

Annual Report of the State Labour Inspectorate: 2009

Member State: Republic of Lithuania

Name: State Labour Inspectorate of the Republic of Lithuania

1.1 Description of the scope of the Inspectorate's activities

Safety <input checked="" type="checkbox"/>	Health <input checked="" type="checkbox"/>	Psychology <input type="checkbox"/> NO	Labour relations <input checked="" type="checkbox"/>
Public sector <input checked="" type="checkbox"/>	Private sector <input checked="" type="checkbox"/>		

Main sectors not included (please mark sectors not included)

Military <input type="checkbox"/>	Nuclear <input type="checkbox"/>	Radiation <input type="checkbox"/>	Railways <input type="checkbox"/>	Self-employed <input type="checkbox"/> NO	Offshore <input type="checkbox"/> NO
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Other:

Changes in the system of legal sanctions. **YES**

Changes in the national inspection system. **NO**

1.2 Staff and inspections performed over the year, main results

INFORMATION ON UNDERTAKINGS (BUSINESSES)		
		Comments (where necessary)
Total number of undertakings (businesses) entered in the Register of Legal Entities	283 640	190 200 actually operating
Number of undertakings (businesses) in each size category		
1–9 employees	262 350	168 900 actually operating
10–49 employees	16 040	
50–249 employees	4680	
> 250 employees	550	
Total number of employees	1 150 000	
Total number of self-employed	206 300	
INFORMATION ON THE LABOUR INSPECTORATE		
Number of staff engaged in tasks related to occupational health and safety	209	Actual number of employees 194 on 1 June 2010
Number of inspectors	199	Actual number of inspectors 184 on 1 June 2010
Number of inspections	15 940	
Percentage of complaints investigated	100	

Percentage of time spent <i>in the field</i> (per inspector per year)	60	
If available, figures regarding: - inspection of businesses	42	
- travel	18	
Percentage of time spent <i>in the office</i> carrying out administrative tasks related to visits to businesses (e.g. writing of reports) (per inspector per year)	26	
Percentage of time devoted to other administrative tasks (per inspector per year) (Including basic training)	14	
Number of improvement notices	10 700	
Number of suspensions of operations	958	
Number of administrative fines imposed/proposed by the Labour Inspectorate (including on-the-spot fines)	920	
Number of cases referred to prosecutors	153	
Percentage of cases referred to prosecutors resulting in legal proceedings	Data not available	Out of 153 cases referred to prosecutors, 64% are subject to <u>pre-trial</u> investigation.
Percentage of registered occupational diseases investigated	100	
Percentage of registered accidents at work investigated	11.5	Inspectors of the State Labour Inspectorate investigate all serious and fatal accidents at work. Minor accidents at work are investigated by the undertaking's bilateral commission. Inspectors of the State Labour Inspectorate analyse all cases of minor accidents at work recorded and assign reference numbers to their investigation reports (in 2009, a total of 2 100 reports were analysed and referenced).
Number of full-time equivalent occupational health and safety	199	Actual number of inspectors on 1 June 2010: 184

inspectors		
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1.3 Main activities undertaken over the year

Priorities and general objectives of the State Labour Inspectorate of the Republic of Lithuania (hereinafter 'the SLI'), inspection strategies and main topics covered.

Acting within its powers to prevent accidents at work, occupational diseases and infringements of legal acts on safety and health at work and employment relationships, monitoring adherence to the requirements of the Labour Code of the Republic of Lithuania and of legal acts on occupational health and safety, as well as engaging in the consultation and information of employees and employers and in public education, the SLI set out the following two strategic objectives in the strategic action plan for 2009 and for the period until 2011:

Strategic objective 1: To prevent accidents at work and occupational diseases, infringements of statutory acts on occupational health and safety and employment relationships, as well as cases of illegal employment, by means of compliance inspections, the consultation and information of employees and employers and the development of public education.

Strategic objective 2: To provide information to employers and employees on controls aimed at verifying compliance with statutory acts regulating occupational health and safety and employment relationships, and on the state of occupational health and safety at undertakings of the Republic of Lithuania.

In order to implement the two strategic objectives, the SLI has set an objective of achieving measurable targets defined and expressed as the following indicators of effectiveness:

1. The effectiveness of illegal employment control (the number of inspections which found illegally employed workers or other infringements of labour law, expressed as a proportion of all illegal employment inspections): to achieve the target of 0.64 in 2009.

2. The effectiveness of control (the number of (documented) inspections producing a result, expressed as a proportion of all inspections): to achieve the target of 0.96 in 2009.

To achieve the set strategic objectives, the SLI implemented the programme 'Prevention of accidents at work, occupational diseases and infringements of labour law' in 2009 which demanded all financial resources and virtually all human resources.

This rolling programme is implemented on an annual basis according to the functions assigned to the SLI by law within the SLI powers.

Arguments for preparing the programme.

The programme was prepared on the basis of the following arguments:

The implementation of the programme would involve efforts to achieve the strategic objectives of inspection, in particular to safeguard workers' life, health and capacity to work, as well as the prevention of infringements of statutory acts on employment relationships and of cases of illegal employment.

Objectives of the programme.

For the purpose of implementing the programme, based on the evaluation of the available human resources, their potential and qualifications as well as the funds allocated to the manager

of appropriations, two key target directions were projected in order to achieve potentially effective programme end-results and the greatest effect on the SLI strategic goals:

Objective 1:

To carry out the control of compliance with the Labour Code and other statutory acts on occupational health and safety and employment relationships, as well as the control of cases of illegal employment, and to prevent infringements of legislation; to investigate cases of accidents at work and occupational diseases by analysing the circumstances and causes of such cases.

Objective 2:

In support to the prevention of infringements of statutory acts on occupational health and safety and employment relationships, to consult employers and employees on issues related to the enforcement of these acts, to undertake information activities by increasing the number of educational radio and television broadcasts and publications in the national and local press, to issue information publications, to organise seminars, conferences and discussions with social partners, to prepare methodological information materials, and to improve the professional level of inspectors.

The SLI publishes the newsletter 'Safety at Work' as part of the implementation of this programme. The newsletter is published at least once in a quarter. In 2009, the SLI prepared four issues of this publication. In order to make the newsletter more attractive and informative to subscribers, the editors have recently increased the amount of information and analytical articles on the topics of occupational health and safety and labour law.

In the process of planning the strategy and tactics of its activities, the SLI focuses on the results of its long-term and short-term (annual) activities.

Therefore, the prevention of infringements of statutory acts on occupational health and safety and employment relationships is aimed at optimising the process of occupational risk assessment at undertakings as the main factor with tangible effects on the dynamics of trauma levels at work and on the levels of occupational diseases. Inspections direct management's attention to the arrangements for the procedure for internal controls on the state of occupational health and safety at the undertaking, and to the practical implementation of that procedure.

As part of the implementation of the set objectives and tasks, the SLI fulfilled the following envisaged tasks in 2009:

Inspections of undertakings and investigation of accidents at work and occupational diseases

The tasks envisaged in the field of inspections of undertakings were fulfilled. A total of almost 16 000 inspections of undertakings were carried out regarding all issues within the SLI powers, exceeding the target by 13.4%. The undertakings subjected to inspections accounted for nearly one-tenth of undertakings operating in Lithuania and of farmers declaring activity. The inspections examined 284 notifications of fatal or serious accidents and deaths at work, and investigated 750 cases of occupational diseases.

Investigation of complaints and notifications and examination of inquiries

Under the economic crisis conditions, the number of employees' complaints about infringements of their rights (with respect to remuneration, employment contract, illegal employment and other fields) and of employers' inquiries (including those about the constantly changing legal framework) increased. Compared to 2008, the number of complaints, applications and inquiries regarding all questions of employment relationships rose by 28% in 2009, or from 17 790 to 22 771 respectively.

As a result of the above-mentioned factors and of the cut in the number of positions at the SLI (10 positions were eliminated), the inspection activities have become more responsive (*ad*

hoc) rather than scheduled by nature. In 2009, the share of scheduled preventive actions in the overall activities of the SLI decreased by more than 16 percentage points to 11.5% from 27.8% in 2008.

Control of cases of illegal employment.

All authorities performing the control and prevention of illegal employment (the Police Department under the Ministry of the Interior, the State Tax Inspectorate, the Financial Crime Investigation Service and the SLI), in 2009 found the following within their respective powers regarding illegal operations (illegal employment, operations without a business permit, non-registered operations, operations without a license and other illegal operations):

- 1 049 illegally employed persons (without employment contracts);
- 317 operations without a business permit;
- 2 578 cases of non-registered operations, operations without a license and other illegal operations.

The authorities drew up a total of 3 247 statements of infringements of administrative law and initiated 736 pre-trial investigations.

Acting upon the statements of administrative infringements drawn up by SLI officials, the courts examined 174 cases (75.3%) of administrative law infringements in 2009.

When initiating administrative proceedings against persons under Article 41(3) of the Code of Administrative Infringements, the courts imposed fines of different amounts. In 2009, the average amount of an administrative fine for each illegally employed individual was LTL 2 597.90. It should be noted that the average fine contracted marginally compared to 2008 (LTL 2 780.80).

Results of implementation of strategic objectives.

The SLI activities in 2009 ensured the achievement of all projected indicators of effectiveness:

- According to the 2009 results of operations to control illegal employment, the indicator of effectiveness of illegal employment inspections (the number of inspections revealing illegally employed persons or other infringements of labour law as a proportion of all illegal employment inspections) achieved was 0.62 against the 0.64 target.
- The analysis and summary of the 2009 data on inspections has shown that the actual rate of effectiveness of inspections (the number of (documented) inspections that produced results, as a proportion of all inspections) was 100%, i.e. all inspections were documented.

New legislation implemented during the year.

In an effort to fully harmonise the relevant provisions of the Labour Code of the Republic of Lithuania with Council Directives 96/34/EEC, 96/71/EC, 97/81/EC, 98/59/EC, 2001/23/EC and 2002/14/EC regarding the issues of the safeguarding of employees' rights and interests, social partnership, conclusion and termination of employment contracts, information and consultation, severance pay, length of overtime, full material liability agreement and features of illegal employment, amendments were made to **Articles 46, 179, 98, 109, 127, 129, 130 141, 152, 188, 203, 206, 256, 87 and 88 of the Labour Code of the Republic of Lithuania.**

New versions of Articles 129(4) and (5), 130(1) and (3), 141(1), 152(1), 188(1), 203, 206(1)(1) and 256(1) of the Labour Code will enter into force from 1 January 2011.

Training programmes for inspectors.

The Strategy for the Training of Public Servants 2007–2010 contains the following priority objectives of training of public servants:

- (i) To improve the capacities related to the implementation of strategic objectives of national and municipal authorities and bodies.
- (ii) To participate in EU decision-making and implementation processes, and to prepare for the EU presidency in 2013.
- (iii) To improve the capacities of public servants at all levels for managing EU structural support.
- (iv) To implement compulsory training stipulated in the Law of the Republic of Lithuania on public service.
- (v) To develop the knowledge of public servants in professional ethics and prevention of corruption.
- (vi) To enhance the skills in EU working languages and computer literacy.

Briefings on occupational health and safety and fire safety are held for newly hired labour inspectors who are also subjected to regular medical examination.

Induction training is conducted in accordance with the Programme for Basic Training of Labour Inspectors approved by the Chief State Labour Inspector of the Republic of Lithuania.

The duration of the basic training programme for inspectors with a background in technical education is 420 hours, including 155 hours of theoretical and 420 hours of practical training. The main topics covered by theoretical training include the organisation of labour inspectors' work, the organisation of occupational health and safety at undertakings, the fundamentals of occupational hygiene, the technical legal framework and occupational safety, occupational safety in particular industries and basic computer skills.

The duration of the training programme for occupational hygiene of labour inspectors is 324 hours, including 209 hours of theoretical and 115 hours of practical training. The main topics covered include the organisation of work, the fundamentals of labour law, the organisation of occupational health and safety at undertakings, the fundamentals of occupational hygiene and basic computer skills.

The duration of the training programme for labour law inspectors is 290 hours, including 102 hours of theoretical and 188 hours of practical training. The main topics covered include the organisation of work, the fundamentals of labour law and basic computer skills.

The SLI draws up annual training plans based on its strategic objectives, financial possibilities and the needs of the training of public servants. Inspectors develop their competences at training establishments approved in accordance with the procedure laid down by the Minister for the Interior, or at workshops held by SLI specialists, as well as by using the distance learning system.

Special activities, campaigns and priority topics over the year.

The overall global economic decline in the country had an effect on the SLI activities. Under the conditions of economic downturn, the number of complaints from employees regarding infringements of their rights (remuneration, employment contracts, illegal employment and other issues) and of inquiries from employers (including those regarding the constant changes of the legal framework) increased significantly. Compared to the previous year, the number of

complaints, applications and inquiries related to employment relationships in 2009 increased by 28%, or from 17 790 to 22 771.

Adequately responding to the health and safety condition or unexpected incidental situations, the SLI also implemented the following necessary responsive intervention campaigns and actions:

(1) In 2009, the SLI continued to implement measures for preventing accidents at work as a result of falls from height foreseen in the 'Long-term programme for preventing infringements of occupational safety and accidents at work' included in the SLI action plan.

To prevent falls from height, in 2009 the SLI carried out a total of 597 inspections, including 403 inspections at construction sites. The following main infringements were found:

- Failure to carry out risk assessment and assess risk factors.
- Failure to identify and enclose danger areas.
- Use of inadequate means of elevation for work performed at a height of 1.3 m or over.
- Failure to protect openings in floors and to enclose openings in walls of buildings.
- Absence of solutions to protect workers from falls from height (failure to prepare or inadequate preparation of the part of a building's technical design which deals with workers' health and safety, and failure to draw up construction technology plans).
- Use of scaffolding not verified in accordance with the prescribed procedure.
- Absence of compliance documents for ladders, the design of ladders does not comply with the requirements, workers not familiar with occupational risk factors.
- Work performed by workers who did not receive instruction or received inadequate instruction.
- Personal protection equipment not used by workers.
- Absence of enclosures at construction sites or enclosures do not comply with the requirements of normative documents.
- Failure to designate construction managers for a structure and coordinators of occupational health and safety in construction.
- Failure to use safety harnesses when installing and dismantling collective protective equipment.
- Performance of jobs forbidden on ladders.

The reasons for the above-mentioned infringements of the requirements of legal acts on occupational health and safety were the inadequate organisation of occupational risk assessment at workplaces by employers and the inadequate preparation of the building's technical design and the construction technology plan.

(2) Inspections of the working conditions of care workers were carried out, and proposals for improving the health and safety and the working conditions of care workers were made.

A summary of the data on targeted inspections of the working conditions of care workers at 53 health care establishments revealed the following:

- Of all health care establishments inspected, ergonomic risk factors at separate units were assessed by 58% of establishments, chemical risk factors by 38%, biological risk factors by 36%, noise by 58%, ionising radiation by 42%, thermal environment by 60% and psychosocial risk factors by 43%.
- The inspections have shown that the number of patients per care worker at units of the same type at different health care establishments varied greatly (e.g. the minimum and maximum numbers of patients per care worker in the care and support units of different health care establishments were two and 20 patients respectively).

- Care workers at 85% of the units of the 53 health care establishments inspected were equipped with technical means for the movement and/or transfer of patients. Technical means for the movement and/or transfer of patients were used by care workers in 81% of the units inspected. It could be stated that most of the care workers at the inspected health care units had personal protection equipment for the movement and/or transfer and the bathing of patients, but they justified failure to use that equipment by lack of time, user-unfriendliness, their inability to use the equipment properly and/or other reasons.
- At the units of the 53 health care establishments inspected, 96% of care workers had undergone a medical examination.

(3) Inspections of the working conditions of social workers were carried out as part of the implementation of preventive action.

Targeted inspections were performed at 10 establishments providing social services to children and 10 establishments providing services to adults. The size of the social service establishments for children and adults subjected to inspection in terms of total staff numbers varied between 14 and 237, while the number of social workers employed there was in the range of one to 29.

The targeted inspections found that workers had not always received increased pay for other than normal working conditions: 35% of the establishments providing social services to children and adults had failed to comply with this requirement, and 15% of the social care institutions had breached the provisions of the Labour Code stipulating that remuneration for overtime and night work should be at least one and a half times the pay specified in Article 186(2) of the Labour Code.

The targeted inspections found no infringements relating to rest periods and the application of annual leave. The inspections discovered no serious infringements relating to the working time, rest periods and pay, or to the issuing of employees' salary statements and the payment of salaries for annual leave at least three calendar days before the start of the leave.

(4) As a preventive measure, from March to April 2009 the SLI carried out inspections of lifts entered in the State Register of Potentially Dangerous Equipment for which the deadline for technical inspection had passed.

Labour inspectors from the regional units checked 130 lifts for which their entry in the State Register of Potentially Dangerous Equipment indicated a delay in technical inspections. During the inspections, 33 lifts were out of operation for one reason or another.

The analysis of the reasons for delayed registration of passenger lifts showed that the main reason for the numerous delays in inspecting the lifts, as stated in the Register, had been the failure of the authorised institutions to enter information on completed technical inspections in the Register database in due time or failure to record such information at all.

(5) In the third and fourth quarters of 2009, the SLI carried out inspections of lifts in use at undertakings that had gone or were going into bankruptcy, had cut their production activities or were leasing separate floors or premises in their administrative and/or manufacturing facilities to private limited companies or other undertakings engaged in production, services or trade. The inspections were aimed at verifying the use of lifts intended for carrying people and loads and their regular maintenance.

When implementing the action plan 'Control of regular maintenance of lifts' for targeted inspections in July and August 2009, the SLI regional units inspected the lifts of 32 bankrupt companies and undertakings that had cut their production activities, as well as lifts at 79 undertakings which were listed as 'temporarily out of operation' in the Register database.

The labour inspectors demanded that six of those undertakings cease the operation of the lifts for the transport of goods and passengers because of failure to carry out a technical inspection or non-compliance of the data provided to the Register, and obliged the owners to give prior notice to the Labour Inspectorate when putting those lifts into operation.

(6) As part of the implementation of preventive measures relating to the safe use of process and flammable gas cylinders, at the end of 2009 the SLI performed targeted inspections to check the safe use and warehousing of process and flammable gas cylinders. The inspections verified compliance of process and flammable gas users with the requirements of the Temporary rules for the use of seamless gas cylinders.

A summary of inspections carried out at 130 undertakings showed the following findings:

1. Of all employers (persons authorised by employers), 96.18% were familiar with regulatory legal acts on the use and warehousing of gas, or the requirements of those legal acts were transposed into the local regulations.
2. Of all employers, 47.33% had safety data sheets for dangerous (process and flammable) gas used, while more than half of them (58.02%) had no such documents.
3. Workers of as many as 62 undertakings that had safety data sheets were not always familiarised with information contained in those safety data sheets, and workers of only 53 undertakings, i.e. 40.46% of the undertakings inspected, used to receive information contained in safety data sheets related to risk factors that could result from the use of gas.
4. Of all workers (welders, metal cutters and others) of the undertakings working with process and flammable gas, 86.26% had been trained and instructed according to the prescribed procedure.
5. Of all workers of the undertakings inspected, 96.95% were supplied with the necessary personal protection equipment (following an assessment of the risk posed by dangerous materials and jobs performed).
6. Of all employers, 76.34% assessed the specific working conditions and risks at the undertaking, especially at workplaces where dangerous jobs were performed, and took the necessary measures to ensure the safe performance of those jobs.
7. Of all undertakings, 7.10% used metal cutting and welding equipment the components of which had been made according to appropriate standards, and had documents of compliance and proper labelling of such equipment.
8. Four undertakings (3.05% of all undertakings inspected) had gas cylinders with poorly maintained bodies and valves.
9. At 77.1% of the undertakings inspected, rubber hoses, valves, reducers, pressure gauges, burners and other equipment were in working order (had no mechanical damages), had been subjected to technical inspections, were labelled adequately, and rubber hoses and burners had proper connections.
10. Seven cases were discovered of the undertakings' failure to ensure residual pressure in the gas cylinders (5.34% of all undertakings inspected).
11. The inspectors found 13 cases (9.92% of all undertakings inspected) where the dates of periodic inspections of used and stored full gas cylinders had expired.
12. Only 57.25% of the undertakings stored gas cylinders at warehouses fully compliant with the prescribed requirements. The situation with the marking of the storage facilities for gas cylinders was found to be even worse: the storage facilities for gas cylinders of only 38.17% of the undertakings had special warning and/or obligatory signs.
13. The areas of 34.35% of the undertakings intended for the use and storage of flammable gas were classified into danger areas and marked with special warning and/or obligatory signs.

14. Of all undertakings inspected, 82.44% stored their gas cylinders at facilities with appropriate ventilation (storage areas).
15. At 80.15% of the undertakings, the stored gas cylinders were protected from heat sources, the sun, precipitation and mechanical stress.
16. Not all undertakings ensured that cylinders with different gases posing an increased risk when stored together were stored at separate premises (in separate locations), i.e. there were as many as 17.56% of the undertakings where flammable gas cylinders were not isolated from cylinders containing oxygen, compressed air, chlorine, fluorine, other oxidisers and toxic gases.

Control of children's working conditions.

At the start of the seasonal work period when more young persons are employed, the SLI organises measures to control and publicise the problems of youth employment on an annual basis. In August 2009, inspections of public catering establishments were carried out in Klaipėda and Palanga to identify the problems of youth employment as at this time of the year these Baltic Sea resorts have higher demand for employees for the services sector. The SLI performed 41 inspections that found 65 infringements (45 and 20 infringements of labour law and occupational health and safety respectively). Most of the infringements were related to the conclusion of employment contracts (36.9%) and to the work and rest schedule (9.2%), while other types of infringements accounted for 2–4% of the total.

Control of drivers' driving and rest schedule.

The SLI achieved the targets for the scope of control of the driving and rest schedule of road transport drivers with a view to implementing Directive 2006/22/EC of the European Parliament and of the Council. The SLI checked days worked by 57 972 drivers or 107.7% of the target set by the Government of the Republic of Lithuania.

European information campaign intended for risk assessment.

Lithuania continued to implement the Europe-wide information campaign 'Healthy Workplaces. Good for you. Good for business' intended for occupational risk assessment.

As part of the functions of the national focal point of the European Agency for Safety and Health at Work (hereinafter 'the Agency') and close cooperation with representatives of the European Business and Innovation Centre Network in Lithuania, the SLI continued a series of seminars 'Relevant issues of occupational risk assessment' for employers and their representatives launched in 2008.

Within the framework of the information campaign, Lithuania participated in an international conference, i.e. the ceremony for the winners of the European 2008 Good Practice Awards in the field of occupational risk assessment held in Prague. The Lithuanian company Mars Lietuva received a certificate established by the Agency for a good practice example submitted for the occupational risk assessment good practice competition organised in 2008.

The SLI organised a visit to Mars Lietuva UAB in Gargždai for media representatives. The visit introduced the reporters to the company and its activities.

Implementing the campaign's plan of measures in Lithuania and acting in cooperation with the Lithuanian Chamber of Commerce, Industry and Crafts, the SLI held three-day consultations for employers and their representatives.

Consultation, information and education activities.

The SLI was involved in dynamic consultation and information activities as one more important aspect of its operations, directly linked with the development of the culture of preventing occupational injuries.

Similarly to the previous years, the SLI acted according to the 'Public information plan on consultation and prevention for 2009'. In view of the shortage of funds, the main highlights of the plan included press releases and their publication on the Internet and the development of public information by way of direct communication.

Information and press releases are published on the websites of news agencies and the State Labour Inspectorate and are sent by e-mail to employers' organisations, trade unions and company executives. In 2009, the SLI published 18 communications of this type, including information on the Lithuanian company Mars Lietuva, the first winner from Lithuania among the eight European companies that received the award of the European Agency for Safety and Health at Work. This good practice example was published on the SLI website.

The SLI website has launched a creeping line that is changed regularly in response to relevant issues. Each month the website also publishes information according to Article 41(3) of the Code of Administrative Infringements on persons who have received administrative fines for infringements of labour law and legal acts on occupational health and safety. Information on notifications of accidents at work received is published on the website and sent to the media and social partners on a weekly basis.

As part of the development of public information through direct communication under the schedule of itinerant consultations for municipalities and municipal districts for 2009, the SLI organised itinerant consulting seminars at municipalities of all counties of Lithuania. On 28 April, the Spring Day of the State Labour Inspectorate, the SLI held consultations at 38 locations to mark the World Day for Safety and Health at Work. On the Autumn Day of the State Labour Inspectorate, consultations were organised at 35 locations. The regional units held 25 seminars on the issues of occupational health and safety and labour law intended for small and medium-sized enterprises. The SLI also organised consultations in cooperation with the European Business and Innovation Centre Network.

In view of the growing urgency of the problem of shadow economy, in the third and fourth quarters the SLI focused on the topic of illegal employment within the limits of the allocated funds. In June, taking into account the seasonal relevant issues, the SLI issued a press release on child and youth labour. In late June and early July, radio clips featuring the SLI confidential hotline were broadcast, followed by reruns in late August and early September as well as in November and December. In addition, extended advertisements on the risk of illegal employment and the SLI confidential hotline were published in the national and regional press. The SLI also issued a press release entitled 'Amid summer threats: Illegal employment'.

The inspectors took part in 47 radio and 30 national and regional television broadcasts. The national and regional press published 140 information notices, articles and interviews, and different online portals carried 16 comments related to the competence of the State Labour Inspectorate.

In 2009, consultations and the necessary information were provided to every tenth worker of Lithuania in different form (in writing, by telephone and during appointments at regional units).

Sanctions applied in the SLI activities.

To achieve the set objectives of prevention, the SLI did not limit its activities to the application of consultation and information measures. The SLI inspectors also exercised their rights to use administrative actions upon discovering infringements of statutory acts on occupational health and safety and employment relationships at undertakings. In 2009, the SLI drew up almost 1 500 statements of infringements of administrative law. Compared to 2008, the amount of fines imposed decreased from LTL 2.82 million to LTL 925 500. The amount of fines contracted more than three-fold from 2008.

Criteria for the selection of accidents at work and complaints for investigation.

The SLI inspectors investigate all serious and fatal accidents at work.

Minor accidents at work are investigated by an undertaking's bilateral commission comprised of an equal number of employer and employee representatives.

The SLI investigates all complaints received regarding labour law and occupational health and safety.

The SLI does not investigate anonymous complaints, except for the reports of illegal (unlawful) employment and compliance with work and rest schedules.

1.4 Descriptive reports on any initiatives or formal evaluation of the efficiency and effectiveness of the labour inspection process

- *Any studies or projects modelling the intervention process.*

The SLI provides no information on this issue.

- *Any experiments or pilot programmes changing the process of performance of regulatory activities and their results.*

The SLI provides no information on this issue.

Analysis of the results or impact of different regulatory or promotional activities conducted either by the Labour Inspectorate alone or in association with social partners

ACCIDENTS AT WORK

1. The number of accidents at work (-37.5% of total and -39.2% of fatal accidents) and of occupational diseases (-17.0%) decreased at a more rapid rate than the number of operating undertakings (-1.6%) and workers (-14.7%).

1.1. For the fourth consecutive year since 2006, the number of fatal accidents declined steadily and was 2.4 times lower than in 2005 (falling from 118 to 48).

1.2. For the third consecutive year since 2007, the number of occupational diseases declined steadily and was by 71.0% lower compared to 2006 (falling from 1 447 to 846).

- 1.3. With regard to these indicators per 100 000 workers in 2009 (compared to 2006):
- the incidence rate of fatal accidents at work (Kd) decreased by 50.0% (from 8.4 to 4.2);
 - the Kd of occupational diseases contracted by 40.6% (from 103.3 to 73.5).

2. In terms of the number of fatal accidents at work, the most dangerous types of economic activities in 2009 were:

- construction: 20.7% of all fatal accidents;
- transport: 20.7%;
- manufacturing industry: 18.8 % (especially metal and wood treatment, chemical industry, construction materials and food industry);
- trade: 12.5%;
- water supply and wastewater treatment: 6.3%;
- forestry: 4.2%;
- electricity, gas and steam supply: 4.2%.

3. In terms of the size of undertakings (headcount), the majority of fatal accidents at work (60%) in 2009 occurred at undertakings with the number of employees ranging between 10 and 500. The analysis of fatal and serious accidents at work by size of undertakings in 2006–2009 is presented in the table below:

Number of employees	2006		2007		2008		2009		2006–2009					
	S	F	S	F	S	F	S	F	S	%	F	%	S+F	%
50–249	99	38	78	34	71	27	40	12	288	42.5	111	33.0	399	39.3
10–49	65	41	52	43	42	32	33	17	192	28.3	134	40.0	326	32.1
250–499	29	11	22	7	21	13	14	7	86	12.7	38	11.0	124	12.2
>500	25	10	29	11	10	4	11	5	75	11.1	30	9.0	105	10.3
1–9	10	8	13	6	6	3	8	7	37	5.4	24	7.1	61	6.0
Total	228	108	194	101	150	79	106	48	678		336		1 015	

4. With regard to dangerous jobs, the number of fatal and serious accidents at work in 2009 was 60 or 32.9%, while in the period of 2006–2009 fatal and serious injuries resulting from dangerous jobs accounted for 39.3% of all fatal and serious injuries in Lithuania.

In 2009, most of the fatal and serious injuries occurred in:

- construction: 28.3% of all fatal and serious injuries;
- manufacturing industry: 23.3%;
- trade: 11.7%;
- transport: 10%;
- forestry: 8.3%;
- electricity, gas and steam supply: 3.3%.

5. The situation of occupational risk assessment at undertakings inspected in 2009 was as follows:

5.1. Of all undertakings, 29.4% failed to assess occupational risk altogether, and in the period of 2005–2009 such undertakings accounted for 32.2% on average.

5.2. Of all undertakings, 30.1% failed to assess the risk of fatal and serious accidents at work, and in 2005–2009 such undertakings made up 56%.

5.3. Of all undertakings, 56% assessed the risk of fatal and serious accidents but failed to avoid them, and in 2009 such undertakings accounted for as many as 69.9%.

5.4. Failure to assess the risk of fatal and serious injuries in individual sectors (agriculture, transport and warehousing, electricity, gas and water supply and wastewater treatment) was between 86% and 100%.

5.5. Of all fatal and serious accidents at work, 39.0% occurred as a result of risk factors related to the fall, tumble, collapse, etc. of structures or their parts, preformed components, loads or other objects, equipment, mechanisms and humans. In 2006–2009, these factors caused 56.1% of all fatal and serious accidents at work.

6. In 2009, the number of fatal and serious accidents at work due to falls from height was 33, or 21.6% of all fatal and serious accidents at work, and accounted for 55.0% of all fatal and serious accidents resulting from dangerous jobs.

The analysis of fatal and serious accidents at work as a result of falls from height in 2006–2009 is shown in the table below:

Year	Total			Of which related to dangerous jobs			Of which falls from height			Dangerous jobs as percentage of total (F + S)	Falls from height as percentage of total (F + S)	Falls from height as percentage of all dangerous jobs
	F	S	F+S	F	S	F+S	F	S	F+S			
2006	108	228	336	40	95	135	17	63	80	40.2	23.8	59.2
2007	101	194	295	36	76	112	14	50	64	38.0	21.7	57.1
2008	79	150	229	27	64	91	10	40	50	39.7	21.8	54.9
2009	48	105	153	19	41	60	5	28	33	39.2	21.6	55.0
	336	677	1 013	122	276	398	46	181	227	39.3	22.4	57.0

In 2009, fatal and serious accidents at work related to falls from height accounted for 40% of all fatal and serious accidents in construction.

7. Training and instruction of workers on issues of occupational health and safety:

7.1. In 2009, 23% of serious and 23% of fatal accidents at work occurred because workers had not received training in occupational health and safety.

7.2. In 2009, 27% of serious and 40% of fatal accidents at work occurred because workers had not received instruction (or had received inadequate instruction) about the job to be performed.

OCCUPATIONAL DISEASES

1. In 2009, the structure of occupational diseases was dominated by diseases of the connective tissue and the musculoskeletal system (47.4% or by 3.7% less than in 2008), ear diseases (30.6% or by 7.0% more than in 2008) and diseases of the nervous system (18.8% or by 1.7% less than in 2008).

2. Most of the occupational diseases (76.4%) were caused by physical factors.

3. Most of the occupational diseases were found at undertakings of the following sectors: construction (21.4% in 2008 and 30.9% in 2009, or up by 9.5%), manufacturing industry (30.2% and 27.7%, or down by 2.5%), agriculture, forestry and fishery (18.3% and 16.8%, or down by 2.1%) and transport (8.3% and 6.4%, or down by 1.9%).

Summarising the activities carried out in 2009 to prevent accidents at work and occupational diseases and taking into account the efforts of all stakeholders of the labour market, including employers, workers, the State and the SLI, to improve occupational health and safety at Lithuanian undertakings, it could be stated that the results recorded in this field in recent years allow characterising the situation as stable. As the number of fatal and serious accidents at work in 2009, compared to 2008, decreased from 79 to 48, or from 5.9 to 4.2 per 100 000 workers (in 2007, there were 101 fatal accidents at work, or 7.5 per 100 000 workers), this process could already be viewed as a trend of moderate improvement.

Examples of current practice reviews from which lessons could be learnt.

(i) A system for the evaluation of inspectors' work has been prepared and introduced and improved further. The system covers qualitative and quantitative indicators and is aimed at improving the quality and effectiveness of inspections.

The main purpose of the system is to encourage each inspector to improve his or her skills and study independently to achieve qualitative compliance with the general principles of work inspections related to occupational health and safety (a document prepared by the Committee of Chief Labour Inspectors).

(ii) The SLI continues to improve the Information System for Regular Monitoring of Working Conditions at Workplaces (hereinafter ‘the WCM IS’).

The purpose of the information system is to monitor the implementation of provisions of legal acts on occupational health and safety and employment relationships at undertakings and to improve the effectiveness of control and prevention of infringements by the SLI.

The WCM IS allows: (a) accumulating data on the state of working conditions at workplaces, i.e. risk factors at undertakings; (b) accumulating data on accidents and occupational diseases at undertakings, establishments engaged in different types of economic activities and in the country as a whole; (c) promptly analysing the state of and changes in occupational health and safety; (d) in view of the changes, planning and implementing the necessary measures for improving workplaces and preventing occupational injuries.

The WCM IS is intended for: (a) the automation of SLI processes; (b) data exchange with other state information systems and registers; (c) the provision of information to institutions on accidents at work, occupational diseases, the state of occupational health and safety and cases of illegal activities, to enable those institutions to perform their functions as stipulated in legal acts; (d) the provision of public e-services and information to employers on occupational health and safety as well as on SLI activities.

- *Work done or planned to be done to avoid duplication of efforts by EU Member States.*

The SLI provides no information on this issue.

1.5 Changes in the legal framework of sanctions

The Code of Administrative Infringements of the Republic of Lithuania has been supplemented with clauses that lay down the employer’s liability for:

- infringements of statutory acts on occupational safety and hygiene when performing dangerous jobs;
- failure to exclude from work a worker who is under the influence of alcohol or drugs or is intoxicated.

The Code of Administrative Infringements of the Republic of Lithuania has been supplemented with a clause that lays down the employee’s liability for:

- infringements of statutory acts on occupational safety and hygiene where dangerous jobs are performed by a worker who is under the influence of alcohol or drugs or is intoxicated, as well as for avoidance to undergo a sobriety or intoxication test;
- the presence of a worker who is under the influence of alcohol or drugs or is intoxicated, at the workplace, premises or territories of undertakings, institutions or organisations during and after working hours.