project and within the steering committee.



## Implementation and expected results

(According to provisional timetable, appendix 1)

### Kick off Seminar

**December 2018 (December 18<sup>th</sup> and 19<sup>th</sup> 2018, Brussels)**

Participants: representatives of public authorities, European social partners, non-governmental organizations (co-applicants and associates).

#### Objectives:

- Set up of the steering committee
- Launch of the co-construction phase of the "Cooperation Plans" (Specific Objective 1): preparation of a work plan
- Set up of a specific "focus group" dedicated to the identification of complex legal-financial operations (specific objective n ° 2): preparation of a work plan

### "Cooperation in actions"

**Specific Objective 1 - Develop operational "cooperation plans" such as control and monitoring, information, awareness raising and prevention actions**

**Implementation: 3 steps**

**1st step: co-construction of "cooperation plans"**

**December 2018 - September 2019**

#### Objectives:

- Identify present, future or recurring concrete situations
- co-develop «cooperation plans" between "sending country" and "hosting country"

#### Working method:

-Diagnosis established by each partner and determination of the objectives of cooperation based on different criteria:

- Flow of workers
- risk assessment of fraud
- large construction site, seasonal recurring operations (agriculture)

- expected results and impacts of the actions
- feasibility of actions

-Define the type of action to implement:

- Control and monitoring actions: investigations on both sides of the borders, information exchanges and follow-up
  - Awareness raising and/or prevention actions for targeted actors (companies, workers, social partners, public or private clients)
- When partners agree, mobilize national public authorities and social partners whom can be directly involved in the action, after completing a kind of “mapping” of stakeholders

### Work plan:

The preparatory phase consists in:

- setting up a **collaborative exchange platform** coordinated by the project team
- **2 transnational workshops** (limited working groups) in order to prepare, step by step, the cooperation plans (1<sup>st</sup> semester 2019 – February 12<sup>th</sup> in France and June 12<sup>th</sup> in Romania)
- a **steering committee** to launch cooperation programs (September 11<sup>th</sup> 2019 in Hamburg)

**Targeted audience:** project partners

### Expected results:

- validation of cooperation plans
- transnational team building
- planning of actions
- definition of the methods for disseminating the results of the actions carried out

## **2nd step: Implementation of "cooperation plans" September 2019 to June 2020**

**Targeted audience:** labour inspectors, liaison office agents, representatives of other public authorities (social security, tax administration), social partners and other stakeholders mobilized by project partners and involved in actions at national level.

**Work plan:**

- Implementation of cooperation plans: "immersion periods" of transnational teams (cross-border exchanges) with control and information or preventive actions
- Providing interpreter according to the needs
- Support and coordination of the project team

**Expected results:**

- Reporting by transnational teams
- Production of communication materials

**3rd phase: Sharing and capitalization of the initiatives carried out  
June 17<sup>th</sup> and 18<sup>th</sup> 2020 in Lisbon**

**A transnational seminar** gathering all the participants in the cooperation plans.

This seminar will allow participants (control and information/prevention actions) to meet for debriefing, sharing and discussing the initiatives and practices implemented, including the issues of information exchange and data sharing.

**Targeted audience:** Labour inspectors, liaison office agents, representatives of other public authorities (social security, tax administration), social partners and other stakeholders involved in national actions.

It is proposed that the design of the sharing seminar could be carried out by one or two partners in connection with the project team.

**Expected results:**

- Sharing the results and impacts of actions carried out: control and monitoring, information, awareness and preventive actions.
- Sharing best practices of information exchange tools (IMI) and gathering innovative initiatives on data sharing.

**“Cooperation in progress”**

**Specific objective n ° 2 – Identify fraudulent complex legal-financial operations, obstacles and opportunities in terms of control and monitoring**

**Implementation:** December 2018 - September 2019

**Working method:**

Set up of a **“focus group”** to identify and document real and relevant cases.

This group will meet once during the first semester of 2019 (April 11<sup>th</sup> in Riga) in order to prepare a **transnational workshop** to be held close to the steering committee’s date (September 12<sup>th</sup> 2019 - Hamburg).

**Targeted audience:** The project partners, panel of labour inspectors, experts and associate researchers in other European projects.

It is proposed that the design of the transnational workshop could be carried out by one or two partners in connection with the project team.

**Expected results:**

- Understanding and analysis of complex cases
- Identification and mapping of relevant actors
- Development of control methodology items
- Production of useful points of reference in terms of control strategies.

**Final conference**

**December 18<sup>th</sup> 2020, Brussels**

Seminar dedicated to sharing of experiences and results of the project

**Targeted audience:** all participants in various actions with associated stakeholders

**Final steering committee**

**December 19<sup>th</sup> 2020, Brussels-Debriefing and overall assessment of the project**

## Project review

The steering committee of November 19, 2020 will be devoted to the immediate evaluation of the project with all the partners.

It will be fuelled by the results of a qualitative assessment on the implementation of cooperation plans, made by the project team.

This evaluation will require in-depth individual interviews of the participants in the immersion periods for all Member States involved.

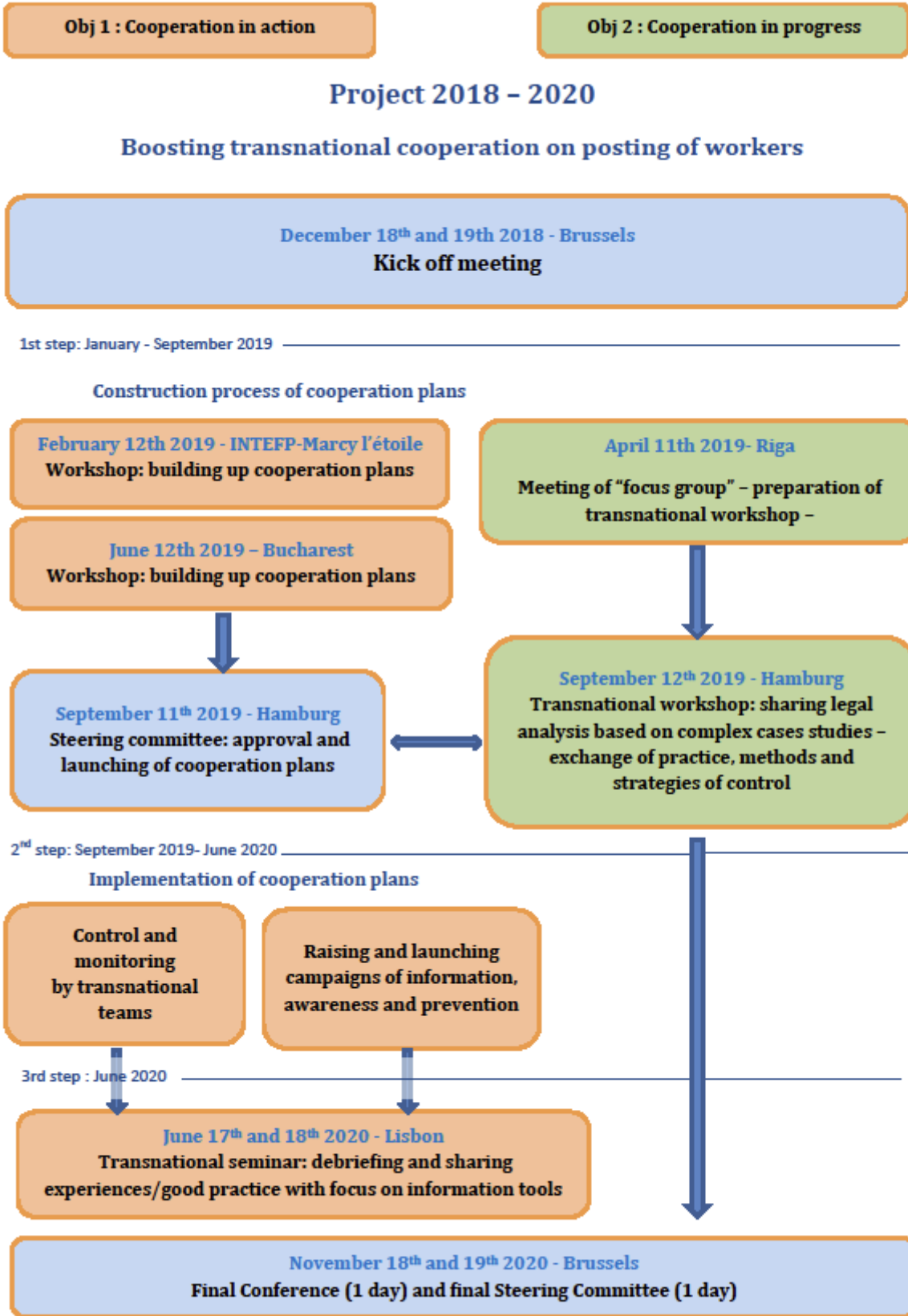
Two months after the end of the action, a questionnaire will be sent by the project team to all project participants in order to set the project's technical results.

With reference to the implementation program developed previously, the evaluation will be based on the results expected during the different phases of work.

It will integrate the impact of the project on:

- Project partners improved ability to collaborate together
- Improving mutual knowledge about organizations, functioning mode, jurisdiction
- Strengthening interinstitutional collaboration (including public authorities for social protection and tax inspection)
- Collaboration with national social partners at the operational level
- Relevance and quality of the information exchanged, in particular via IMI
- Innovative practices in data sharing
- Impacts on internal organizations and working methods
- Knowledge of transnational productive organizations, source of posting situations, and the impact on workers and companies condition, particularly in the case of fraudulent complex arrangements
- Inspection methodology to initiate in order to deal with complex situations of fraudulent arrangements on posting of workers
- Synergy with other European initiatives

Appendix 1 Provisional timetable



## Appendix 2

### Project partners

#### 1/Co-applicants

##### Public authorities:

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

**Ireland:** Workplace Relations Commission

**Latvia:** State Labour Inspectorate of the Republic of Latvia

**Netherlands:** Inspectorate SZW, Ministry of Social Affairs and Employment

**Norway:** Norwegian Labour Inspection Authority

##### NGO:

**ASTREES**

#### 2/Affiliated entity:

**France:** General Directorate of Labour

#### 3/Associate organizations:

##### Public authorities :

**Bulgaria:** General Labour Inspectorate Executive Agency

**Croatia:** Ministry of Labour and Pension System

**Estonia:** Labour Inspectorate of Estonia

**Italy:** National Labour Inspectorate

**Luxembourg:** Labour and Mining Inspectorate

**Poland:** National Labour Inspectorate

**Portugal:** Authority for Working Conditions

**Romania:** Romanian labour inspection

**Sweden:** Swedish Work Environment Authority

##### European social partners:

**EFBWW-** European Federation of Building and woodworkers

**EFFAT-**European Federation of Food, Agriculture and Tourism

**ETUC -** European Trade Union Confederation

**FIEC-** European Construction Industry Federation

**WEC Europe -**World Employment Confederation-Europe

##### National social partners:

Arbeit und Leben Berlin-Germany

Arbeit und Leben Hamburg- Germany

##### Independent expert:

Johannes M.B. Cremers

## Project coordinator

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**) is an administrative public body under the authority of the Ministry of Labour since 1<sup>st</sup> January 2006.

Its mandate includes:

- initial and continuous training of all the Ministry of Labour personnel
- inter-ministerial training of public employees in the field of occupational health and safety,
- contribution to social dialogue improvement in France,
- implementation of partnership and cooperation initiatives at the national and international levels with public administrations in the fields of labour, employment and professional training.

Regarding 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 inspectorate capacities in various partner countries.

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, which includes twelve member institutions from the European Union and the southern Mediterranean area.

**INTEFP has led the EURODETACHEMENT approach since 2010, through 4 successive projects with 6, 10, 14 and 13 Member states, enabling skills improvement among professionals working for public authorities.**

## ASTREES

**Legal representative:** Paule Arcangeli, President

ASTREES was founded in 2007. ASTREES is a not for profit organization (association Loi 1901 –France) affiliating companies, social partners at cross sectoral level, HR consultancies, lawyers, academics and individual experts, working mainly on social dialogue, labour markets and restructuring in France and Europe. ASTREES’s main activities focus on empirical studies, training sessions (**especially of employee reps in European Works Councils**) and debates (through conferences and temporary or permanent working groups) around the evolutions of work and employment at both French and European level. Since its creation, ASTREES has carried out, as a project leader or as a partner, different European and French study projects on social dialogue, restructuring, labour law and social protection in times of crisis, as well as on occupational health and safety (including work-related



stress issues). As a result, ASTREES is a co founder of the IRENE European network dedicated to restructuring issues (<http://responsible-restructuring.eu/>).

**ASTREES is also part of the EURODETACHEMENT project team since 2010 together with the INTEFP**

Since March 2018, ASTREES is member, jointly with its partner IR SHARE, of the EUROFOUND European network of correspondents for France.

Moreover ASTREES is also in charge of coordinating a national and operational programme, named ALIZÉ (“Action Locale Interentreprises en Zone d’emploi”), dedicated to the economic and social development of French SMEs by fostering the cooperation between the latter and large companies at territorial level : <http://www.reseau-alize.com/>

Last but not least, ASTREES has recently been developing some innovative initiatives, ie :

Together with the French Trade Union Research Institute (IRES), ASTREES launched in 2015 a collaborative network of people and organisations directly interested in the digitalization of the economy (Sharers and Workers network - [www.sharersandworkers.net](http://www.sharersandworkers.net))

By substance, as an association of different stakeholders, but also due to the projects it has been developing, ASTREES is directly in touch with a wide range of actors interested or/and directly involved in work, employment and social dialogue issues (public authorities, academics, social partners at different levels, companies, experts and consultants)

**Appendix 3**  
**Project team INTEFP/ASTREES**  
**Contacts**

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