



With support of
The Commission's Employment
Social affairs and inclusion DG

ASTREES



CLR

European Project EURODETACHEMENT 2016-2017

Transnational Workshop:
About the Directive 2014/67/EU may 15th 2014 implementation:
the Directive's transposition in Member States (and follow up conditions)
November 23, 24, 25 -2016

VIP Executive Art's Hotel

*Avenida D. João II, nº 47
1998-028 Lisboa –
Portugal
+351 210 020 400*

<http://www.viphotels.com/en/Hotels/VIP-Executive-Arts/About-Hotel.aspx>

Program

Objectives: to share knowledge & best practices resulting from the Directive 2014/67/EU of 15 May 2014 implementation.

- ✚ Changes in national legal frameworks in the 13 partners countries.
What are the issues and what are the orientations in national policies as regards the Directive implementation? (Legal obligations on posting, control and monitoring methods, resources of the labour inspectors to frauds and abuses, etc....).
- ✚ Organisational changes to improve the performance and investigation tools and methods
- ✚ Organisational changes to improve the national collaboration with other stakeholders (Public authorities: social protection, tax administration..., social partners, etc....)
- ✚ Experiences & initiatives to improve transnational cooperation's
- ✚ Method for a better Information of workers and companies
- ✚ Perspectives at European level

November 23- 20:00

Welcome buffet lunch in the hotel

Presentation of the program

24 November 2016

9:00- 9:15

- ✚ **Welcome** by Mr. Manuel MADURO ROXO
Sub-Inspector General Director of the Labour Conditions Authority of Portugal

9:15-9:30

Project team

- ✚ **Project Updates, by the project team members (INTEFP, ASTREES) :**

Since 2011 through the EURODETACHEMENT projects 'experience, what have been the significant developments?

Where do we stand today?

Review of the actual "action learning" process.

9:30-13:00 Morning session (including a pause)

Article 23 Directive 2014/67/EU may 15th 2014:

"Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 18 June 2016."

- ✚ **FOCUS on legal frameworks :**

Aim:

The objective of this session consists for each partner country to present one issue or priority defined in the Directive 2014/67/EU implementation that modified or will change the national legal framework to posting.

Jan Cremers :

Overview of the implementation of Directive 2014/67/EU may 15th 2014 by Member States.

13:00- 14:00 Lunch

Afternoon Session

Article 10 Directive 2014/67/EU may 15th 2014:

Member States shall ensure that appropriate and effective checks and monitoring mechanisms provided in accordance with national law and practice are put in place and that the authorities designated under national law carry out effective and adequate inspections on their territory in order to control and monitor compliance with the provisions and rules laid down in Directive 96/71/EC, taking into account the relevant provisions of this Directive and thus guarantee their proper application and enforcement.

Around the notion of “ **appropriate and effective checks and monitoring mechanisms**”; we propose three forums:

14:30 – 17:30 (including a pause)

Forum N°1: improving expertise and performance through Organization & management

- ✚ Through the Portuguese experience: the setting-up of a national working group on the subject; what are the conditions in order to:
 - Improve joint expertise in the field?
 - Share the knowledge?
 - Develop new practices?
 - Improve work of the liaison offices and exchange through IMI?
 - Boost the training?

Forum N°2: improving collaborations with other public authorities

- ✚ Through the Sweden experience:

The creation of five pilot teams in Sweden (one per region). The teams are staffed by people from the Swedish Work Environment Authority, the Police, the Tax Agency, the Swedish Economic Crime Authority and other authorities if necessary. For example, the Customs Administration, the Swedish Transport Administration, the Social Insurance Agency or the County Board regarding exploitation and human trafficking.

What lesson about this experience?

Forum N°3: improving collaborations between public authorities and social partners

- ✚ Through the Finland experience:

What added value (with concrete examples)

What role of each other's?

What success factors?

Closing 17:30

17:00-18:00 in transnational bilateral group, update on the EURODETACHEMENT learning action. Each partner is then invited to exchange in bilateral groups to organize or discuss the organization and contents of next learning actions.

November 25- 2016

9:00- 11:00 Round tables session

Article 8 Directive 2014/67/EU may 15th 2014:

Member States shall, with the assistance of the Commission, take accompanying measures to develop, facilitate and promote the exchange between officials in charge of the implementation of administrative cooperation and mutual assistance as well as monitoring the compliance with, and enforcement of, the applicable rules. Member States may also take accompanying measures to support organizations that provide information to posted workers.

Round table N°1: Moving transnational cooperation on monitoring and control

✚ Through two actions implemented during the « learning action period”.

What value brings the transnational cooperation?

Does it improve the final result of the action? (Provisions of the “hard core”, fraud in posting situations, undeclared work, workers' housing and living conditions)?

- To detect and focus on situations
- To organize joint control such operations
- To share aims
- To jointly ensure the follow-up
-

Round table N°2: Transnational actions to develop contact and mutual understanding between public authorities and trade unions.

✚ 29 November in Nuremberg, Germany (Arbeit und Leben Berlin)

✚ 3 and 4 November in Hamburg, Germany (Arbeit und Leben Hamburg)

Article 5 Directive 2014/67/EU may 15th 2014:

Member States shall take the appropriate measures to ensure that the information on the terms and conditions of employment referred to in Article 3 of Directive 96/71/EC which are to be applied and complied with by service providers is made generally available free of charge in a clear, transparent, comprehensive and easily accessible way at a distance and by electronic means, in formats and in accordance with web accessibility standards that ensure access to persons with disabilities and to ensure that the liaison offices or other competent national bodies referred to in Article 4 of Directive 96/71/EC are in a position to carry out their tasks effectively. 2.

✚ Round table N°3 : Information and awareness-raising for companies and workers

- How jointly find pertinent ways to inform workers and companies about employment conditions and useful contacts for them, when facing specific problems?
- How to improve the public authorities' websites quality on posting?
- Develop and share existing training material (information packs and other material)?
- Design and build a campaign?

11:30 Break

12:00- 13:00 Conclusive session

Fernando PEREIRA

DG EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION

UNIT D1: FREE MOVEMENT OF WORKERS, EURES

EUROPEAN COMMISSION

Situation and issues on the posting of workers

Prospects for strengthening administrative cooperation

Issues to the implementation of the Enforcement Directive by Member States

The outlook for the European legal framework

13h Closing