

Annual Report of the State Labour Inspectorate: 2010

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

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 checked="" type="checkbox"/> NO	Offshore <input checked="" type="checkbox"/> NO
Other: <input type="checkbox"/>					

Changes in the system of legal sanctions. NO

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)	195 700	
Number of undertakings (businesses) in each size category		
1 – 9 employees	176 900	
10 – 49 employees	14 230	
50 – 249 employees	4 110	
> 250 employees	460	
Total number of employees	1 177 000	
Total number of self-employed	213 700	
INFORMATION ON THE LABOUR INSPECTORATE		
Number of staff engaged in tasks related to occupational health and safety	211	
Number of inspectors	197	
Number of inspections	12 411	
Percentage of complaints investigated	100	

Percentage of time spent <i>in the field</i> (per inspector per year)	62	
If available, figures regarding:	42	
- inspection of businesses		
- Travel	20	
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)	12	
Number of improvement notices	8 098	
Number of suspensions of operations	1 094	
Number of administrative fines imposed/proposed by the Labour Inspectorate (including on-the-spot fines)	680	
Number of cases referred to prosecutors	175	
Percentage of cases referred to prosecutors resulting in legal proceedings	12	
Percentage of registered occupational diseases investigated	100	
Percentage of registered accidents at work investigated	10.3	The SLI inspectors investigate all serious and fatal accidents at work. Minor accidents at work are investigated by an undertaking's bilateral commission.
Number of full-time equivalent occupational health and safety inspectors	197	

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, engaging in the consultation and information of employees and employers and in public education, and monitoring adherence to the requirements of the Labour Code of the Republic of Lithuania and of legal acts on occupational health and safety, in 2010 the Inspectorate worked to achieve the objectives and tasks set out in its strategic action plan for 2010–2012.

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.

To achieve the set strategic objectives, the SLI implemented the programme 'Prevention of accidents at work, occupational diseases and infringements of labour law' in 2010, 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 the Inspectorate, 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 potentially effective for achieving programme end-results and having the greatest effect on the SLI strategic goals were projected:

Objective 1:

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

Objective 2:

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.

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 undertakings, 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 2010:

Consultation, information and education activities.

Similarly to the previous years, the SLI acted according to the Public information plan on consultation and prevention for 2010. In view of the shortage of funds, the main highlights of the plan included dissemination of information and press releases online, namely via the BNS Press Centre, the website of business daily *Verslo Žinios* and the website of the SLI, as well as by e-mails sent to employer organisations, trade unions and directly to managers of undertakings. A total of 18 notices of this type were published in 2010. Some of them were also published on the website of the Ministry of Social Security and Labour.

A total of 131 seminars or consultations attended by over 3 000 people, 47 seminars organised by territorial offices for small and medium-sized undertakings, nine itinerant consulting seminars of the SLI and 15 seminars organised in cooperation with the Enterprise Europe Network in Lithuania took place in 2010. The Autumn and Spring consultation sessions of the SLI were held in 60 locations in virtually all city and district municipalities.

The Chief State Labour Inspector of the Republic of Lithuania and his deputy sent nine letters to managers of undertakings and divisions on various relevant topics. An adapted version of *Inspekcijos Žinios*, an internal electronic newspaper of the State Labour Inspectorate, continued to be published on the website of the State Labour Inspectorate.

Radio clips announcing the hotline number of the SLI were broadcast 100 times and extended notices on the threats of illegal employment and on the SLI hotline were placed in national and regional publications approximately 95 times during two information cycles organised for the purpose of prevention of illegal employment (in June and in July-August). Taking into account the pressing problem of shadow economy, two press releases on this topic were published and two radio broadcasts were organised.

Information on received reports of accidents at work is also disseminated on a regular basis, every week; this information is placed on the website of the SLI, sent to managers of undertakings according to the types of economic activity, provided in press releases and sent to social partners.

Over 30 (two of them prepared by the SLI) radio and 47 national and regional television broadcasts were attended; almost 180 information notices, articles and interviews (over 140 information notices, extended notices for the prevention of illegal employment or notices of seminars and consultations were published and paid for by the SLI) related to the competence of the SLI were published in national, county and district publications; comments and advice of SLI officials were published in various portals more than 24 times.

Information on persons imposed an administrative penalty for infringing labour law and legal acts on occupational health and safety is provided in accordance with Article 41(3) of the

Code of Administrative Offences (CAO) on the website of the SLI every month. A total of more than 141 000 persons were provided with different forms of advice.

Inspection of undertakings and investigation of accidents at work and occupational diseases.

The tasks envisaged in the field of inspection of undertakings were fulfilled. A total of almost 12 500 inspections of undertakings were carried out regarding all issues within the SLI powers. The undertakings subjected to inspections accounted for nearly one-tenth of undertakings operating in Lithuania and of farmers declaring activity. The inspections examined 175 reports of fatal or serious accidents and deaths at work, and investigated 313 cases of occupational diseases.

The Inspectorate cooperates efficiently with other authorities and bodies supervising (controlling) economic entities in coordinating primarily inspections of cases of illegal employment and joint decision-making. In order to reduce the administrative burden on business entities, 15.6% of inspections were carried out together with other economic entity supervisory and control authorities (in the presence of their representatives or labour inspectors).

The following data have been provided upon summarising the data submitted by all authorities performing the control and prevention of illegal employment (the Police Department under the Ministry of the Interior, the State Tax Inspectorate under the Ministry of Finance, the Financial Crime Investigation Service under the Ministry of the Interior and the State Labour Inspectorate under the Ministry of Social Security and Labour) on the control of illegal activities (illegal employment, activities without a business licence, activities without having registered an undertaking or without a licence, as well as other illegal activities) performed within the competence of each authority:

- Number of identified illegally employed persons (without an employment contract): 1 071;
- Number of established cases of activities performed without a business licence: 445;
- Number of established cases of activities performed without having registered an undertaking, without a licence and in another illegal manner: 4 389.

For the purposes of prevention and control of illegal employment, the SLI carried out 1 720 inspections of illegal employment and established 854 illegally employed persons including 11 persons under 18 years and 21 foreign nationals in 2010. In the 12 months of 2010, a total of 252 administrative offence reports were drawn up under Article 41³ of the CAO (Illegal employment) against employers in respect of 477 persons for using illegal labour.

The highest number of cases of illegal (unlawful) employment in sectors of economic activity in 2010 was established in construction (30.33%), agriculture (9.60%), wholesale/retail trade (8.78%), hotels and restaurants (7.14%).

The most risky sectors of economic activity remain the same: construction, agriculture, wholesale and retail trade, hotels and restaurants. There is a tendency for the number of cases of illegal employment in clothing and forestry sectors to rise.

The highest number of illegally employed persons is established in undertakings (65.57%; 73.47% of inspections), for natural persons (26.11%; 18.74% of inspections) and farmers (8.31%; 7.79% of inspections). In 2010, SLI inspectors discovered an increased number of cases of persons working illegally for natural persons and farmers.

The demand for foreign labour decreased in 2010, which resulted in a lower number of established cases of illegal employment of foreign nationals, i.e. without concluding employment contracts with them and in breach of the procedure for their employment laid down in statutory acts.

An analysis of the established cases of illegal employment of foreign nationals according to sectors of economic activity (according to the results of SLI inspections) has shown that the highest number of foreign nationals worked illegally in transport and storage (29%, 6 persons),

retail and wholesale trade (24%, 5 persons), and artistic, recreational and leisure organisation activities (19%, 4 persons).

Subjecting persons to administrative liability under Article 41³ of the CAO, courts imposed different fines. Administrative fines for each illegally employed person averaged LTL 2 374.2 in 2010. It should be pointed out that the average penalty decreased slightly compared to 2009 (LTL 2 597.9).

According to summarised information on the use of the right to appeal by SLI inspectors in cases where administrative cases on illegal employment were terminated, the SLI appealed against almost half of all cases terminated in 2010.

Investigation of complaints and reports and examination of inquiries.

In 2010, the Inspectorate received 13 335 complaints, reports and inquiries, 6 876 of them complaints and reports.

Compared to 2009, the number of complaints, applications and inquiries regarding all questions of employment relationships decreased by 25% in 2010 from 22 771 to 17 080 respectively.

The analysis shows a decrease in the number of complaints about all aspects of legal labour relationships, i.e. about infringements in the conclusion and performance of employment contracts and failure to comply with wage payment procedures and duty and rest schedule requirements. The number of complaints about annual leave arrangements slightly increased.

The overall decline in the number of complaints is related to objective reasons caused by the crisis as well as a subjective criterion: it is likely that employees tolerate infringements affecting them to save their jobs. This is suggested by a 17% increase in the number of anonymous reports.

In absolute terms, the total number of complaints remains quite high. This tendency has been observed for a number of years already, leading to the conclusion that social tension in the highly sensitive area of regulation of labour relationships is not subsiding.

Compared to 2009, the number of inquiries regarding all questions of employment relationships decreased by 20.7% from 9 000 to 7 137 respectively.

Results of implementation of strategic objectives.

In an effort to achieve the set objectives and tasks, in 2010, the Inspectorate concentrated its efforts on its targets and implemented the relevant measures provided for in the strategic plan and the operational plan of the SLI for 2010 which was based on the strategic plan.

- According to the 2010 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 laws where no cases of illegal employment are established as a proportion of all illegal employment inspections) achieved was 0.61 against the 0.64 target. However, it should be pointed out that the number of established cases of illegal employment in 2010 was 17% higher than in 2009 (854 and 730 respectively).
- One more very important indicator reflecting the effectiveness of the institution's activities was successfully achieved in 2010. This is the indicator of effectiveness of inspections. The analysis and summary of the 2010 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.
- Occupational health and safety strategies of the European Union and the Republic of Lithuania (for 2007–2012) identify the main objective of reducing the number of

accidents at work per 100 000 employees by 25%. In 2007–2010, the number of fatal accidents at work per 100 000 employees in Lithuania (according to preliminary data) was reduced by an average of 33.3% (from 8.4 to 5.6) compared to 2006.

New legislation implemented during the year.

1. 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, severance pay, length of overtime, full material liability agreement and features of illegal employment, amendments were made to Articles 87, 88, 91, 76, 77, 80, 107, 108, 109, 115, 127, 147, 149, 150, 151, 202, 293, 294, 124, 162, 101, 146 and 214 of the Labour Code of the Republic of Lithuania.

2. In order to implement the provisions of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ 2006 L 376, p. 36), establish non-discriminatory legal regulation in respect of foreign providers of occupational health and safety services to undertakings, ensure equal business and competitive conditions thus creating the legal framework for improving the prevention of accidents at work and occupational diseases, and reduce the administrative and financial burden on business, amendments were made to Articles 8, 12, 13, 22 and 27 of the Law of the Republic of Lithuania on Safety and Health at Work, with Article 12¹ declared null and void.

Training programmes for inspectors.

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

- To improve the capacities related to the implementation of strategic objectives of national and municipal authorities and bodies;
- To participate in EU decision-making and implementation processes, and to prepare for the EU presidency in 2013;
- To improve the capacities of public servants at all levels for managing EU structural support;
- To implement compulsory training stipulated in the Law of the Republic of Lithuania on Public Service;
- To develop the knowledge of public servants in the area of professional ethics and prevention of corruption;
- 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 periodic 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.

The following training was conducted in 2010:

1. Working arrangements market surveillance in accordance with the technical regulation Safety of Machinery and Regulation (EC) No 765/2008 for 56 labour inspectors:
2. Lift and lifting gear market surveillance and safe use (4 hours)
3. Maintenance of wood processing and furniture manufacturing equipment (4 hours)
4. Evaluation of noise-emitting machinery (5 hours)
5. Optical radiation (4 hours, 32 labour inspectors)
6. Safe use of hazardous chemical substances at small and medium-sized wood processing and furniture manufacturing undertakings (1 hour, 56 labour inspectors)
7. Specific features of work with asbestos (1 hour, 65 labour inspectors)
8. Inspection of construction projects (6 hours, 12 labour inspectors)
9. The tasks of the Labour Inspectorate in increasing the effectiveness of supervision of economic entities (12 hours, 156 labour inspectors)
10. Management training programme OLYMP-32 Effective Management (52 hours, one Deputy Chief State Labour Inspector)

Special activities, campaigns and priority topics over the year.

The SLI continued to implement measures for preventing accidents at work as a result of falls from heights foreseen in the Long-term programme for preventing infringements of occupational safety and accidents at work included in the SLI action plan.

(1) To prevent falls from heights, in 2010 the SLI carried out a total of 483 inspections, including 356 inspections at construction sites, and discovered 1 562 infringements in working at heights. The following main infringements were found:

- Failure to carry out risk assessment at workplaces 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 heights (failure to prepare or inadequate preparation of the part of a building's technical design which deals with occupational health and safety, and failure to draw up construction work technology designs);
- Use of scaffolding not checked in accordance with the prescribed procedure;
- Non-compliance of the design of ladders with the established requirements;
- Work performed by workers who were not instructed or were inadequately instructed;
- Personal protection equipment not used by workers;
- 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 construction technology projects. The infringements discovered at construction sites during the inspections have shown that coordinators of occupational health and safety in construction, occupational health and safety service specialists of undertakings and some employers perform their duties formally and do not set high requirements for workers of other contractors.

Implementing the long-term programme for preventing falls from heights, the SLI regularly publishes various types of information on the prevention of accidents at work on its website at www.vdi.lt. In 2010, it was expanded with a more detailed analysis of fatal and serious accidents at work (including falls from heights).

(2) inspections of undertakings engaged in the rescue of drowning persons were carried out in July 2010, as the rescue of drowning persons is included in the list of dangerous jobs approved by the Government of the Republic of Lithuania and is classified as a job involving a higher occupational risk which leads to a higher likelihood of traumas or another impairment of workers' health.

The following was established after carrying out the inspections:

1. Rescuers at all the rescue services inspected are trained to rescue drowning persons (according to the programmes prepared and implemented at the undertakings in professional terms). However, looking at staff training in terms of occupational health and safety (paragraph 8 of the General provisions on occupational health and safety training and certification (Žin. [Official Gazette], 2004, No 13-395)), the services do not conduct training on the rescue of drowning persons as a dangerous job;

2. None of the services has an established procedure for teaching and examination of knowledge in the area of occupational health and safety (Article 25(1)(6) of the Law on Safety and Health at Work (Žin., 2003, No 70-3170));

3. It was found that all employees of the services inspected are instructed, but none of the services has a testing procedure in place (paragraph 38 of the Procedure for the preparation of occupational health and safety instructions and instruction (Žin., 2005, No 53-1817), and no tests are organised to check the knowledge of the persons instructed.

After carrying out the inspections at the above-mentioned rescue services, written requests to eliminate infringements were prepared in accordance with the procedure established by the SLI and persons representing employers provided information on the elimination of infringements within the time limits indicated in the requests.

(3) In an effort to fully ascertain the situation regarding compliance with the requirements of statutory acts on occupational health and safety at logging undertakings and possibly prevent painful accidents at the undertakings in future, targeted inspections of undertakings engaged in these activities were organised in February and March. A total of 116 logging undertakings were inspected. Written requests to eliminate the established infringements were presented to managers of the undertakings in all cases. Among 162 infringements established, the most common infringements included failure to mark the boundaries of wood-cutting areas, failure to install safety warning signs on roads and paths leading to wood-cutting areas, failure to provide workers with necessary clothing and protective equipment, and inadequate qualification of persons working with chain saws. Seminars for managers of logging undertakings were organised in September and October.

(4) During a targeted inspection aimed at controlling lift maintenance by licensed companies performing regular maintenance of lifts, SLI inspectors checked 13 undertakings holding regular lift maintenance licences issued by the Ministry of Social Security and Labour. The inspection focused on the internal procedures of the undertakings, the organisation of work of lift maintenance staff, the number of lifts maintained by one electrical engineer, etc.

A total of 215 lifts maintained by these undertakings were checked during the inspection. The most common infringements are as follows:

- Failure to carry out hazard identification and risk assessment where lifts are older than 25 years (71 lifts);
- Failure to specify the procedure for using lifts (64 lifts);
- Absence of instructions on the use of lifts in lifts (60 lifts);
- Absence of indelible markings with the dates of previous and future inspections of the technical condition in the label (52 lifts);
- Failure to indicate the rated load and the number of persons that can be carried by the lift (48 lifts);
- Absence of records of elimination of discovered breakdowns in lift inspection and repair records (65 lifts).

In view of the established infringements of the requirements of the Rules for the use of lifts in the lifts checked, the SLI labour inspectors presented 81 written R1 form requests to eliminate the infringements.

(5) SLI specialists interviewed Lithuanian undertakings on the availability and use of sources of artificial optical radiation with radiation exposure values either corresponding to or exceeding the exposure limit values for the corresponding wave types and lengths set out in the Regulations on the protection of workers from risks posed by exposure to artificial optical radiation, and on the number of workers working in workplaces where radiation exposure values either corresponded to or exceeded the established exposure limit values as well as protective gear used to protect workers from radiation.

The following materials were prepared on the basis of information received from the undertakings:

1. Information on artificial optical radiation sources available to and used by undertakings.
2. Information on workers working in workplaces where radiation exposure values either correspond to or exceed the established exposure limit values.
3. Information on personal protective equipment used to protect workers from exposure to artificial optical radiation sources.

(6) In the course of implementation of the SLI schedule of events of the European campaign of risk assessment of chemical substances at small and medium-sized wood processing and furniture manufacturing undertakings for 2010, thematic inspections were carried out at wood processing and furniture manufacturing undertakings since October 2010. The results of the inspections were as follows:

- a total of 48 undertakings were inspected,
- the inspections involved a total of 2 721 employees,
- R1 form requests were presented to 47 undertakings,

An electronic survey of wood processing and furniture manufacturing undertakings about dangerous chemical hazards in workplaces was also carried out during the campaign.

(7) Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for market surveillance came into force on 1 January 2010. Three groups of products were selected for the controls in 2010, namely lifts, lifting gear and wood processing and furniture manufacturing machinery. The SLI prepared for this work very carefully: inspection questionnaires were prepared and seminars were held in five major cities to explain labour inspectors how the inspections had to be carried out and what had to be taken into account. Targeted inspections were carried out in quarters II–IV.

The results of the inspections were as follows:

Lifts: 12 lifts and eight undertakings were inspected. Targeted inspections of lifts were carried out at the start of 2010 and therefore there was no need to inspect the same undertakings for a second time. Eight of the lifts checked were designed for carrying people. Necessary certification procedures were carried out for seven lifts, with the use of one lift banned due to established infringements.

Lifting gear: 52 undertakings and approximately 450 lifting accessories – chain and rope slings and hooks – were inspected. Most of them were Russian or from former Soviet countries. Fifteen lifting accessories not meeting basic health and safety requirements were discovered.

Wood processing and furniture manufacturing machinery: 67 undertakings and 222 devices, including 41 owned by Lithuanian manufacturers and 19 by other countries, were inspected. Circular saws and tenoning machines accounted for the majority of the devices checked. Five cases of incorrect application of standards to the devices were established. The inspectors maintained the position that the use of a device could only be prohibited if it posed a serious risk to safety. No such devices were found. Therefore, the managers of the undertakings were presented with written requests to remedy the established infringements.

(8) Control of the implementation of the requirements of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (REACH) in 2010.

A total of 197 undertakings were inspected during thematic inspections of the implementation of the requirements of REACH in 2010:

The following was established:

- (1) Employers (authorised persons) at only 10 undertakings were not familiar with the general statutory acts on the use of chemicals;
- (2) Responsible persons of 100 undertakings were not familiar with the REACH requirements;
- (3) Employees of 46 undertakings were not fully informed about the risks of hazardous substances in their workplace;
- (4) Employees of 74 undertakings were not trained to handle hazardous chemicals in accordance with the established procedure;
- (5) Twenty undertakings did not have all necessary hazardous chemicals and material safety data sheets;
- (6) Infringements in connection with non-compliance of the relevant chemical risk management measures applied with the requirements set out in the safety data sheets were established at 24 undertakings;
- (7) Infringements related to the marking of packages with hazardous chemical signs warning of their harmfulness or hazards were established at 14 undertakings.

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 2010, 16 undertakings employing 91 young persons and three undertakings employing

three children were inspected. Twelve infringements were established, with persons representing employers presented with the requests to eliminate the infringements.

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 vehicle drivers with a view to implementing Directive 2006/22/EC of the European Parliament and of the Council. The SLI checked days worked by 67 906 drivers or 106.4% of the target set by the Government of the Republic of Lithuania.

European information campaign intended for risk assessment.

Implementing the 2010–2011 European information campaign for safe maintenance Healthy Workplaces. Good for You. Good for Business initiated by the European Agency for Safety and Health at Work (hereinafter 'the Agency'), the SLI organised two series of seminars with thematic consultations for employers and their representatives on safe maintenance in five major Lithuanian cities as part of the functions of the Lithuanian focal point of the Agency and close cooperation with representatives of the Enterprise Europe Network, whose functions are performed by the Lithuanian Chamber of Commerce, Industry and Crafts. The sub-theme of the spring series was 'Maintenance of lifts and lifting accessories' and the sub-theme of the autumn series was 'Maintenance of wood processing and furniture manufacturing equipment'. The SLI was responsible for the preparation of all 10 seminar programmes and reports, with organisational issues and invitation of participants handled by the Enterprise Europe Network (EEN).

In addition to the above-mentioned measures, the SLI used annual subsidies allocated by the Agency for the campaign events to organise the following in 2010:

1. The opening of the European campaign Healthy Workplaces. Good for You. Good for Business in Vilnius on 28 April 2010 as well as a press conference and a tripartite conference;
2. Two seminars on safe maintenance at undertakings for representatives of undertakings in October 2010;
3. An educational information campaign in the media: the preparation and placement of three articles in different publications such as *Vadovas*, *Valstiečių Laikraštis*, *Transportas*, *Europos Verslo ir Inovacijų Tinklo Naujienos*, an interview in the magazine *Statyba ir Architektūra*, several radio broadcasts on *Žinių Radijas* and the national radio;
4. The European Good Practice Awards competition was organised in Lithuania, with two applications received from Šiaulių Vandenys UAB and Durapart UAB and forwarded to the Agency.
5. Publications of the Agency were distributed in cooperation with partners during various events.

In addition, a conference presenting the European Survey of Enterprises on New and Emerging Risks (ESENER) was organised for the parties concerned and social partners on 5 October 2010.

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. Labour inspectors assist the commission in filling out accident reports (analyse the causes and circumstances of accidents and encode the report data).

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 reports related to hazards to occupational health and safety.

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.

Planning its activities for 2010, the Inspectorate has defined its preferences to assist undertakings in the form of consulting and information creating a culture of inspections based on mutually benevolent relationships rather than to plan strict inspections. Reducing the administrative burden on business, in 2010 the Inspectorate formulated its tactics of more flexible decisions, promotion and advice; in an effort to optimise economic entity supervisory (control) activities, it sought effective cooperation with other economic entity supervisory (control) authorities and bodies in coordinating primarily inspections of cases of illegal employment and joint decision-making.

Although the number of positions was reduced at the Inspectorate (10 positions) and budget allocations for the performance of functions were cut by 25% (compared to 2009), the need for response activities remained high (the number of complaints, applications and inquiries slightly decreased), the functions of the Inspectorate were constantly expanded (from 2005, legal acts on occupational health and safety and labour relations established 24 additional functions for the Inspectorate), virtually all indicators of the scope of activities were achieved or even exceeded.

Closely cooperating with social partners in organising regional seminars on occupational safety and labour law, the actual number of organised seminars was double the target number.

Events within the framework of the 2010–2011 information campaign on safe maintenance initiated by the European Agency for Safety and Health at Work established by the EU Commission (hereinafter 'the Agency') were organised in Lithuania in 2010 via the Lithuanian focal point representing the Agency. The SLI was responsible for the preparation of seminar programmes and reports, with organisational issues and invitation of participants entrusted to the Enterprise Europe Network (EEN). This example of successful cooperation was recognised by the Agency as one of the best national focal points and was presented as a good practice at the meeting of national focal points of the Agency in Bilbao on 19 November 2010. As the most active social partner, the Lithuanian focal point of the Agency was presented with an EEN letter of gratitude at a business forum held on 30 November 2010.

Summarising the activities carried out in 2010 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 government 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 suggest that the situation has been stable.

Implementing the main objective identified in the occupational health and safety strategies of the European Union and the Republic of Lithuania (for 2007–2012), i.e. to reduce the number of accidents at work per 100 000 workers by 25%, in 2007–2010 compared to 2006, the number of fatal accidents at work per 100 000 workers in Lithuania was reduced by an average of 33.3% (from 8.4 to 5.6).

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

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

2. 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.

- *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

None