

## LITHUANIA. INSPECTION ACTIVITIES

Title of the inspection activities: **Inspections of Transparent Worker Identification (QR) Code in construction**

Duration of the inspection activities: **From 1 April 2022 till now**

Aim of the inspection activities: **The aim of the Transparent Worker ID Code is to ensure that all persons working or present on any given construction site can be identified by the relevant authorities to determine if they are working legally or not. This helps maintain a safe and lawful working environment on construction sites.**

**As of 1 May 2022, amendments to the Occupational Safety and Health Law of the Republic of Lithuania (OSH Law) have entered into force, bringing the self-employed construction worker within the SLI control field and must comply with OSH requirements.**

Scope of the inspection activities: **To verify the legal working status of all workers on construction sites, ensuring compliance with employment regulations and preventing illegal work as well as OSH requirements.**

Sector covered by inspections: **Construction sites**

The number of establishments inspected in the framework of the activities: **Inspections of the Transparent Worker ID Code in 2022 – 1302, in 2023 – 3088. Persons checked for the Transparent Worker ID Code in 2022 – 2670, in 2023 – 6188.**

The number of labour inspectors involved in implementing the inspection activities: **195**

The number of persons involved in supervising the implementation of the inspection activities (including development of inspection documents and summarizing results of inspections): **about 10**

Short summary of the outcome of the inspection activities: **Due to the amendments made in the legislation, the obligation to ensure compliance with legal acts has expanded. Thus, in addition to the employer's liability, the same is applicable to the developer/builder (client). Due to the technical implementation, it is easier to carry out controlling activities by the supervisory authorities.**

**Due to the relatively recent implementation of the Transparent Worker ID Code, early signs indicate that there has been a reduction in the number of illegal workers in the construction sector, including foreign workers.**

No.	question	yes/no	comment
<b>Inspection activity</b>			
<b>A. Selecting priority areas for inspection</b>			
1.	What sources of information did you use in selecting the priority area for inspection?		<input checked="" type="checkbox"/> inspectorate's own database of workplace accidents <input checked="" type="checkbox"/> external database of workplace accidents (please specify) <input checked="" type="checkbox"/> inspectorate's own database of occupational diseases <input checked="" type="checkbox"/> proposals of partner institutions (which ones?) <b>State Tax Inspectorate</b> <input checked="" type="checkbox"/> complaints; <input checked="" type="checkbox"/> information in mass media (please specify) <b>Information regarding possible labour law and OSH violations received from social websites (e.g., Facebook) as well as information found in mass media websites or other mass media sources (public service broadcasting)</b>
2.	What was the main reason for selecting the inspection priority area?		<input checked="" type="checkbox"/> high rates of workplace accidents, including fatal and serious accidents <input checked="" type="checkbox"/> stakeholders' expectations <input checked="" type="checkbox"/> guidelines from state authorities <input checked="" type="checkbox"/> a large number of complaints <input checked="" type="checkbox"/> others (please specify) <b>The construction sector is one of the most important economic sectors in Lithuania employing about 95 000 people – this accounts for just over 7% of all people insured by social insurance. Of this 95 000, 25 000 operate under business certificates and about 14 000 work with individual activity certificates (i.e., self-employed persons).</b>

			<p>The construction sector is one of the largest shadow economy sectors in Lithuania. More than half of all recorded cases of illegal work occur in the construction sector (including undeclared work or people employed without following the proper procedures for hiring foreigners). While liability applies to the employer, the difficulty faced by controlling authorities was the problem of identifying the companies employing illegal workers. For many years, the construction sector has been the most dangerous sector for accidents and OSH violations, which is why SLI places the highest priority on it.</p>
3.	What was defined as priority area?		<input checked="" type="checkbox"/> a particular sector(s) of economy
4.	What was the predominant aim of workplace inspections?		<input checked="" type="checkbox"/> to examine the problem <input checked="" type="checkbox"/> to provide the inspected entities with information on legal requirements <input checked="" type="checkbox"/> to provide the inspected entities with information on how to ensure compliance with legal requirements <input checked="" type="checkbox"/> to enforce compliance with the law in the inspected entities <input checked="" type="checkbox"/> to achieve a measurable effect, e.g. in the form of reduced accident rate, morbidity rate, etc. <input checked="" type="checkbox"/> others (please specify) <p>to ensure that all persons working or present on any given construction site can be identified by the relevant authorities to determine if they are working legally or not.</p>

5.	How did you determine the number of entities to be inspected?	<input checked="" type="checkbox"/> the percentage of the overall number of inspections planned in a given year, what percentage? <b>Percentage of inspections during which the control of violations related to the Transparent Workers ID Code is carried out of all illegal work inspections in the construction sector. Percentage – not less than 75%</b> <input checked="" type="checkbox"/> other criteria (please specify) <b>Overall number of inspections is planned and approved in a yearly plan which is coordinated by the Ministry of Social Security and Labour.</b>
6.	What was taken into consideration when determining the number of inspections to be carried out by individual field offices (regions):	<input checked="" type="checkbox"/> the number of inspectors carrying out inspection tasks in a given region; <input checked="" type="checkbox"/> the hazard level as measured by the rate of workplace accidents;
7.	Were IT tools used to identify the priority area in the described inspection campaign?	A brief description of IT tools Type of data: <b>In order to determine the riskiest area for undeclared work, we usually determine the most detected cases of undeclared work in the last 5 years based on the analysis.</b>
8.	Were IT tools used to identify the target group of inspected entities in the described inspection campaign?	A brief description of IT tools Type of data: <b>The collection of information about construction objects by SLI inspectors aims to identify illegal and undeclared work, undeclared self-employment, and violations of foreign employment procedures through unscheduled and scheduled inspections, data analysis from “Infostatyba”</b>

			<b>anonymous reports, information from other institutions, and public media disclosures.</b>
<b>B. Determining the time span of inspection activities</b>			
9.	How was the breakdown of inspections planned? Were the inspections carried out:		
a)	evenly throughout the whole period of the planned activities		<b>Since the construction sector has been the riskiest for the last 10 years, it is inspected throughout the year.</b>
10.	What was the average duration of a workplace visit conducted in the framework of the programme implementation (the time it took to complete inspection activities at an individual establishment)?		<input checked="" type="checkbox"/> within one day, between 2 and 4 hours;
11.	What was the average duration of the activities carried out in the office of the labour inspectorate (excluding the penal and administrative sanctions)?		<input checked="" type="checkbox"/> within more than one day, total duration between 4 and 8 hours;
<b>C. Selecting establishments for inspection.</b>			
12.	What criteria were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> overall number of workers <input checked="" type="checkbox"/> accident rate in a particular workplace <input checked="" type="checkbox"/> the number of complaints concerning a particular company <input checked="" type="checkbox"/> personal knowledge of labour inspectors who supervise particular workplaces (groups of workplaces) <input checked="" type="checkbox"/> workplace location criterion <input checked="" type="checkbox"/> sectoral criterion <input checked="" type="checkbox"/> others (please specify) <b>Information, about most riskiest companies in specific sector received from other institutions, such as the State Tax Inspectorate, the State Territorial Planning and Construction Inspectorate</b>

13.	What sources of information were used when selecting establishments for inspection?	<input checked="" type="checkbox"/> inspectorate's own database <input checked="" type="checkbox"/> databases of other regulatory institutions (which ones?) <b>The risk assessment system receives data from the SLI information system and external data sources:</b> <ul style="list-style-type: none"> <li>• <b>Interdepartmental tax data storage;</b></li> <li>• <b>The State Social Insurance Fund Board information system;</b></li> <li>• <b>The State Tax Inspectorate information system;</b></li> <li>• <b>Statistics Lithuania information system;</b></li> <li>• <b>State Enterprise Centre of Registers information system;</b></li> <li>• <b>Data analysis from "Infostatyba"</b></li> <li>• <b>Other information system.</b></li> </ul> <input checked="" type="checkbox"/> databases of institutions registering economic activity <input checked="" type="checkbox"/> databases of insurance institutions <input checked="" type="checkbox"/> labour inspectors' knowledge of workplaces <input checked="" type="checkbox"/> internet search engines
14.	Were IT tools used to select specific inspected entities in the described inspection campaign?	A brief description of IT tools The type of data: <b>The collection of information was carried out:</b> <ol style="list-style-type: none"> <li><b>1. during unscheduled and scheduled inspections.</b></li> <li><b>2. analyzing the data of the Republic of Lithuania building permits and construction state supervision information system "Infostatyba" and other information available to SLI inspectors about construction objects started and under</b></li> </ol>

			<p>construction, blocks of individual houses, etc.</p> <p>3. after receiving anonymous information (in writing, by telephone, in the form of an electronic report on illegal work, in writing, by e-mail, SLI public telephone or other legal methods).</p> <p>4. after receiving information from other state and self-government institutions and bodies.</p> <p>5. in response to information published in public information media or otherwise made public regarding violation of public interest in matters of enforcement of legal acts.</p>
<b>D. Provision of staff for carrying out inspections</b>			
15.	What group of inspectors was involved in the inspection activities?		<input checked="" type="checkbox"/> all inspectors were involved in the inspection activities;
16.	How were inspectors prepared for the inspection activities (additional training)?		<input checked="" type="checkbox"/> additional training was provided by the same person (the same team) for all labour inspectors involved in the campaign; <input checked="" type="checkbox"/> other (please specify). <p>The training of inspectors on the Transparent Workers ID Code were carried out when there were changes in legal acts. Also there were trainings for all inspectors after several months of inspections, attention needs to be paid to certain specifics. There were methodological recommendations prepared for inspectors. The SLI also made trainings for inspectors of the State Tax Inspectorate and border guards of the the State Border Guard Service</p>

			<p><b>Newly employed inspector is curated for a certain amount of time by another inspector.</b></p> <p><b>All OSH inspectors carrying out construction site OSH inspections receive training several times a year, in accordance with the SLI's approved annual action plan.</b></p>
17.	Were IT tools used to prepare labour inspectors to carry out activities within the described inspection campaign?		<p>A brief description of IT tools</p> <p><b>The Transparent Workers ID Codes are verified using a QR reader on a smart mobile device (via the camera) or another computer device equipped with a camera. All our inspectors have working mobile phones and tablets with which they can scan the QR code. Everyone was shown how to use the scanner before the campaign</b></p> <p>- what scope of knowledge and/or skills did labour inspectors acquire using the indicated IT tools?</p> <p><b>The identification code of a transparently employed person is a unique code that encrypts data on the status of an employee, a self-employed person, or a person posted to Lithuania i.e., with the creation of codes, it is possible to check whether a person is officially employed under an employment contract, is engaged in self-employment, or is a person posted to the Republic of Lithuania. So no additional knowledge were acquired because the QR code was designed to require as little additional knowledge as possible so that it can be used by everyone.</b></p>

18.	What materials were at the inspectors' disposal during the activities?	<input checked="" type="checkbox"/> the rationale of the inspection activities; <input checked="" type="checkbox"/> checklists; <input checked="" type="checkbox"/> description of the reporting requirements; <input checked="" type="checkbox"/> examples of reactive actions to be taken by inspectors upon identification of typical cases of non-compliance;
19.	Did labour inspectors use IT tools when carrying out activities within the described inspection campaign?	<p>A brief description of IT tools:</p> <p><b>During the inspection internal SLI information system is being used. With the help of the same information system inspectors can receive information, e.g. application of social insurance for the particular employee, can receive information about entity.</b></p> <p>- IT tools were used :</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> when performing inspection activities during the inspection</li> <li><input checked="" type="checkbox"/> when summarizing and documenting the results of the inspection in a specific inspected entity</li> </ul> <p>- how did they support the labour inspector in (please provide a short description):</p> <ul style="list-style-type: none"> <li>- preparation for an inspection?</li> </ul> <p><b>Inspectors are using SLI internal database system in order to receive information about inspected company (for example, general company information, number of employees working, whether there are any declared foreign employees working, information about violations concluded in the past).</b></p> <p>- performing inspection activities?</p>

			<p><b>During inspection activity inspector can see information about employment of company employees.</b></p> <p>- summarizing and documenting the results of the inspection?</p> <p><b>All documents related to the inspection are attached to the SLI internal database as well as all inspection results are filled in the same system.</b></p>
<b>E. Involvement of other regulators, institutions, authorities for labour protection and social partners in the implementation process.</b>			
20.	Can other regulators, institutions, authorities for labour protection and social partners submit their proposals of inspection topics to the inspectorate's plan of work?		<b>Ministry of Social Security and Labour and competent state control institutions of the country, social partners (representatives of employers and employees).</b>
21.	Was the inspection activity the result of a proposal submitted by another regulator, institution, authority for labour protection or social partner?		<b>Ministry of Social Security and Labour</b>
22.	Was there any cooperation between the labour inspectorate and another regulator, institution, authority for labour protection or social partner?		<b>State Tax Inspectorate, State Border Guard Service, the State Territorial Planning and Construction Inspectorate</b>
23.	At which stage was the cooperation with another regulator, institution, authority for labour protection or social partner initiated?		<input checked="" type="checkbox"/> at the planning stage; <input checked="" type="checkbox"/> at the implementation stage of the activity;
24.	What did the cooperation with another regulator, institution, authority for labour protection or social partner involve?		<input checked="" type="checkbox"/> participation in inspection activities (e.g. as experts), in what role? <b>Inspectors' role</b> <input type="checkbox"/> others – please specify: <b>The State Territorial Planning and Construction Inspectorate gave information</b>

			about possible cases when workers in construction worked without a transparent Workers ID Codes.
25.	Are there any legal requirements obliging other regulators, institutions, authorities or social partners to make their data accessible to the labour inspectorate for inspection needs?		The laws of the Republic of Lithuania establish that the country's control institutions cooperate with each other in the field of data exchange. According to the data provision contracts, SLI receives the data required for supervision from the State Tax Inspectorate, the Migration Department, the State Insurance Institution and other control institutions.
26.	Does the labour inspectorate have direct online access to information and data collected by other bodies, institutions and authorities?		SLI has direct Internet access to publicly published data of the State Data Agency and the State Insurance Institution. All other data required for maintenance is obtained according to contracts.
27.	What information obtained in the above manner was used for implementing the inspection campaign?		Transparent Worker ID Codes can be obtained by employees, self-employed persons, and employers (for themselves, their employees and posted workers), by logging in to their personal account through the The State Social Insurance Fund Board (SODRA) Electronic Resident Service System (EGAS), visiting a SODRA office and verifying their identity, or submitting a request, for example, via an email signed with a valid e-signature.
<b>F. Supporting inspection activities with training provided for employers or workers (combining inspection and educational activities)</b>			
28.	Were establishments covered by inspections provided with information or training <b>prior to the</b>		The State Labour Inspectorate (SLI) of Lithuania were provided with information about the Transparent Worker ID Code through various methods: informational

	commencement of the inspection task?		<p>materials in official webpages, social network.</p> <p>Ministry of Social Security and Labour also were very active in providing of information about Transparent Worker ID Code (reports in TV, webpages, social network, etc.).</p> <p>Also in order to give time to adapt to the new order, from 1 April until 1 June 2022 a two-month transitional period was in effect during which the control authorities didn't penalize employees and employers if the employee did not have an ID code, as well as clients or their authorized contractors for violations of identification of persons on the construction site, if for technical reasons it wasn't possible to form and extract the ID code of a transparent employee.</p> <p>What percentage of establishments selected for inspections participated in training events (or other forms of provision of information)?</p> <p><b>Don't have such information.</b></p>
29.	Is the effectiveness of prior information or training activities taken into account when evaluating the results of the inspections?		<p><b>The effectiveness of information and training activities wasn't evaluated.</b></p> <p>What tools are used for that purpose?</p> <p><b>No tools were used.</b></p>
30.	Once the <b>inspection activity is completed</b> , are representatives of inspected establishments provided with recommendations and proposed corrective measures – in the form of guidance or training – regarding the identified compliance level in		<p>What form do they have?</p> <p><b>In some inspection the control questionnaire, according to which it was carried out, provides the company with recommendations for eliminating the identified violations, as well as improving</b></p>

	establishments operating in the field covered by inspection?		<p><b>the state of OSH and the enforcement of labor laws.</b></p> <p>What percentage of establishments selected for guidance/training (or other forms of communication activities) actually attended?</p> <p><b>There is no such information</b></p>
<b>G. Monitoring the implementation of inspection activities</b>			
31.	Was the implementation of inspection activities in any way monitored and coordinated?		<p>How many people were involved in monitoring and coordination of the inspection activity?</p> <p><b>About 10 specialists working at the SLI headquarters.</b></p> <p>What was the function of those persons in relation to labour inspectors who implemented the activity (fellow labour inspectors, immediate supervisors, national coordinator at the labour inspectorate's headquarters)?</p> <p><b>Inspection activities in the regions are always supervised by specialists in the relevant field working at the SLI headquarters. They advise the SLI inspectors working in the regions on all relevant issues that arise for them.</b></p>
32.	What was the scope of monitoring and coordinating actions regarding the inspection activity?		<p><input checked="" type="checkbox"/> assistance in solving problems: over the phone, via email, formally (official correspondence), other (what?)</p> <p><b>Usually, the SLI inspectors use phone or email form of communication.</b></p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan</p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed qualitative plan (how?) \</p> <p><b>Preparing quarterly and annual reports on the achievement of SLI plans and the</b></p>

			<b>quantitative and qualitative indicators set in them.</b>
33.	Were IT tools used to carry out monitoring and coordination activities as part of the described inspection campaign?		<p>- IT tools were used to:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan</li> <li><input checked="" type="checkbox"/> monitoring the implementation level of the developed qualitative plan (how?)</li> </ul> <p><b>SLI has implemented the Activity Management Information System, which prepares reports on the achievement of SLI's annual plans, and the quantitative and qualitative indicators set in them.</b></p>
<b>H. Communicating the information about inspection campaign and its results.</b>			
34.	Did you develop any plan to communicate the information about the inspection activities to:		
a)	stakeholders in the sector covered by the inspection activity ?		<p>What information did the communication plan contain?</p> <p><b>There were 2 intense communication campaigns about illegal work (accentuating building sector). 2024 January and 2024 June-July campaigns focused on damage of illegal work for individual, business and state. Stakeholders participated in TV and radio debates.</b></p>
b)	the general public?		<p>What information did the communication plan contain?</p> <p><b>Largest part of both campaigns were focused on general public: TV/radio debates, articles in main social media, posts in social media networks, advertisement.</b></p>

35.	What was the scope of information communicated to:		
a)	stakeholders in the sector covered by the inspection activity ?		<b>Not measured separately</b>
b)	the general public?		<b>Each campaign achieved around 7 million individual units</b>
36.	How was the information about the inspection activities communicated to stakeholders and the general public?		<b>As above</b>
<b>I. Evaluating the results of the inspection activities. Evaluation methods and tools.</b>			
37.	How were the <b>results</b> of inspection campaign evaluated?		
a)	based on a checklist		How are the results of inspections evaluated by means of a checklist? <b>No (results related to OSH violations – Yes)</b>
b)	based on the number of legal measures issued	Yes	
c)	based on the type of legal measures issued	Yes	
d)	based on the number of implemented legal measures	Yes	
e)	based on the type of implemented legal measures	Yes	
f)	other way	No	
38.	How was the information about the <b>effects</b> of inspection campaign obtained (e.g. about the elimination of irregularities, introduction of higher standards)?		
a)	information provided by the employer		What form did the information provided by the employer have? <b>Information is provided by providing data on the elimination of the identified violation.</b>  Was the information provided by employers randomly verified by labour inspectors?

		<p><b>Control of the implementation of the recommendations given by the SLI inspectors and the elimination of identified violations must be carried out during the next inspection. An unscheduled inspection to control the removal of identified violations is carried out only in cases where the employer doesn't notify about their removal in time.</b></p> <p>What is the employer's liability for providing false information?</p> <p><b>The laws of the Republic of Lithuania establish administrative responsibility for providing false information.</b></p> <p>What is the ratio of information provided by the employer to the overall pool of information about the effects of inspections?</p> <p><b>In different calendar years - from 5 to 20 percent.</b></p>
b)	information provided by the labour inspector who conducted the next inspection at the workplace	<p>What form did the information provided by the inspector have?</p> <p><b>Before starting an inspection or investigation, the SLI inspector must familiarize himself with all information and data accumulated in SLI information systems, as well as publicly available data.</b></p> <p>What is the ratio of information provided by the labour inspector who conducted the next inspection at the workplace to the overall pool of information about the effects of inspections?</p> <p><b>If during the next inspection, the same violations are identified, for which the employer has already been consulted, enforcement measures must be applied (a</b></p>

			<b>protocol is drawn up and a requirement to eliminate these violations).</b>
39.	What performance indicators were used to evaluate the effectiveness of the inspection campaign?		<p>Please list and briefly describe the indicators:</p> <p><b>To evaluate the effectiveness of the SLI inspections and investigations, various qualitative indicators are used, which are determined in the SLI's annual activity plans (for example, the number of persons who started working legally after illegal work inspections, etc.).</b></p>
40.	Were IT tools used to assess the effectiveness of the inspection campaign?		<p>A brief description of IT tools:</p> <p><b>IT tools weren't used to evaluate the effectiveness of the Transparent workers ID code.</b></p> <p>- IT tools were used to:</p> <p><input checked="" type="checkbox"/> formulate conclusions resulting from the effects of the conducted inspection campaign (how?)</p> <p><b>Every quarterly, information is collected on the number of inspections of illegal, undeclared work, the number of violations, the number of employed people, etc. There are also semi-annual reviews on the control of illegal, undeclared work, which are published on the SLI website. There is a section on transparently working ID code inspections analysis in this review.</b></p>
41.	How were the project <b>effects</b> evaluated?		
a)	Was any final summary evaluation of the inspection task (inspection campaign) made?		<p>What was the scope of such evaluation?</p> <p><b>SLI every half year prepares summaries of inspections and investigations carried out by it and submits them to competent state institutions, other control institutions,</b></p>

			<b>social partners, and publishes them publicly.</b>
b)	Were partial assessments made during the inspection activity?		<p>What was the frequency and scope of such assessments?</p> <p><b>SLI always prepares quarterly reports on the statistics of inspections and investigations carried out, also including the Transparent workers ID code controls. Analysis of the offences identified for self-employed workers is provided in the information on the context and trends of serious and fatal accidents (SA) at work in the construction sector 2021-2023 on SLI website.</b></p>
c)	Did you prepare a formal document with evaluation of the inspection activity after its completion?		<p>Was the formal evaluation document prepared by the labour inspectorate or an external evaluator?</p> <p>Please name the entities which conducted such external evaluation.</p> <p><b>At the end of the calendar year, the SLI always prepares annual reports of its activities in accordance with the procedure established by law.</b></p> <p>What aspects of the evaluation were included in the formal document? (Please specify and describe the evaluation shortly).</p> <p><b>The annual reports prepared by the State Labour Inspectorate (SLI) of Lithuania include several key aspects of evaluation:</b></p> <p><b>1. Compliance with Legal Requirements: Evaluating how well establishments adhere to labor laws and regulations.</b></p> <p><b>2. Inspection Activities: Summarizing the number and types of inspections</b></p>

		<p>conducted, including scheduled and unscheduled visits.</p> <p><b>3. Violations and Penalties: Reporting on identified violations, the nature of these violations, and the penalties imposed.</b></p> <p><b>4. Worker Safety and Health: Assessing the effectiveness of measures taken to ensure worker safety and health on construction sites.</b></p> <p><b>5. Training and Information Dissemination: Evaluating the effectiveness of training programs and information provided to establishments about compliance requirements, including the Transparent Worker ID Code.</b></p> <p><b>These evaluations help ensure transparency, accountability, and continuous improvement in labor law enforcement.</b></p> <p>How were the report conclusions disseminated?</p> <p><b>The report submits to other competent state institutions, social partners as well as publishes publicly on the website of the SLI.</b></p>
42.	How was the final document utilized in practice?	<p><b>The SLI's annual reports provide news relevant to employers. Since these reports are published publicly, all employers, their representatives and other interested persons can familiarize themselves with the information and data presented in them.</b></p>