



POOSH

Occupational Safety and Health of Posted Workers:

Depicting the existing and future challenges in assuring decent working conditions and wellbeing of workers in hazardous sectors

NEWSLETTER No. 1 JULY 2017

POOSH – “Occupational Safety and Health of Posted Workers: Depicting the existing and future challenges in assuring decent working conditions and wellbeing of workers in hazardous sectors” is a project that has received financial support from the European Union Programme for Employment and Social Innovation “EaSI” (2014–2020).



Funded by
the European Union

1 PROJECT DESCRIPTION

The project activities focus on the under-researched, underexposed and poorly addressed issue of the labour/working conditions and OSH of posted workers. While current research- and policy-oriented initiatives tend to focus on issues such as tax avoidance, fictitious postings, social benefit frauds, and challenges in establishing cooperation and information sharing on breaches of the relevant Directives between national competent authorities via the IMI system, more attention should also be placed on the assurance of decent working conditions, occupational safety and health, assessment of health-related risks, prevention measures, and monitoring.

The duration of the project is 2 years, from 1 January 2017 to 31 December 2018.

The project has been designed to deliver **3 main objectives**:

// Enhancing transnational cooperation between national competent bodies, social partners and NGOs concerned with the OSH and labour/working conditions of posted workers;

// Improving access to information on the decent labour/working conditions and OSH of posted workers;

// Providing comprehensive research on the OSH-related vulnerabilities of posted workers and regulatory protection in place in 9 EU countries covered by the project.

Through its activities, the project team aims to generate an impact for the following groups: public authorities/administrations (ministries, labour inspectorates, and social partners), trade unions, employers' associations, individual employers, posted workers and other stakeholders (non-governmental organisations, national health insurances authorities, and think tanks/ research institutes).

The **expected results** concern an **increased transnational cooperation**, through several **joint events** that have been and are going to be organised for the duration of the project; **information sharing** in the field of the OSH of posted workers, through an OSH **e-observatory** and **informational materials** translated in 11 languages; and **enhanced knowledge** regarding this field, through **9 national case studies** and a **comparative final report**, and **5 academic articles**.

2 PROJECT CONSORTIUM



Consortium leader – ZRC SAZU – Research Centre of the Slovenian Academy of Sciences and Arts (Ljubljana, Slovenia)



ȘCOALA NAȚIONALĂ DE STUDII POLITICE ȘI ADMINISTRATIVE

Partner – SNSPA – The National University of Political Studies and Public Administration, Department of International Relations and European Integration and Centre for European Studies on Human Migration (Romania)



Università
Ca' Foscari
Venezia

Partner – Ca' Foscari University of Venice, Department of Philosophy and Cultural Heritage (Italy)

Universität
Rostock



Traditio et Innovatio

Partner – University of Rostock, Chair of Business, Economics and Entrepreneurship Education (Germany)



EUROPEAN CENTRE
FOR SOCIAL WELFARE POLICY AND RESEARCH

Partner – European Centre for Social Welfare Policy and Research; Work and Welfare Programme (Austria)

The activities of the project will also be implemented with the support of the **ASSOCIATED INSTITUTIONS**: ♦ The Ministry of Labour and Pension System of the Republic of Croatia (Croatia), ♦ Labour Inspectorate of the Federal Public Service Employment, Labour and Social Dialogue (Belgium), ♦ Federazione Italiana Lavoratori Legno Edili e Affini (Italy), ♦ European Trade Union Institute (Belgium), ♦ Ministry of Labour, Family, Social Affairs and Equal Opportunities of the Republic of Slovenia (Slovenia), ♦ CONECT Association for Employment, Dialogue and Migration (Romania).

3 PARTNERS DESCRIPTION

// **The Research Centre of the Slovenian Academy of Sciences and Arts (ZRC SAZU – <http://www.zrc-sazu.si/en>) from Slovenia** is one of the leading research and educational centres in Slovenia. The diverse research areas can be summed up in the study of cultural, social, and natural phenomena, processes, and practices. The Slovenian Migration Institute (SMI) is one of eighteen (18) independent but coordinated and interconnected institutes of ZRC SAZU. SMI issues the international scientific journal *Dve domovini/Two Homelands* and the monograph series *Migracije (Migrations)*. Researchers cooperate with various educational institutions and are therefore actively included in education process. The researchers of SMI have, in collaboration with University of Nova Gorica and other partner institutions from Europe and Africa, developed an international MA study in Migration and Intercultural Relations.

// **The Chair of Business, Economics and Entrepreneurship Education at the University of Rostock (UniROS – <https://www.wiwi.uni-rostock.de/en>)** provides teaching, research and scientific consulting in various topics of vocational education and training (VET). In particular, the chair focuses on the constitution and organisation of teaching and learning processes in different institutions of VET as well as in the adjacent fields of education. In all research and development activities, the relations between individuals, different institutions and conditions of the education system are comprehensively considered. As a matter of principle, the tools of qualitative social research are applied. Furthermore, the chair intensively cooperates in all research and development projects with stakeholders/institutions dealing with practical VET issues.

// **Laboratory for Social Research of University of Venice (UniVE – <http://www.unive.it/pag/17840/>), from Italy** – The Department of Philosophy and Cultural Heritage carries out sociological studies and research, with particular attention to work, social transformations, inequalities, migrations, racism, welfare systems, and social citizenship. It has participated in a number of national and international projects. The university has both national and international reputation for its academic excellence in the fields of teaching and research. In 2015, it has been rated among the top 200 universities for Economics and Econometrics, History,

and Modern Languages in the QS World University Ranking by Subjects. Since 2007, it has been awarded 110 grants to fund both individual and collaborative European and international projects, 70 of which are funded within the framework of the 7FP and Horizon 2020 schemes.

// **The European Centre for Social Welfare Policy and Research (EUROPEAN CENTRE – <http://www.euro.centre.org/>)** is a UN-affiliated intergovernmental organisation that was established in Vienna in 1974 and is concerned with all aspects of social welfare policy and research. The EUROPEAN CENTRE provides expertise in the fields of welfare and social policy development, in particular in areas where multi- or interdisciplinary approaches, integrated policies and inter-sectoral action are called for. Research activities within the EUROPEAN CENTRE are organised into two larger units: (1) Work and Welfare Programme; and (2) Health and Care Programme. One of the core strengths of the EUROPEAN CENTRE is the bridging of knowledge and policy evidence between the “Europe of 56” (UN-Europe) and in particular EU countries and (potential) candidate countries and the countries of the Eastern partnership. The bridging function is based on three main pillars: 1) Comparative social policy and welfare research; 2) Knowledge transfer and public forum function; and 3) Policy consultancy; as well as on the premise of close collaboration and participation with the national governments of European countries, the European Union and other relevant stakeholders at the European and national levels.

// **The National University of Political Studies and Public Administration (SNSPA – <http://www.snsa.ro/>) from Romania** is a public institution for higher education and research. Its main objective is to form and develop professional competencies in the area of political, administrative, social and economic science, and thus contribute to change and development at the national and international levels in the spirit of democratic values and principles and openness to European cooperation. The university has 4 faculties, 1 department, 9 fields of study for undergraduate trainings, 52 master programs, and 4 domains for doctoral studies. It also benefits from 18 research centres, which cover a wide range of domains such as: management and leadership, communication, European studies, public affairs, gender studies, Roma documentation and research, as well as migration. The Centre of European Studies on Human Migration, established in 2014, focuses on studying migration from a multidisciplinary perspective as a social, cultural, demographic, economic, and political phenomenon.

4 PROJECT ACTIVITIES

WP 1 – MANAGEMENT, COORDINATION AND ADMINISTRATION

ZRC SAZU is acting as the project coordinator and is also WP1 and WP2 leader. It has set up the management and administration of the project and organised the **first project meeting** on 14 February 2017 in Ljubljana.

Internal meetings and video conferences have been organised as well to share information and clarify the goals of POOSH.



WP 2 – ENHANCING TRANSNATIONAL COOPERATION

WP2 is focused on establishing and/or further improving **transnational cooperation** between national competent bodies, social partners and NGOs concerned with the OSH and labour/working conditions of posted workers. Events will be organised with the aim of **exchanging best practices** and **sharing experiences**, discussing possible forms of **further cooperation** (such as the possibility of developing bilateral agreements and improving cooperation via the IMI system), facilitating **multilateral initiatives** leading to better monitoring and response to violations of rights and developing **policy recommendations**.



ZRC SAZU has already organised the **first Joint Visit** (14 February 2017) and **Transnational Conference** (15 February 2017), both held in Ljubljana. The conference with the title Employment/Working Conditions, Occupational Safety and Health of Posted Workers brought



together 10 speakers from Slovenia, Belgium, Romania, Croatia, Austria, and Italy, who presented many existing and future challenges in the area of OSH related to the posting of workers. The **video** of the conference and **short statements** of 2 presenters were made and **conference proceedings** published.



WP 3 – IMPROVING ACCESS TO INFORMATION ON OSH IN THE CONTEXT OF POSTING OF WORKERS

The main objective of WP3, coordinated by UniVE, is to increase the **accessibility** and **quality of information** for posted workers, employees and national competent authorities, through the existing (national) websites of the applicant countries and a **transnational e-observatory** on the OSH of posted workers that will be launched during the project POOSH. The teams of UniVE and ZRC SAZU have discussed and prepared a draft scheme of the E-Observatory, focusing on the typology of information and resources to be included in the website. With regard to the preparation of **educational materials** on the OSH of posted workers, the first draft of the pocket-guide has been discussed and prepared, focusing on the different approaches to be adopted with respect to the various audiences (posted workers, employers).

WP 4 – COMPARATIVE RESEARCH STUDY

The team of the European Centre has prepared an outline for the **literature review** of each **case study** to be implemented by each respective partner. The European Centre team itself has been responsible for the overall literature review on posting and OSH, as well as the literature reviews for Austria and Slovakia, which were delivered in May. Currently, the European Centre is preparing the research design for the country-by-country case studies and putting together the comparative literature review. The team has already scheduled **interview meetings** with experts in Slovakia. Reports on the literature review have been developed for Slovenia, Croatia, Austria, Italy, Slovakia, Romania, Spain, Belgium, and Germany.

WP 5 – COMMUNICATION, DISSEMINATION AND EVALUATION OF PROJECT ACTIVITIES

All project activities will be carefully **monitored and evaluated** by the WP leader, SNSPA, to ensure the quality of the action and measure the impact. For each planned event – i.e., the transnational conference, the 3 joint visits and the final round-table event – a **questionnaire** will be developed and addressed to all participants to evaluate the quality and relevance of events tackling the issue of OSH and posted workers.

Deliverables will be reviewed by thematic experts in TWG and WP leaders. Articles prepared for publication in academic journals will undergo a review procedure as a means of information and knowledge dissemination. SNSPA has already developed, in collaboration with all partners, the **Communication Strategy** of the project, the media and stakeholders contact list in the field of the OSH of posted workers and the project **Facebook page** (<https://www.facebook.com/POOSHproject/>). The **press release** for the first conference and information about the project were published on the ZRC website, and flier containing basic information on the project in English was developed and disseminated.



All partners have translated the **flier** into their own languages and another one chosen from the sample established in the project plan, prepared the flier template in these languages, and printed them out and distributed. All partners have contributed to developing the **poster slogan** for the POOSH project. On 23–24 May, Sonila Danaj (European Centre) also participated in one policy workshop organised by another EaSI project, namely, “Protecting Mobility through Improving Labour Rights Enforcement in Europe” (PROMO) in Helsinki, Finland. POOSH fliers were also distributed during the workshop, attended by experts on posting from all over Europe.

5 UPCOMING EVENTS

The **second Project Meeting** will be held on 10 October 2017 in Bucharest (Romania) to facilitate discussions on ongoing challenges and enhance cooperation between project consortium members. On 11 October, the **second Joint Visit** will take place, with a focus on exchanging best practices, sharing experiences, enhancing cooperation between labour inspectorates as well as other competent authorities and social partners, with the participation of representatives from Austria, Belgium, Croatia, Germany, Italy, Romania, Spain, and Slovenia.

In the first half of 2018, the **third Joint Visit** in Belgium and **5 national capacity-building workshops** will be organised in Slovenia, Italy, Austria, and Romania.

6 NEWS



// SLOVENIA

In February 2017, the Slovenian National Assembly adopted a **Transnational Provision of Services Act (ZČmIS)**. The Act sets the **conditions** and **regulations** concerning the provision of services by Slovenian and foreign employers and the self-employed in Slovenia, including conditions and procedures concerning the issuing of A1 forms, cooperation between competent authorities to enforce the provisions of the Act, data collection procedures, as well as monitoring and fining of violations. It does not include any specific provisions concerning the **health and safety of employees**. The Act will come into force on 1 January 2018.

The Act is available in the Slovenian language on the web site of the Official Gazette of the Republic of Slovenia: <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2017-01-0461/zakon-o-cezmejnem-izvajanju-storitev-zcmis>.

// ROMANIA

On 20 May 2017 **Law no. 16/2017** entered into force in Romania with respect to posting of workers in the framework of transnational services, transposing Directive 96/71/EC and Directive 2014/67/EC into national legislation. The law applies to posting from a Member State of the European Union or of the Swiss Confederation in Romania and vice versa. The above mentioned law establishes rules for the **cross-border recovery of amounts** resulting from penalties for non-compliance with the rules on posting, and procedural rules on **administrative cooperation** between the competent authorities of the Member States, including the types of requests they may send and the deadlines for responding. It also allows workers posted in Romanian territory to **address directly** the Romanian authorities if they consider that their rights are not protected during the posting. Law no. 16/2017 introduces a **series of control measures and mechanisms applicable in Romania** for the posting of workers, including measures on international cooperation. In this respect, the Labour Inspectorate is designated as the competent authority which also has a **liaison office** with the authorities of the other Member States. On 31 May 2017 Government Decision no. 337/2017 came into force with respect to the approval of the Methodological Norms regarding the posting of workers in the framework of the provision of transnational services in the territory of Romania to ensure the complete observance of the rights of posted workers and the uniform application of the provisions.

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Funded by
the European Union

This material has received financial support from the European Union Programme for Employment and Social Innovation "EaSI" (2014–2020). For further information please consult: <http://ec.europa.eu/social/easi>. The information contained in this publication does not necessarily reflect the official position of the European Commission.