

# Nordic-Baltic project fighting undeclared work

## Denmark, Iceland, Finland, Norway, Estonia, Latvia and Sweden

### 1.2.2019- 3.4.2021

### - Inspection activities -

**Project's aim:** a collaboration for enhanced strength in tackling undeclared work

The aim of this project is to strengthen already established co-operation within each country through cross-border inspection and mutual learning activities – and by bringing together, highlighting and sharing good practices that can be found. The results are to be evaluated and disseminated to the members of the Platform for Undeclared Work.

The aim of the inspection activities is to carry out joint inspections between labour inspections of two-and-two countries within themes related to “undeclared work” (as defined and practiced in each country).

By joint cross border inspections, our inspectors get the possibility to learn from colleagues in another project country about their regulations, organisation, priorities, methods of inspections, paper work and culture. It is also of interest to conduct inspections towards companies we have interests in in more than one participating country.

### Results

In 2019, we completed 14 separate inspector exchanges so that each project country hosted two countries' inspectors – either on same or separate periods. Each country also had their inspectors visiting two countries for an inspector exchange.

See the annex 2 with a table on inspection exchanges by country and by sectors.

		DEN @EST	DEN @ICE	EST @ICE	EST @SWE	FIN @DEN	FIN @LAT	ICE @EST	ICE @NOR	LAT @DEN	LAT @FIN	NOR @LAT	NOR @SWE	SWE @FIN	SWE @NOR	Total number of the inspections
Sector inspected	Construction	1	4	2	3	15	2	2	4	12	2	2	4	2	3	58
	Restaurants	1	2		4	1	1	1		1	2	2		2		17
	Car repair/wash								6						5	11
	Engross/shops															0
	Car rental											1				1
	Tourism		1	1												2
	Hotel			1												1
	Cleaning															0
	Others	2		2	1	1	3	1			2		2			14
Total number of inspections	4	7	6	8	17	6	4	10	15	4	7	4	4	8	104	

### Answers from the interview after the inspection exchanges

Here below are the results from the interviews after the inspection exchanges. See Annex 3 for the questions that we asked to be covered in the reports that we require from all countries.

## **1. Before the inspection exchanges**

**How were inspection targets selected beforehand? If the host country has an advanced risk assessment tool for selecting inspection targets, please ask about this as well.**

Inspection sites are chosen due to many different reasons but mostly based on risk analysis by the inspectors from the Labour Inspectorates. When selecting which companies to inspect, inspectors take into account for example when the company was last inspected, the number of employees (or number of foreign employees), the sector of the company, the risk of occupational injuries and diseases and prior violations. Sometimes the company is chosen simply because it is situated close by and the inspectors have time for one more inspection. Tips from the social partners or the public are also very useful.

Some countries have already developed a risk assessment tool for UDW-inspections, others are in the process of developing one. Inspections are also targeted in sectors where UDW risk exists or is higher at least.

When carrying out joint inspections with other authorities it is quite common that all participating authorities have a list of companies that they wish to inspect and then the most relevant for all authorities are chosen then planning the joint inspection. The cooperating authorities usually have regular meeting, where they discuss and select inspections targets. In order for the joint inspection to be fruitful for all involved authorities, it is important that all authorities are actively participating in the planning of the inspections. Joint inspections are mainly carried out together with the police and tax authority but other authorities might also participate depending on the inspected companies and the country. In some cases, if the police is not able to participate they are informed about the inspections/actions in case police assistance is needed.

In some countries, all the foreign companies have to make a notification to a register. These notifications are often very useful in planning inspections. For example, Danish RUT gives information to inspector about the location of the work performed, starting date of the work, all of the employees' names that are performing work etc.

The approach of inspection are nearly always to meet up without prior notice.

**What is the approach of the upcoming inspection?**

Before the inspection, inspectors usually collect available information, so inspectors were well aware about the company or construction site to which inspection is targeted. If necessary, there might be previous screening of construction site in advance to clarify working hours, etc.

In some countries, the inspection targets were selected primarily from the perspective of UDW but to some extent the OSH matters were also controlled separately after UDW part was concluded. In other countries, the inspection focus on both OSH matter and working environment and on UDW matters e.g. notification in the Danish RUT.

In case of joint inspections with several participating authorities, they do parallel inspections at the same time each within their own competences.

**Were other authorities consulted/involved in planning?**

There were huge differences between the seven countries. From Norway where several authorities are sitting together/working together every day to countries where joint inspections were not carried

out that often. In all countries some kind of cooperation were carried out. Most often, the police and tax authority are involved.

Some inspections were planned and carried out in cooperation with the police and tax authority. Information on possible irregularities may also be passed on to other competent authorities if necessary. Quite often, there is a meeting between the relevant inspectors from the different authorities, where an inspection plan is made, e.g. which workplaces to visit, what to expect there.

### **Did you identify any “good practices” concerning how the inspections were planned?**

- Good practice is to schedule inspections in advance and an option to take laptop or tablet on field (if necessary), especially if there is wide access to various databases and information, which might be helpful in the inspection. A very positive example was the option for Finnish Labour Inspectors to contact an Estonian colleague during the inspection to find out the details of an Estonian company. **SOURCE: LAT visiting FIN**
- Information from tax register seems to be very useful in targeting inspections as the register contain information about which persons are working for the company. **SOURCE: FIN visiting LAT**
- Earlier discussions, planning who – how – where is doing. **SOURCE: EST visiting SWE**
- We were impressed with how well organized the Police was and how much they were involved in the inspections. **SOURCE: ICE visiting EST**
- There were many good practices observed for example, the high level of cooperation between authorities with A-krim centres in Norway, the quality of the inspector’s knowledge regarding the UDW issue and the use of every authority’s legislation to combat undeclared work. **SOURCE: ICE visiting NOR**
- The public information concerning businesses and ownership is very transparent, when you have a public register as [www.teatmik.ee](http://www.teatmik.ee). We find the register to be helpful when gathering information, who you have to talk to, and write to, if the company has problems with health and safety, as well as minimum salary and working contracts. The database also provides information about the business owner and owner’s relationships with other companies – This information helps inspectors, lawyers, Police and tax authorities spot complex patterns and networks, which are useful knowledge about companies dealing with many findings. **SOURCE: DEN visiting EST**
- When health and safety inspectors provides free help and guidance, when a company needs help, to create a safe working environment, as well as organizing correct working contracts and minimum wages. We believe it supports the business climate as a whole, and creates a positive cooperation between the legislators and the public. **SOURCE: DEN visiting EST**
- RUT and the use of it was innovative. In this system, the local inspectors can, for example, see a map, which shows the direct location of a foreign company performing work. The inspectors also have a tablet with them, when they are driving around looking for construction sites, where they can see notifications in RUT, the map that shows where a foreign company has work performed and all the other information regarding those foreign companies. In addition, on joint-actions days, the co-operation with the tax authority, police and Arbejdstilsynet inspectors are gathering information from different authorities, which was useful on planning the joint-action inspections. **SOURCE: FIN visiting DEN**
- Use of tips that Riga tourist police receives regarding frauds against tourists in identifying companies that may also have undeclared workers and doing inspections jointly with police officials who specialise in these types of crimes was innovative. We found it innovative how Latvian inspectors used tips given to Riga tourist police concerning fraud against tourists in identifying companies which may also have undeclared workers and doing inspections jointly with police officials who specialise in these types of crimes. **SOURCE: FIN visiting LAT**
- DoL have a good access to different data about employers and employees (can check paid taxes (99 % declare their taxes electronically), has access to the payroll system, have information about posted employees and temporary work agencies registrations. DoL issues work permits, have

access to population data, what helps planning inspection. What is very good an example of cooperation - when social partners visited workplaces, then they added to system all employees, who were in workplace, and DoL have access to that database and they can compare their information/data with social partners information. **SOURCE: EST visiting ICE**

- They are still in a project stage of cooperation and are very much restricted by the confidentiality clauses. The joined planning is therefore much more restricted than we are used to. Prior to the inspections day the other agencies only knew the inspection targets, there was now project plan or other documents distributed prior to the meeting. On inspections day the participating agencies meet at the tax authority's office for a brief meeting. During the meeting there was a general discussion of the companies involved, and they consulted the posted workers registrations system, to check the number of foreign workers we could expect to meet. **SOURCE: NOR visiting SWE**
- The analysis team seems to be very effective, very practical sitting together- making possible for quick way for decisions - can have a team ready in minutes- have their own cars - everybody participates no matter if there is not likely for their authority to get a hit. **SOURCE: SWE visiting NOR**
- We saw receiving the daily plan on the tablet as well as possibility seeing information about the company's historical data on the tablet during the inspection. We also appreciate the inspectors skills in dialogue with employees/employers. **SOURCE: LAT visiting DEN**

## **2. During inspection exchanges**

### **Were the inspections made without prior notice?**

Nearly all inspections were made without prior notice.

### **Did other authorities participate in the inspection?**

Yes, in many inspections, and then most often the Tax authority and the Police. In some countries, they do multi-authority inspections a number of times a year – numbers differ from country to country. If the inspectors see anything suspicious, they will inform other authority's during or after the inspection.

### **Did the inspectors talk with both the employer and the employees?**

Yes, they talked to the employer and several or all employees on the workplace. Inspectors usually talk to employees and employers separately. If the employer is not at the site during the inspection, the inspectors calls the employer and tells about what has happened. Thus, all employers were made aware of the inspection and initial findings by the inspectors.

The inspectors also talk often to foreign workers at the workplace. As an example, when arriving the building site one of the inspectors contacted the employer while the other inspectors interviewed the workers using a checklist. In some countries, the inspectors use occasionally an interpreter service when communicating with foreign workers.

### **Was the employer made aware of the initial findings by the inspectors?**

Yes, in all countries, the inspectors gave a written or oral summation of the inspection, and the employer were told how the following procedure would look like. They also handed over paper to the employer that stated the inspection team been there. After the inspection the employer was informed of the findings and what to do to. The employer was receiving a report and written leaflet how to fix any problems and report back to the Labour Inspectorate.

The inspectors informed what sanctions, orders, bans, prohibitions etc. will possible come. If the employer was present during the inspections, he/she was made aware immediately about the findings by the inspectors. If the employer wasn't present during the inspection, the inspectors called the employer and informed it about their findings.

### **How were language challenges solved at the inspection?**

In general, some language problems with foreign employees arose due to the lack of language skills of employees. Inspectors speak their native language and English and in some cases a third and maybe a fourth language. Many foreign workers speak English or at least one of them speaks English. However, most often the language problems are overcome either by using another inspector or authority on site who can assist or maybe even some of the other foreign workers or the employer/supervisor translated. Some countries have a contract with an interpreter office in which cases an interpreter may be recruited if necessary.

Some countries have made an interview leaflets in different language and workers can then be interviewed in the language they understand.

### **Was any physical material (brochures, leaflets etc.) given to employers and/or workers at the inspection?**

In some countries, folders or brochures were handed out. In other countries, all brochures have been digitalized and information is available electronically in several languages, so paper brochures are no longer used. In some situations, just a short information is handed out where they can read more about work environment health and safety regulation etc.

In some countries, a site visit report was filled out after the action/inspection informing about health and safety issues that has to be fixed. Site management received a copy on the day, and would later receive a full report with photos. In other countries, employers received the information of the actions that were taken and the findings in written form (=inspection report).

### **Did you identify any “good practices” during the inspections?**

- While this may be ambiguous, it was interesting that the Finnish Labour inspectors do not have to draw up a report during the inspection, thus reducing bureaucracy and allowing the inspector to devote more time to communication with the employer/employee and he is able to make a report at the end of inspection. In Latvia, this is not possible under the current circumstances, as all findings must be reflected in the report (even if no irregularities are found), so during inspections a lot of time has been spent filling out the paperwork. A good example was the friendly and open attitude of the inspectors, even in the case of irregularities - the situation is not unnecessarily aggravated, but the employer is explained all the necessary requirements and given the opportunity to improve safety conditions himself, instead of applying administrative sanctions. The specialization of inspectors helps to carry out inspections in a more in-depth and professional manner than would be the case if every inspector did everything. **SOURCE: LAT visiting FIN**
- Distribution of booklets to foreign employers. These booklets are translated in several languages such as Polish, Lithuanian, German and English. **SOURCE: LAT visiting DEN**
- As a result of inspections, the main contractor on the construction site was given information about the violations found. **SOURCE: LAT visiting DEN**
- Inspectors issued a statement to the factory management that, certain DWEA inspectors had carried out an inspection on their site. **SOURCE: LAT visiting DEN**
- The joint inspections are very organized - each one authority is dealing with its own tasks without disturbing others, and the questions asked are not repeated. **SOURCE: LAT visiting DEN**

- It was particularly noteworthy how detailed the inspections were and how calm and authoritative the inspectors carried out the inspections. We find it efficient, that the company is informed immediately, concerning problems, they have to solve, and that they have, to respond in writing, within 5 days. This makes it easy for the company to improve issues concerning health and safety, and with a minimum use of public resources, it is possible for the Estonian health and safety to do an inspection. It enhances trust and cooperation, between the government and the Estonian cooperation's. **SOURCE: DEN visiting EST**
- RUT and the use of it was innovative. In this system, the inspectors can, for example, see a map that shows the direct location of a foreign company performing work. The inspectors also have a tablet with them, when they are driving around looking for construction sites, where they can see RUT, the map that shows where a foreign company has work performed and all the other information regarding those foreign companies. **SOURCE: FIN visiting DEN**
- The way of doing many inspections in pairs was a good practice. Then both inspectors could observe and get a good overview of the working place. Working in pairs is also a safety issue. **SOURCE: FIN visiting DEN**
- All of the co-operation between different authorities was planned in advance for the whole year, which makes it easier for the inspectors to plan their work ahead. In Denmark, the three main authorities (tax authority, police and OSH) that are inspecting social dumping had made a co-operation agreement, which also facilitates the co-operation. **SOURCE: FIN visiting DEN**
- In Denmark, there was no numeral goal of inspections per year. Instead the total hours that was put on the inspections, was counted. **SOURCE: FIN visiting DEN**
- No, not directly how the inspection were made. But the very good law which imposes the main contractor liability for the subcontractors. And also that the main contractor shall have a complete list of workers on site. **SOURCE: SWE visiting FIN**
- Despite there being a number of authorities working together, the inspections were well organized and the inspectors worked well together and were very efficient. They are more attuned which each other, even if each authority is doing their own thing they help each other more than we do. Most likely, because they know better what the other authorities are looking for. **SOURCE: ICE visiting NOR**
- Yes. OSH inspectors has opportunity after serious findings prohibit the construction site until problems are solved. Information about prohibited constructions will be uploaded to the Building Register. **SOURCE: EST visiting ICE**
- DoL have very good cooperation with Tax authority. Inspectors were friendly and asked a lot about employees living conditions, wages, work and rest time, also gave a lot of advice. Employer is obligated to issue all employees, who are working HoReCa or construction companies-workplace ID-s, where must be an employee picture. **SOURCE: EST visiting ICE**
- Aim of the UDW inspections was to facilitate how to prove that undeclared worker was working at the worksite. Inspections were documented with videocam and photos were taken when necessary. For example, the interview of the workers was often filmed. Employees that were interviewed were also required to confirm with signature that information that was collected was correct. Employees were also made aware that giving false information of the employment can be punishable offence. In cases of worker identified as undeclared was asked to answer additional questions with written statement. This was done to make sure inspectors have enough information of the situation and proof that person was working for a specific employer company. Same process was followed with self-employed persons which is also makes sure that necessary information to evaluate situations is received during inspection. **SOURCE: FIN visiting LAT**
- Some of the practices otherwise seemed a bit strange based on experience from similar inspections at home country – these practices were connected to the requirements in local legislation and practise. In some countries, it is vital to prove that workers are working when they are interviewed. Therefore, in an inspection, it was not feasible to collect workers to the same location and take control of the work site in the same way as we often do in Finland. **SOURCE: FIN visiting LAT**

- The action/inspection began with a visit to the site management in the office container at the building site. The site management could choose to do the inspection with the AOSH inspector or not. On most construction sites, the site management chooses to do the inspection with the inspector. In these situations, there was an ongoing communication between the inspector and the site management concerning the identified health and safety issues. Where the construction management did not go along, the inspector conducted the inspection on his own, and spoke with employees and managers who he met along the way. The inspector continually drew up an organizational chart of the companies on the construction site (main contractor, subcontractor, sub-subcontractors, etc.). In both cases, the inspection was concluded with a meeting with the construction site management, where safety issues were reported orally. Finally, a visit report was handwritten for the construction site management, it contained where the inspection had been carried out, which companies the inspector had talked to, the names of the employee he had been talking too and the working environment problems that was on the building site **SOURCE: DEN visiting ICE**
- One report was written to the responsible company (which in most cases was the main contractor) for the working environment at the construction site. He was thus responsible for solving all the problems and reporting back to AOSH when the problems were resolved. The inspector told us that if there were many and serious work environment problems, he would be able to close the entire construction site until the problems were resolved. It seemed very effective and not very papery that the work environment problems to be addressed were addressed directly to the construction site management and not to the individual employers. The construction site management had overall responsibility for the working environment. **SOURCE: DEN visiting ICE**
- They were calm and polite, and took the time needed to make a thorough inspection. **SOURCE: NOR visiting SWE**
- They are more attuned which each other, even if each authority is doing their own thing they help each other more than we in Sweden do. Most likely, because they know better what the other authority's are looking for. **SOURCE: SWE visiting NOR**
- The inspectors themselves were very organized and thorough in their inspections. Additionally, we were impressed with the Police involvement in the inspections as this is not something that we are used to in Iceland at this scale. The Police organized the first two inspections and there were close to fifteen Police officers who participated in the operation. Before the inspection took place, there was a special unit of Police officers that made sure that the site was surrounded and safe. Furthermore, the Police were in charge of gathering information on residence permits. We found that to be very interesting as in Iceland this is the joint responsibility of the inspectors at The Directorate of Labour and the Police. However, it is our experience that the Police is not always sufficiently informed on matters concerning work and residence permits. **SOURCE: ICE visiting EST**

### 3. After inspection exchanges

#### Were there any obligations (prohibitions, notices, written advises etc.) given to the employer

Yes, in nearly all inspections there was given written obligation or advises.

In few countries, the inspectors can even cut the electric power or water supply to make sure the work is stopped until the employers fulfil the regulations. **(Riku's remark – wow! I think we could mention countries here, this is quite heavy stuff! 😊)**

Employers do receive information of breaches that were seen during inspection. In most of the inspections, inspection reports were done on the following days after the inspection. Process to issue administrative fee was started when undeclared workers were met.

## Were there any administrative sanctions imposed as a result of the inspection?

Yes, in all countries the inspections might result in administrative sanctions or fines.

## Were other authorities informed about the findings of the inspection?

Yes, in case of findings which are under competence of other authorities information will be forwarded to the authority concerned, for example tax authority or police. In some countries, the trade unions, who inspect the labour law (salaries, working hours, etc.) can be informed.

During joint inspections, the police, tax authority and the Labour Inspectorate provide each other with information on what they found during the inspections so the same information only have to be gathered once. In other cases, information is only provided through joint inspections at national level. There was an ongoing dialogue during the inspection between the authorities, as well as a ending dialog where information about the course of the inspection was exchanged, as well as whether the company should be re-visited. Police are informed after the inspection when they were not present at the construction sites.

## Did you identify any “good practices” when it came to sharing the inspection results?

- It is good practice for the main contractor on the construction site to be informed of the irregularities found by the Finnish Labour Inspectorate regarding to their subcontractors. I can also mention that the inspection reports are sent to employers electronically, which saves time and resources. In Latvia, although employers often want to receive reports via e-mail and it's in accordance with the law, the Latvian Labour inspectors' approach is very conservative. **SOURCE: LAT visiting FIN**
- Since they are still very restricted by the confidentiality clauses between the agencies, the do not share much. **SOURCE: NOR visiting SWE**
- Each authority has its own competence. Findings were shared briefly. **SOURCE: EST visiting SWE**
- The results of the inspections are often shared with different authorities. This can be useful for each authority when they deal with the inspected company. **SOURCE: FIN visiting DEN**
- They have a “debriefing” after the inspection, making a sum up together and they have a joint document for all authorities with minutes from “debriefing”. **SOURCE: SWE visiting NOR**
- The authorities involved in inspection were informed of the findings. Practices concerning the sharing the inspection results were similar in Latvia compared to Finland. **SOURCE: FIN visiting LAT**
- DoL have right to apply entry ban. **SOURCE: EST visiting ICE**
- There was a really good cooperation between the authorities, including the exchange of information collected, both during and after the audit. Both tax, AOSH and DoL worked on the same IT platform, which made it easy for them to share information among themselves. The ability of the individual authorities to share collected information into each other's registers, retrieve information in each other's registers, and exchange information was very well developed. It worked very effectively, compared to keeping focus on the companies that did not comply with the rules in the areas of each authority (if the rules of one authority were not complied, the rules of the other authorities would probably not be complied either). **SOURCE: DEN visiting ICE**

## 4. “Cross-border findings”

Ask about good practices concerning cross-border view if there were cross-border elements present at the inspections.

- Not applicable to the inspections we took part in, but the register they have of foreign workers is helpful when it comes to select inspections targets. And also to follow up companies that have not registered their foreign workers correctly. **SOURCE: NOR visiting SWE**
- The labour dispute committee, which is a pre-trial independent dispute resolution body. Employers and employees can meet and try to resolve their disputes there and try to prevent going to court. **SOURCE: ICE visiting EST**
- We were very impressed with many of the information systems that the Labour Inspectorate has at their disposal. They are pioneers in digitalization. Information is easily distributed electronically without red tape. A prime example of this is that inspectors on site can easily access information from the Tax and Custom authorities through their mobile phones. They can for example receive a list of all employees registered at the company they are inspecting, information regarding individual's job titles and where the company is located. We were especially impressed with Teatmik ([www.teatmik.ee](http://www.teatmik.ee)) which is a register of Estonian companies. It is an extremely useful tool for information gathering about companies before inspection as well as in general. We have a similar register in Iceland, but it does not provide as much information. With Teatmik you can for example, look up the registered board member of the company in question and receive information on all the companies that he is involved with. **SOURCE: ICE visiting EST**
- The Service Centre for Foreign Workers, which is almost a “one stop shop” for foreigners coming to work in Norway. At the service centre, foreigners can meet representatives from Immigration, the Tax authority and Labour authority. Everyone that moves to Norway must register with the Tax authority. The Labour authority provides information and advice on labour rights, rules and responsibilities. They offer complete confidentiality so foreign workers can report their employer anonymously. The Labour authority will then in some cases rely that information to A-Krim who then evaluate whether there are grounds for going on inspection. Overall, we were impressed with work of A-krim centres in Norway. **SOURCE: ICE visiting NOR**
- Posted workers are registered by number per company. **SOURCE: EST visiting SWE**
- Wouldn't it be good to co-operate with other countries to ask them about their wage conditions. **SOURCE: EST visiting SWE**
- Finnish Labour Inspectorate officials often come into contact with Estonian companies and employees, which is why cooperation with the Estonian Labour Inspectorate is very common. A positive example is the personal contact (telephone, e-mail), which provides fast access to operational information and an option to subsequently formal request via IMI if the information is confirmed. During the visit, one case was mentioned where both Estonian and Finnish Labour Inspectorates made parallel inspection on a multinational company in Estonia and Finland, so it can be concluded that, although rare, such tests can be arranged if necessary. **SOURCE: LAT visiting FIN**
- The only cross-border co-operation takes place on the joint action days (JAD) organized by EUROPOL, possibly involving inspectors from another country traveling to Denmark and joining the inspections (or Danish inspectors traveling to another country and joining the inspections) as well as conducting simultaneous inspections in 2 countries. **SOURCE: LAT visiting DEN**
- The Estonian job market is very liberal concerning cross-border workers from Ukraine, Russia and Belarus, as well as from all the EU-countries. But it has to be lawful, and they have to work for an Estonian company with a legal working contract as well as a correct minimum wage. **SOURCE: DEN visiting EST**
- The aspect of minimum wage is defined by law, and inspection of this is interesting from a Danish perspective, some branches of occupation in Denmark are suffering from underpayment. In Denmark, the problem is located in the transport business. Usually the Danish level of salary is negotiated and controlled by the unions and representatives of the employers. But in this case, they no longer are in control, due to many workers from all over Europe. Furthermore, the Danish authorities find it very difficult to lift the burden of proof in human trafficking and slave-like cases in the transport business, for example. Therefore, it could be the case; the Danish government in the future needs to legislate for minimum wages for working in transport business, as a lorry driver,

and the job to make sure, the working contracts are correct and lawful, might be a job for the Danish Working Environment Authority. **SOURCE: DEN visiting EST**

- The Swedish inspectors were visiting Finland together with Latvian inspectors. This gave the exchange extra value, almost as visiting two countries at the same time. **SOURCE: SWE visiting FIN**
- There were a law change in 2017 in Finland to make information and data exchange between authorities is easier. That's something we been asking for a long-time in Sweden. **SOURCE: SWE visiting FIN**
- In Finland, they control that the information in posting register is correct; in Sweden, we hardly fulfil minimum obligations of EU legislative. **SOURCE: SWE visiting FIN**
- Not at this time but in north Sweden we see a lot of small Norwegian construction company's working in Sweden and often we see they are not following Swedish regulations/provisions. We think it would be beneficial for us to send information about these findings to our Norwegian colleagues. **SOURCE: SWE visiting NOR**
- Two companies that had connection to Finland (=subsidiaries of Finnish companies operating in Latvia), were selected as targets and inspections gave a possibility to view some challenges that are connected to these situations. When a Finnish-speaking person was met at the work site by inspectors from Finland there were a change to interview this person in Finnish. In this case, all essential information was however received from Latvian speaking representatives of the company. Possibility to interview director of the subsidiary gave possibility to get a better perspective to the situation. According to the information that was received during interview in Finnish, there is a need to maintain higher profit margin in Latvia than in the parent company in Finland. In another company, all blue-collar workers had been working in the company less than year. Local workers usually work in one place no more than a year and then go to another company as they seek to increase their hourly wages with few cents. **SOURCE: FIN visiting LAT**
- In a situation where there was open case in Finland regarding a Latvian company, it was possible to see what type of information is directly available for OSH authority in Latvia. It was possible to confirm that all workers that reportedly had been posted to work in Finland were also registered as company's workers in Latvia. **SOURCE: FIN visiting LAT**
- The TWA register in Iceland is publicly available and companies or citizens can also ask if a TWA company employee is properly registered. **SOURCE: DEN visiting ICE**
- Inspectors have cameras attached to the Inspector's chest during supervision and inspection. **SOURCE: NOR visiting LAT**
- Future use of drones. **SOURCE: NOR visiting LAT**
- If the inspectors need to provide additional information after supervision, the employer will be asked to attend a meeting. Often matters concerning undeclared work. **SOURCE: NOR visiting LAT**
- All tips coming into the Labour Inspectorate of Latvia are given a feedback by an inspector, as opposed to Norway. **SOURCE: NOR visiting LAT**
- It was pervasive at the construction sites visited that they found work environment problems, a very long way along the way to what the Danish Working Environment Authority very often responds to under the supervision of a Danish construction site with foreign labour. **SOURCE: DEN visiting ICE**

## **Inspection exchanges explained in detail to participants**

Here below is the information what we gave to all the participant countries about inspection exchanges of 2019 in order to explain the current project's participants our guidelines on inspection exchanges. We have not been concluding

### **GENERAL INTRODUCTION**

In the first project, Nordic countries gained a good understanding of the roles of Nordic labour inspectorates' competences and roles in tackling undeclared work. The first project was a good start in developing long-term cross-border cooperation in tackling UDW. After the first project, each Nordic country's labour inspectorates saw the value of this cooperation and a need to continue this work.

### **WHY DO WE HAVE INSPECTION EXCHANGES?**

During the first project in 2018, one of the most essential part of the project were joint inspections in order to gain knowledge of how different participating countries handle undeclared work. The aim was also to identify good practices in this matter from other countries. In concluding last project's findings, we found it both useful and important to continue the inspection exchanges and get more inspectors involved into this work. We also saw it important to broaden the knowledge of tackling undeclared work. One of the key findings of the first project was that inspectors need to have better connections to inspectors in other countries concerning UDW-matters – this has become even more important as we have Estonia and Latvia participating in this ongoing project as well.

### **HOW TO PLAN A VISITING PERIOD IN HOST COUNTRY?**

Each of the participating countries will host inspectors from two countries. It is at the discretion of the hosting country to decide whether they want to organize these visits separately or to have both countries' inspectors visiting at the same time.

Each host country's visiting period should consist of two practical days "in the field" – this means that the focus on these days should be real life inspections. In each visiting period there should be inspections to at least two separate sectors.

As competences of labour inspectorates vary in participating countries, the hosting country's inspectors carry out inspections during visit period as normal part of their UDW inspections. They will explain what kind of matters do fall into the concept of UDW in their country.

### **HOW TO PREPARE A VISITING PERIOD ABROAD?**

When an inspector goes abroad for an exchange, they should know which kind of questions they have to be able to answer after inspection exchange. Please see the document "NordBalt-UDW, interview questions" for more details.

### **DURING INSPECTION EXCHANGE**

Visiting inspectors should be observers during inspections – naturally, you can pose questions at the inspections. However, you should let the host country's inspectors to have a chance to concentrate on their work while at the premises.

The task is to gain as much information and knowledge about how and why things are done that way in the host country. If you have any questions, doubts or remarks about your observations, you should not hesitate to ask about these during the inspection exchange.

## AFTER INSPECTION EXCHANGE

Each country's representative in the steering group will coordinate and collect the information on the inspection weeks and send them to Riku and Dorte based on the interview questions template. Steering group agreed in Riga meeting that there will be no unified template for the inspection reports – instead, each country can report in the way they want. However, the reports should be made in writing and include at least answers to the questions found in the document “NordBalt-UDW, interview questions”. The report should also include any additional observations the inspectors find necessary.

## Annex 2

Here below is the inspection calendar for inspector exchanges in 2019.

### Inspection calendar

There will be at least 7 hosting week activities – there can even be more, this depends whether the host country receives one or two visiting countries at the same time. Each participating country visits two host countries. Two-three inspectors from each country going out per team. Inspectors organising and hosting the visit can be determined by hosting country.

Exchange number	Host country	Visiting country	Location in host country	Time period
1	Denmark	Finland	Copenhagen area	16.-19.9.19
2	Denmark	Latvia	Jutland	3.-6.9.19
3	Estonia	Denmark	Tallinn	1.-3.10.19
4	Estonia	Iceland	Tallinn	1.-3.10.19
5	Finland	Sweden	Helsinki capital region	8.-10.10.19
6	Finland	Latvia	Helsinki capital region	8.-10.10.19
7	Iceland	Estonia	Reykjavik	2.-4.7.2019
8	Iceland	Denmark	Reykjavik	8.-12.9.19
9	Latvia	Norway	Riga	25.-27.6.19
10	Latvia	Finland	Riga	25.-27.6.19
11	Norway	Sweden	Oslo	21.-24.10.19
12	Norway	Iceland	Oslo	21.-24.10.19
13	Sweden	Estonia	Uppsala	22.-24.10.19
14	Sweden	Norway	Umeå	23.-26.9.19

Here below is the list of names of participants in inspector exchanges including their organisations

### Names of inspectors for exchanges

No	Name	Unit
DEN1	Erik Bjernemose	Danish Working Environment Authority/ Inspection center South
DEN2	Nicolaj Bech	Danish Working Environment Authority/ Inspection center East
DEN3	Kim Ørum Laustsen	Danish Working Environment Authority/ Inspection center North
DEN4	Alexander Eknes	Danish Working Environment Authority/ Inspection center East
EST1	Liis Naaber-Kalm	Estonian Labour Inspectorate/Inspection Unit
EST2	Angelica Maasikas	Estonian Labour Inspectorate/Inspection Unit
EST3	Eneken Hiire	Estonian Labour Inspectorate/Inspection Unit
EST4	Liis Naaber-Kalm	Estonian Labour Inspectorate/Inspection Unit
EST5	Angelica Maasikas	Estonian Labour Inspectorate/Inspection Unit
EST6	Harri Alaru	Estonian Labour Inspectorate/Inspection Unit
FIN1	Mikko Murto	Regional Labour Inspectorate for Southern Finland
FIN2	Katariina Nysund	Regional Labour Inspectorate for Western and Inland Finland
FIN3	Maija Rinta-Hoiska	Regional Labour Inspectorate for Southwestern Finland
FIN4	Eveliina Liiman	Regional Labour Inspectorate for Southern Finland

FIN5	Antero Seppänen	Regional Labour Inspectorate for Southwestern Finland
ICE1	Auður Inga Ísleifsdóttir	Directorate of Labour
ICE2	Róbert Á. Róbertsson	Administration of occupational safety and health
ICE3	Auður Inga Ísleifsdóttir	Directorate of Labour
ICE4	Róbert Á. Róbertsson	Administration of occupational safety and health
LAT1	Vineta Priediņa	Riga Regional Labour Inspectorate
LAT2	Kristīne Cvirko	Riga Regional Labour Inspectorate
LAT3	Mārtiņš Šaškevičs	State Labour Inspectorate of Latvia, Labour Protection Unit
LAT4	Baiba Puķukalne	Riga Regional Labour Inspectorate
LAT5	Aldis Šilders	Kurzeme Regional Labour Inspectorate
NOR1	Bengt Eriksson	Joint Authorities Centre Oslo
NOR2	Nils-Henrik Bjerke	Joint Authorities Centre Oslo
NOR3	Anne Marte Solheim	Joint Authorities Centre Oslo/Oslo Regional Office
NOR4	Cecilie Myrvold	Joint Authorities Centre Oslo/Oslo Regional Office
SWE1	Peter Grufman	IRM
SWE2	Kaj Nielsen	IRM
SWE3	Martin Forsgren	IRN
SWE4	Markus Tomtèn	IRN

## **Questions which should be covered in the inspection reports**

### **1. Before the inspection exchanges**

- How were inspection targets selected beforehand? If the host country has an advanced risk assessment tool for selecting inspection targets, please ask about this as well.
- What is the approach of the upcoming inspection?
- Were other authorities consulted/involved in planning?
- Did you identify any “good practices” concerning how the inspections were planned?

### **2. During inspection exchanges**

- Was the inspection made without prior notice?
- Did other authorities participate in the inspection?
- Did the inspectors talk with both the employer and the employees?
- Was the employer made aware of the initial findings by the inspectors?
- How were language challenges solved at the inspection?
- Was any physical material (brochures, leaflets etc.) given to employers and/or workers at the inspection?
- Did you identify any “good practices” during the inspections?

### **3. After inspection exchanges**

- Were there any obligations (prohibitions, notices, written advises etc.) given to the employer
- Were there any administrative sanctions imposed as a result of the inspection?
- Were other authorities informed about the findings of the inspection?
- Did you identify any “good practices” when it came to sharing the inspection results?

### **4. “Cross-border findings”**

Ask about good practices concerning cross-border view if there were cross-border elements present at the inspections.