

The State Labour Inspectorate of the Republic of Lithuania under the Ministry of Social Security and Labour

1. The contact data of the Labour Inspectorate, e-mail address, web page, phone and fax number

The State Labour Inspectorate of the Republic of Lithuania under the Ministry of Social Security and Labour: e-mail: info@vdi.lt; web page: www.vdi.lt; address: Algirdo str. 19, LT-03607 Vilnius, Lithuania; phone: (+370 5) 265 0193 and fax: (+370 5) 213 9751.

Scope and objective

2. Please inform if the Labour Inspectorate conducts following inspections:

- **Inspections related to the Framework directive and the specific directives under the Framework directive**
- **Inspections due to other directives/regulations - Please specify**

All inspections carried out by the State Labour Inspectorate in the field of occupational safety and health (OSH) are associated with the Framework directive and the specific directives, which are transported into the Labour Code of the Republic of Lithuania, the Law on Safety and Health at Work of the Republic of Lithuania and other OSH legislation. The State Labour Inspectorate by carrying out the inspections in enterprises, institutions, organizations or other organizational structures (hereinafter - the companies) checks the companies' compliance with the requirements of the Labour Code of the Republic of Lithuania, the Law on Safety and Health at Work of the Republic of Lithuania and other OSH legislation implementing specific directives.

The SLI inspectors inspect companies in accordance with the control questionnaires: "The generic questionnaire for the inspection of an entity", "The control questionnaire for the inspection of an entity. The safety and health at work" and other related OSH requirements. These control questionnaires are published under the heading "Ūkio subjektų priežiūra" (Supervision of economic entities) on the web site of SLI (www.vdi.lt). Questions of the control questionnaires of inspections of enterprises are developed according to the requirements of the Labour Code of the Republic of Lithuania, the Law on Safety and Health at Work of the Republic of Lithuania and other OSH legislation.

3. Please describe the context in which labour inspection operates in your country. The answer to this question should help an outsider understand the organisation of the labour inspectorate, and its position in the government and in the health and safety system as a whole. Please bear in mind that the philosophies underlying approaches to labour inspection can also vary between Member States, and identify for future discussion any aspects of your own approach which might be considered unusual in other countries. Give background information on any relevant social, economic and technological issues and factual information and data, for example employment figures in different

sectors, accidents and cases of ill health reported, enforcement action taken, number of labour inspectors. Please provide an up-to-date organisation chart.

The Social Security and Labour Ministry of the Republic of Lithuania and the Ministry of Health of the Republic of Lithuania implements the state policy in the field of OSH in accordance with the Constitution of the Republic of Lithuania, the Labour Code of the Republic of Lithuania, laws, government resolutions and other normative acts.

The Minister of Social Security and Labour himself or together with another minister or ministers approves regulations on safety and health at work, establishes the procedure for their entry into force and application. The Minister of Health Care approves health care regulations (hygiene norms) which establish the levels of working environment factors not harmful to workers' health.

The Minister of Social Security and Labour (or his authorised persons) represents the interests of the Republic of Lithuania related to safety and health at work in other countries and in international organisations.

The State Labour Inspectorate of the Republic of Lithuania under the Ministry of Social Security and Labour shall carry out the control of compliance with the requirements of regulations on safety and health at work in undertakings. The Labour Inspectorate is a state control institution functioning under the Ministry of Social Security and Labour. The Chief State Labour Inspector manages the Labour Inspectorate. The Labour Inspectorate consists of the administration and 10 territorial inspection divisions. The functions, rights and responsibilities of the State Labour Inspectorate are laid down in the Law on the State Labour Inspectorate.

OSH regulations are drafted on a tripartite basis, i.e. state authorities, employers and workers' organizations are involved in their development. The appropriate state authority develops the draft OSH regulations in accordance with competence conferred to them by law. Draft regulations are coordinated with the social partners (discussed by the OSH Commission of the Republic of Lithuania, and the Tripartite Council of the Republic of Lithuania). In drawing up regulations, researchers from universities and other institutions of higher education are also invoked. All draft regulations are coordinated with the institutions concerned.

The legal acts system of the Republic of Lithuania:

- the Seimas adopts the laws and the President approves them;
- the Government approves secondary legislation by its resolutions;
- the Minister of Social Security and Labour himself or together with another minister or ministers approves regulations on safety and health at work, establishes the procedure for their entry into force and application;
- the Chief State Labour Inspector of the Republic of Lithuania approves legal acts falling within his competence by his orders.

4. Explain how European health and Safety law has been transposed into national law – particularly the Framework directive.

The Occupational Safety and Health System of the Republic of Lithuania (OSH) ensuring the right to adequate, safe and healthy working conditions taking into account the provisions of the International Labour Organisation, every human right proclaimed in the Universal Declaration of Human Rights to decent working conditions, the requirements of European Union directives in the area of safety and health at work was started developed after the restoration of independence of Lithuania.

The provisions of the EU regulations on safety and health at work were transposed in the Lithuanian regulations on safety and health at work since 1996.

In 1996, Lithuania in order to join the European Union began to align its legal acts with the relevant European Union (EU) legislation. Priorities have been identified and a list of the legislation, which had to be revised or newly drafted, was made.

On 1 May 2004, upon the entry into force of the Treaty of Accession to the EU, the Republic of Lithuania became a member of the EU. After joining the EU, Lithuanian started drafting the legislation on safety and health at work in accordance with the newly adopted EU directives, and participated in the preparation of directives.

National legislation has been drawn up in order to ensure safe and healthy working conditions for employees and the implementation of the EU directives. On 12 June 1989, the provisions of Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work were transposed into the Labour Code of the Republic of Lithuania (entered into force on 1 January 2003) and the Law on Safety and Health at Work of the Republic of Lithuania (entered into force on 16 July 2003). Other directives have been transposed into separate legal acts approved by the relevant orders of ministers.

Other legislation on safety and health at work has been prepared according to individual European Union directives on issues related to safety and health at work:

General regulations for the installation of workplaces prepared in accordance with Council Directive 89/654/EEC on the minimum safety and health requirements for the workplace (first individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) provide for the mandatory minimum safety and health requirements for workplaces (workplaces in construction works of an undertaking and/or establishment and any other place within the area of the undertaking and/or establishment to which the worker has access in the course of his employment).

Provisions of health and safety signs at work prepared in accordance with Council Directive 92/58/EEC on the minimum requirements for the provision of health and/or safety signs at work (ninth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lay down

the minimum requirements for the provision of safety and/or health signs at work and their use in the workplace, the importance of signs, shapes, colours, as well as employers' responsibilities by installing them in the workplace.

Regulations for the installation of workstations in construction sites prepared in accordance with Council Directive 92/57/EEC on the implementation of minimum safety and health requirements at temporary or mobile construction sites (eighth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lay down the minimum safety and health requirements for temporary or mobile construction sites.

General regulations for the use of work equipment prepared in accordance with Council Directive 89/655/EEC on the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lay down the minimum safety and health requirements for work equipment (any machine, apparatus, tool or installation used at work) and their use.

Regulations for the provision of workers with personal protective equipment prepared in accordance with Council Directive 89/656/EEC on the minimum health and safety requirements for the use by workers of personal protective equipment at the workplace (third individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lay down the provisions of workers with personal protective equipment for health protection from harmful and dangerous factors in the working environment in order to reduce the risk of damage to health. Personal protective equipment shall be used when the risks cannot be avoided or sufficiently limited by technical means of collective protection or by measures, methods or procedures of work organization.

Health and safety requirements for manual handling of loads prepared in accordance with Council Directive 90/269/EEC on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lay down the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers.

Requirements for organisation of safe work and installation of workplaces in mineral-extracting industries and requirements for organisation of safe work and installation of workplaces in open and underground mineral-extracting industries prepared in accordance with Council Directive 92/91/EEC on the minimum requirements for improving the safety and health protection of workers in the mineral- extracting industries through drilling (eleventh individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) and Council Directive 92/104/EEC on the minimum requirements for improving the safety and health protection of workers in surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) which contain the mandatory provisions to be implemented by employers and which allow to reduce occupational risks. Employers are required to inform and consult employees and their representatives about the safety and health requirements for the use of subsoil resources.

Regulations for safety and health at work on board fishing vessels prepared in accordance with Council Directive 93/103/EC on the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lay down general minimum safety and health requirements applicable to work on board vessels for the prevention of occupational illness and accidents on board, and the minimum requirements for living quarters, life-saving and personal protective equipment.

Lithuanian Hygiene Norm HN 32:2004 Work with Display Screen Equipment - Safety and Health Requirements prepared in accordance with Council Directive 90/270/EEC on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) lays down the safety and health requirements for work with display screen equipment, work environment, working time and rest periods.

Safety regulations for workers working in potentially explosive atmospheres prepared in accordance with Directive 1999/92/EC of the European Parliament and of the Council on minimum requirements for improving the safety and health protection of workers potentially at risk from explosive atmospheres (15th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) lay down the minimum requirements for improving the safety and health protection at work to be implemented by employers for the protection of employees working in a potentially explosive environment against the risk of explosion.

Regulations for the protection of workers from the exposure to biological substances at workplaces prepared in accordance with Directive 2000/54/EC of the European Parliament and of the Council on the protection of workers from risks related to exposure to biological agents at work (seventh individual directive within the meaning of Article 16(1) of Directive 89/391/EEC) lay down the minimum requirements for the protection of workers from risks related to exposure to biological agents at workplaces.

Regulations for the protection of workers from chemical agents at work prepared in accordance with Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work (fourteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) lay down the employer's obligations in protecting the workers from risks to their safety and health arising, or likely to arise, from the effects of chemical agents that are present at the workplace or as a result of any work activity involving chemical agents. The requirements shall apply where hazardous chemical agents are present or may be present at the workplace.

Regulations for the protection of workers from exposure to carcinogens or mutagens at work prepared in accordance with Directive 2004/37/EC of the European Parliament and of the Council on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Sixth individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC) lay down the employer's obligations for the protection of workers against risks to their health and safety arising, or likely to arise, from exposure to carcinogens or mutagens at work, including the prevention and reduction of such risks, the requirements for risk determination and assessment.

Regulations for the protection of workers from exposure to noise at work prepared in accordance with Directive 2003/10/EC of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical

agents (noise) (Seventeenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) lay down the minimum requirements for the protection of workers from exposure to noise, provide for preventive measures for such effects to occur and to reduce it, and to ensure workers' health and safety at work.

Regulations for the protection of workers from risks arising from exposure to vibration at work prepared in accordance with Directive 2002/44/EC of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (Sixteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) lay down the minimum requirements for the protection of workers from risks to their health and safety arising, or likely to arise, from exposure to mechanical vibration.

Regulations for work with asbestos prepared in accordance with Directive 2003/18/EC of the European Parliament and of the Council amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work establish the requirements for the protection of workers from the risks posed by asbestos and preventive measures for damage to health caused by asbestos and determine the threshold level of asbestos dust concentration in the air of the working environment.

Minimum requirements for health activities on board vessels prepared in accordance with Council Directive 92/29/EEC on the minimum safety and health requirements for improved medical treatment on board vessels establish the safety and health requirements which must be implemented on board vessels to ensure appropriate medical treatment at sea.

Regulations for the protection of workers from risks arising from artificial optical radiation prepared in accordance with Directive 2006/25/EC of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to risks arising from physical agents (artificial optical radiation) (19th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) lay down the minimum requirements for improving the protection of safety and health at work to be implemented by employers to protect the workers from danger of optical radiation during their work.

5. Describe the main features of your national and/or regional strategies.

The State Labour Inspectorate does not provide comments on the Lithuanian national strategy. The Minister of Social Security and Labour of the Republic of Lithuania who is authorized by the legislation of the Republic of Lithuania to implement the state policy in the field of OSH develops the National Strategy, coordinates it with the social partners and approves it.

6. Describe the scope of the labour inspectorate, in terms both of its sectorial and functional responsibilities. Explain how the labour inspectorate relates to other parts of the health and safety and legal systems, and how their resources are decided.

The Ministry of Social Security and Labour of the Republic of Lithuania and the Ministry of Health of the Republic of Lithuania develop and implement the state policy in the field of OSH. SLI controls how the companies meet the requirements of the OSH regulations. The Law on the State Labour Inspectorate of the Republic of Lithuania defines the functions, rights and responsibilities of the Inspectorate.

The State Labour Inspectorate is a state-control institution under the Ministry of Social Security and Labour. The Chief State Labour Inspector of the Republic of Lithuania manages it. The Inspectorate consists of the administration and 10 territorial inspection divisions.

The main objectives of the SLI activities are:

- 1) to carry out the control of the compliance with the provisions of the Labour Code of the Republic of Lithuania, the laws regulating occupational safety and health as well as labour relations and other legal acts, and the prevention of their violations;
- 2) to prevent accidents at work and occupational diseases.

The State Labour Inspectorate in order:

1. to carry out the control of compliance with the provisions of the Labour Code of the Republic of Lithuania, the laws regulating occupational safety and health as well as labour relations and other legal acts, and prevention of their violations:
 - 1.1. inspects whether employers comply with regulatory provisions of laws regulating occupational safety and health as well as labour relations, other standard acts and collective agreements on the conclusion, performance, and termination of employment contracts, OSH, work and leisure time, payment for the work, guarantees and compensation, application of disciplinary penalties and procedures for the application of liability, provides requirements and guidance for employers;
 - 1.2. executes the control of appearances of illegal work following the procedure established by the Government of the Republic of Lithuania; coordinates the activities of institutions executing the control of illegal employment;
 - 1.3. examines the calculation and payment of the compensation for damage to an employee's health in cases when employers are responsible for payment of the compensation;
 - 1.4. inspects whether personal protective equipment is used, whether workplaces, technological processes and working conditions comply with the requirements of laws and other regulatory legislation, controls how the procedure and terms of inspection of technical status of potentially dangerous equipment are met, whether the ongoing supervision of this equipment is effected and traffic of transport in enterprises is duly organised;
 - 1.5. inspects whether employees are instructed, trained, attested on issues of occupational safety and health in the procedure laid down by legislation;
 - 1.6. inspects whether occupational safety and health services as well as committees are established following the provisioned procedure and how internal control of occupational safety and health status is organised;
 - 1.7. inspects whether works of mining, blasting, extraction and processing of mineral resources, geological borings, seismic explorations, processing of flammable gas, chemistry, oil, as well as technological processes during which cases of blasting, fire or poisoning are probable, are performed in a safe manner and submit conclusions, ordinances, notices as well as proposals for employers in the manner prescribed by laws and other standard acts;
 - 1.8. inspects whether employers organise manufacturing and use of hazardous and dangerous substances in a safe manner, and measures of industrial accidents prevention are duly implemented;

- 1.9. inspects whether employers identify hazards, carry out risk analysis and assessment;
- 1.10. inspects whether ancillary, sanitary and hygiene premises, collective measures for occupational safety and health are installed, whether personal protective equipment is issued and used following the established procedure, whether the requirements of hygienic norms are duly observed and lists of persons who must undergo compulsory medical examination are compiled correctly; and whether employers organise compulsory medical examinations for employees following the established procedure;
- 1.11. inspects the application of safety and health guarantees, organisation of work and rest for persons under 18 years of age, pregnant women, women who have recently given birth, breast-feeding women and working disabled persons as established by laws and other standard acts;
- 1.12. checks whether the OSH requirements for a specific construction site are determined in the technical design of the construction work, and specific measures to ensure the safety and health during the construction of the construction work are determined in the technical design of construction operations;
- 1.13. verifies, in accordance with the competence, the compliance of solutions of the construction or reconstruction design with the requirements set;
- 1.14. checks whether the guarantees for employees provided for in the Law on the Involvement of Employees in Decision-Making in European Companies of the Republic of Lithuania are ensured;
- 1.15. inspect how the working conditions laid down by the European Parliament and Council Regulation (EC) No 1907/2006 of 18 December 2006 on the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45 / EC and repealing Council Regulation (EEC) No 793/93, Commission Regulation (EC) No 1488/94, Council Directive 76/769 / EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OL 2006 L 396, p. 1-850) and European Parliament and Council Regulation (EC) No 1272/2008 of 16 December 2008 on the classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No.1907/2006 (OL 2008 L 353, p. 1), are met;
- 1.16. by carrying out market surveillance, inspects how the machines to be used exclusively by professional operators comply with the provisions of the Technical Regulation on Safety of Machinery approved by Order No 28 of the Minister of Social Security and Labour of the Republic of Lithuania of 6 March 2000 on approval of the Technical Regulation for Safety of Machinery; provide advice, interprets, and organizes seminars on issues of application of the technical regulation;
- 1.17. controls how employers comply with labour agreements concluded with the persons sent by the Lithuanian Labour Exchange under the Ministry of Social Security and Labour, and the compliance of these agreements to obligations established in the contracts concluded between the Labour Exchange and employers on the implementation of measures of active labour market policy;
- 1.18. inspects whether employees are sober in the workplace and whether employers ensure the removal from work of drunken employees;
- 1.19. checks whether the guarantees for employees provided for in the Law on the Involvement of Employees in Decision-Making in European Cooperative Societies of the Republic of Lithuania are ensured;
- 1.20. checks how employers comply with the working conditions and guarantees for workers posted, where appropriate, cooperates and exchanges information with competent authorities of other Member States on the compliance with the working conditions and guarantees for workers posted, records messages of the employers who send workers from Member States, or employees from another state to work temporarily in the territory of the Republic of Lithuania, about the staff posted to the Republic of Lithuania to work;
- 1.21. inspects whether employers comply with the provisions of the Law on the European Works Council of the Republic of Lithuania;

1.22. inspects whether the guarantees for employees provided for in the Law of the Republic of Lithuania on the Participation of Employees in the Company Resulting from the Cross-Border Merger of Limited Liability Companies, are ensured;

1.23. performs other functions established by legislation.

2. In order to carry out the prevention of occupational accidents and occupational diseases the Inspectorate:

2.1. analyses circumstances and causes of accidents at work, occupational diseases, industrial accidents, infringements of occupational safety and health, and develops proposals on improvement of the status of occupational safety and health in the country;

2.2. investigates in cases provided for in the OSH Law of the Republic of Lithuania the events at work when the workers are exposed to health hazards and accidents on the way to or from work; inspects whether the procedure set for the investigation of events at work when the workers are exposed to health hazards, and accidents on the way to or from work is met, whether the procedure for reporting, registration and investigation of incidents is established in the company, and whether employers introduce preventive measures to avoid accidents, and occupational diseases at work;

2.3. organizes and analyses together with representatives of the health care institutions circumstances and causes of occupational diseases;

2.4. records reports on accidents at work, accidents on the way to or from work, approves reports on occupational diseases, stores reports and investigation materials of accidents at work, approves reports and investigation materials of occupational diseases under the terms set out by the Chief Archivist of Lithuania;

2.5. following the established procedure, participates in the investigation of accidents of potentially dangerous installations and objects, draws up plans of emergency response in dangerous objects, analyses the causes of accidents;

2.6. carries out other functions established by other legal acts;

3. The Inspectorate also performs the following functions:

3.1. investigates applications and complaints within the competence of the State Labour Inspectorate, and ensures the confidentiality of applicants;

3.2. submits comments and proposals regarding draft standard acts under preparation in the fields of occupational safety and health, labour relations;

3.3. analyses practice of application of labour laws, standard acts on occupational safety and health, submits proposals regarding amendments to laws or other standard acts in force;

3.4. provides consultations to employees, workers' representatives, employers' representatives, persons authorised by employers on application and enforcement of the Labour Code of the Republic of Lithuania and other labour laws, the requirements of occupational safety and health, conclusion of collective agreements as well as other issues; arranges and (or) organizes the preparation of the respective methods, methodological recommendations, best practice guides, their approbation and dissemination, carries out the associated research and publishing activities;

3.5. following the procedure established by legislation, participates in acknowledgment of workplaces, their subdivisions or newly established workplaces as suitable for exploitation;

3.6. presents conclusions concerning training programmes on occupational safety and health under preparation intended for training of employees operating potentially dangerous equipment and performing ongoing mandatory supervision of this equipment during its utilisation; employers' representatives, persons authorised by employers, specialists of occupational safety and health services, participates in testing of their knowledge;

3.7. administers the State Register of Potentially Dangerous Equipment, organises preparation of draft standard acts on supervision of potentially dangerous equipment;

3.8. at the end of the calendar year, analyses data of SLI inspectors activities, as well as information received from the institutions, offices and agencies carrying out appropriate control and supervision on the accidents of construction works, accidents and failures of energy facilities, accidents of dangerous objects, poisoning and other events during which the working environment and health of workers is damaged. Based on this data the Inspectorate prepares a report on the status of occupational safety and health, and the implementation of labour laws in the enterprises of the Republic of Lithuania and before the 1st of June submits it along with proposals to improve it to the Ministry of Social Security and Labour of the Republic of Lithuania and the Occupational Safety and Health Commission of the Republic of Lithuania. The Inspectorate prepares an annual implementation report of the International Labour Organisation Convention No 81 on labour inspection in industry and commerce, submits information to the Ministry of Social Security and Labour on compliance with other ratified conventions of this organisation in the country related to occupational safety and health as well as labour relations;

3.9. carries out activities of the Lithuanian Focal Point of the European Agency for Safety and Health at Work, cooperates and exchanges information with state and municipal institutions and agencies, trade unions, labour councils, employers' organizations and similar agencies in other states;

3.10. following the procedure established by the Lithuanian Government or its authorized institution provides to the State Social Insurance Fund Board under the Ministry of Social Security and Labour data to determine the rate of social security contributions for accidents at work and occupational diseases and calculate the rates of social security contributions, informs that the work equipment and work conditions do not meet the requirements laid down in legislation, reports on detected irregularities of OSH legislation, the number of accidents that occurred while working in dangerous work, and the number of employees working in dangerous work within the enterprise;

3.11. collects, analyses and summarizes the information provided by employers on the state of safety of employees and compliance of workplaces with the OSH regulatory requirements;

3.12. collects, compiles and publishes information on the persons punished administratively in the media in the procedure laid down in the Administrative Code of the Republic of Lithuania;

3.13. prepares certificates of occupational safety and health based on requests of companies for participation in public procurement, and the state of implementation of the laws governing labour relations and other legal acts;

3.14. performs other functions established by the laws of the Republic of Lithuania, resolutions of the Government of the Republic of Lithuania and other legal acts.

The State Labour Inspectorate also performs the following works:

1. organizes the work of territorial OSH commissions (provides space to conduct meetings, the SLI territorial division appoints the inspector of this division as the Secretary of the Commission);

2. collects, stores, and summarizes the information received from the legal or natural persons who perform under the contracts the functions or part thereof of safety and health at work on the employers for whom they provided such services and the number of OSH specialists who performed the functions or part thereof of the OSH service;

3. issues certificates under the requests of employees on the absence of actual work relations when it is established that the employer does not pay wages to employees and the employer's location is not known;

4. organizes, renews, assesses, and validates training programs in the field of safety and health at work;
5. administers the organizational and technical base of the certification system on the issues of OSH;
6. collects and summarizes the information about the status and activities provided by temporary employment agencies in the procedure and time limits set out by the Government of the Republic of Lithuania, the number of temporary staff and performs operational control;
7. organizes the activities of labour dispute commissions, which constantly operate under the SLI territorial divisions.

Labour dispute commissions to the SLI territorial divisions were launched on 1 January 2013. The labour dispute commission is a mandatory pre-judicial dispute settlement body examining individual labour disputes. To resolve labour disputes in an efficient and transparent manner, the representatives of both the employers and employees (trade unions) of the social partners work in labour dispute commissions. They are appointed in rotation from a list drawn up by the Tripartite Council Secretariat and approved by the Chief State Labour Inspector of the Republic of Lithuania. Labour dispute committees are chaired by the appointed labour inspectors.

On 1 October 2013, the SLI started to apply a new form of assessment of economic entities - based on the information on the state of OSH submitted by entities and enforcement of labour law. Information provided by employers in declarations is very important in organizing the supervision of business, in particular in optimizing inspection activities of SLI, i.e. by purposefully guiding it to the most relevant areas, thereby reducing the control and easing the administrative burden on responsible, orderly, and progressive businesses. The data submitted will have impact on assessing and adjusting the risk of economic entities.

The provision that employers must provide information to SLI about the state of workplaces in enterprises for the supervision of working conditions in enterprises was legalized by the Law of OSH of the Republic of Lithuania in 2008. In 2013, the SLI introduced an electronic declaration system more convenient for employers to provide data remotely. Substantive legal provisions provided in the application form are necessary to ensure decent working conditions. They are reflected in control questionnaires for inspection of companies used for several years.

The declaration enables employers to assess once again their OSH situation carefully and responsibly and the implementation of the labour law in the company. The presumption of fair treatment shall apply to employers declaring this condition, i.e. their data submitted to SLI shall be regarded as correct.

In 2013, the SLI completed the implementation of the Quality management system, which consists of two parts: a Performance management system and the Operator's risk assessment system by adding the latter with criteria of illegal employment.

The SLI planning, management and good governance indicators enshrined by these actions help to carry out the efficient and effective supervision of economic entities, the efficient use of financial and human resources, continuous monitoring and evaluation of the results of the SLI performance.

7. Explain how the labour inspectorate relates to the wider governmental and health and safety systems and how their activities are co-ordinated.

The activities of the SLI Inspectorate are co-ordinated by:

- 1) in all matters falling within the competence of SLI, the SLI Inspectorate is directly subordinated to the Ministry of Social Security and Labour of the Republic of Lithuania;
- 2) The Government of the Republic of Lithuania - only to the extent that it is associated with illegal work coordination.

8. Describe the involvement and role of the social partners in establishing the national or regional strategies for health and safety and how they are involved at sector or workplace level

Interests of the state, workers and employers in relation to safety and health, are combined through the Occupational Health and Safety Commission, established following the principle of tripartite cooperation between social partners (parties), which operates under the Regulations of the Occupational Health and Safety Commission, approved by Resolution No 13 of the Government of the Republic of Lithuania of 9 January 2002. The Commission examines draft legislation, makes recommendations and proposals to the Ministry of Social Security and Labour, the Ministry of Health, other state institutions and bodies; where necessary, submits proposals to relevant state authorities regarding the necessity for developing new health and safety legislation, as well as modifications or amendments to existing legislation, analyses reports by the State Labour Inspectorate on the status of occupational safety and implementation of labour laws, makes proposals to the Ministry of Social Security and Labour, the Ministry of Health, other state institutions and bodies, employers' organizations, trade unions and undertakings as regards tools and methods to improve workers' safety and health, analyses programs and projects promoting occupational health and safety, makes their outcome evaluations, and approves undertaking safety and health committee regulations.

Regional occupational safety and health commissions in counties established under the principle of tripartite cooperation between social partners, and municipal occupational safety and health commissions deal with issues of prevention of violations with the requirements of health and safety at work in undertakings.

At the workplace level. Occupational health and safety committees shall be set up and workers' representatives with specific responsibility for the safety and health of workers shall be appointed. The committee is set up in those undertakings that employ 50 or more workers. If less than 50 workers are employed in an undertaking, the committee may be set up on the initiative of the employer or the workers' representative, or at the proposal of more than half of the workers of the undertaking. The General Regulations of Occupational Safety and Health Committees shall define the economic activity types in the undertakings of which there is a higher occupational risk and where it is recommended to set up a committee, if there are less than 50 workers employed in the undertaking.

9. Describe national health and safety trends, in terms of cases of accidents and ill-health, and the national priorities (sector or topic) derived from these statistics. Mention any known regional variations from the national priorities. Give details of enforcement action taken.

It should be noted that new versions of provisions of the investigation and accounting of accidents at work approved by Resolution No 1118 of the Government of the Republic of Lithuania of 2 September 2004, and of provisions of the investigation and accounting of occupational diseases approved by Resolution No. 487 of the Government of the Republic of Lithuania of 28 April 2004 were presented in Resolutions No 913 and 881 of the Government of the Republic of Lithuania of 3 September 2014. The terms of accidents at work, which result in harm to the health of workers revised in the legislation simplify the procedures for the investigation of accidents and occupational diseases.

3504 reports of incidents at work, during which employees were injured (hereinafter – accidents at work) that have occurred in the country's enterprises were registered in 2015. 3317 – minor, 145 - serious and 42 – fatal accidents at work occurred in enterprises in 2015.

The purposeful decline of indicators in the dynamics of accidents at work was observed in 2008 – 2015. During this period, the number of accidents at work decreased from 82 to 42 cases and the frequency rate (the number of accidents at work per 100 thousand employees) - from 6.3 to 3.5. In 2009, at the beginning of the period of economic downturn, the number of both fatal and non-fatal accidents at work decreased by about 40 percent compared with 2008. In 2009, the sharp drop in accidents at work was not due to non-member institutions and institutions implementing the state policy in the field of OSH, but due to economic (reduced employment, labour productivity, a relatively increased control of employees' actions) and psychological (decreased activity, slowed down pace of work resulting from the fear of losing work) factors. The period from 2009 to 2012 can be identified as the period of levelling indicators during which the said economic and psychological factors disappeared and the unemployed and jobless who lost their professional skills and/or safety at work returned to the labour market, i.e., the risk of accidents at work increased, and the number of fatal accidents at work and frequency rate was steadily growing. The period of 2013-2014 was qualified as a period of stabilization when the number of fatal accidents at work and frequency indicators stabilized (the rate of fatal accidents at work even slightly decreased from 5.1 (in 2012) to 4.9 (in 2014)).

In 2015, due to the coherent educational, advisory monitoring of companies with the increased risk of accidents at works carried out by the bodies implementing the state policy in the field of OSH, and controlling the implementation of OSH legislation in the country's enterprises, and social partnership policy pursued during the said period, the number of fatal accidents at work and frequency rate again showed downward trends.

Since 2009, the number of serious and minor accidents at work and frequency indicators was purposefully increasing. In 2015, the frequency indicator of serious and minor accidents at work (the number of such accidents per 100 thousand employees) (293.2) compared with 2008 (255.8) and 2014 (272.2) increased by 15 percent and 8 percent accordingly. Considering that the average frequency indicator of serious and minor accidents at work in the European Union member states in 2013 was 1,488.29, it should be noted that the value of this indicator remains relatively very small in the Republic of Lithuania, which implies a possible significant number of non-observed (for some reason hidden) accidents at work.

In 2015, fatal accidents at work by company size (15 cases or 36 per cent of the number of fatal accidents at work) occurred in enterprises which employed from 50 to 249 employees, and (12 cases or 28 per cent) in enterprises, which employed from 10 to 49 employees. Serious and minor accidents at work (1,216 cases, or 35 per cent of the total number of non-fatal accidents at work) mostly took place in enterprises which employed from 50 to 249 employees, and (1,038 cases or 30 per cent) in enterprises which employed from 500 or more employees.

In 2015, the most dangerous enterprises for fatal and serious occupational accidents remained the following companies operating in the field of:

construction - 14 fatal and 47 serious accidents;
transport and storage - 12 fatal and 16 serious accidents;
agriculture - 2 fatal and 6 serious accidents;
manufacturing - 6 fatal and 26 serious accidents.

81 percent of fatal and 66 percent of serious accidents at work occurred in all companies mentioned above.

Based on the data of 2008 -2015, sectors of economic activities (SEA) in the wood products and furniture manufacturing remained the most dangerous for occurring of fatal and serious accidents at work where in 2008 - 2015 occurred 24 and 12 per cent respectively calculating of the total number of fatal and serious accidents at work that occurred in sectors of economic activities in manufacturing.

Analysis of the dynamics of fatal accidents at work according to the SEA of companies in 2008-2015 shows that the number of fatal accidents at work in transport and storage, manufacturing, agriculture and forestry activities relatively decreased. In 2015, the number of fatal accidents at work of in transport and storage activities was 14 per cent, in manufacturing - 22 per cent, in agriculture - 54 percent, in forestry - 69 percent less than the average value estimates of fatal accidents at work in 2008-2015, which took place in these SEA during this period (respectively - 14.1; 7.75; 4.38; 3.25). It can be argued that such decrease of fatal accidents at work in transport and storage, manufacturing, agriculture and forestry activities in 2008-2015 was due to the implementation of the vision of social partnership together with the SEA activity priorities of educational – advisory, optimal and efficient supervision of companies. The number of fatal accidents at work that occurred in construction activities in 2015 compared with the average value in 2008-2015 (13.75) increased by 1 percent. This increase was due to an exceptional specificity of ongoing construction work (risk factors quickly changing in mobile workstations, their perception and evaluation (in particular the works at height) determined by the lack of professional and work experience of employees and of managerial personnel), consistent safety and health policy in the construction sector as well as limitations of the legal acts regulating occupational safety and health.

Analysis of the distribution of accidents at work by service of employees in 2015 indicates that employees attributable to the group of the highest risk of accidents at work are whose seniority in the enterprise is up to 1 year, and accidents at work caused by these workers comprised (calculated on the number of fatal and serious accidents at work) 41 percent of fatal and 37 percent of serious accidents at work accordingly. Workers with seniority in a company from 1 to 2 years caused 19 percent of fatal and 13 percent of all accidents at work, workers with experience – from 2 to 3 years - 5 percent and 8 percent accordingly. Workers with seniority in a company up to 1 year seriously and deadly damaged were mostly in

construction (6 or 40 percent of fatal and 22 or 42 percent of serious accidents at work), manufacturing (3 or 20 percent of fatal and 6 or 12 percent of severe accidents at work), transport and storage companies (2 or 13 percent of fatal and 5 or 10 percent of severe accidents at work), forestry (1 or 7 percent of fatal and 2 or 4 percent of severe accidents at work), wholesale and retail trade (6 or 12 percent of serious accidents at work).

The dynamics of fatal accidents at work by seniority of employees in 2008-2015 confirms the proportionality of the distribution of the year 2015. Deadly accidents at work that occurred due to employees whose length of service in the company was up to 1 year, the average value of a percentage estimate was 40 percent. In this period, only the year 2009 (estimate value has been reduced to 27 per cent) and the year 2011 (estimate value has been increased by 56 per cent) differed in percentage estimates. Such percentage estimates of those years was determined by a significant reduction in staff turnover in enterprises in 2009 as a result of economic contraction, and in 2011 had the reverse effect of the return of the unemployed to the labour market.

Based on data of the State Register of Occupational Diseases 437 cases of occupational diseases (hereinafter - OD) (240 persons) were recorded during 2015. Analysis of the dynamics of occupational diseases showed that the frequency of occupational diseases in 2008-2015 decreased by 2.2 times (in 2008, 79.1 thousand occupational diseases per 100 employees and in 2015 - 36.6 occupational diseases) as well as individuals – by 2.8 times (in 2008, 56.7 thousand persons per 100 employees, and 2015 - 20.1).

More than half of the occupational diseases during the period 2008 - 2015 were detected in persons of the age of 55-64 years with a length of service of 31 - 40. Equipment and machine operators, assemblers, and skilled workers mostly were affected by occupational illnesses. Considering that the most significant impact on the downward trend of occupational diseases had a decline in the number of diagnosed illness of employees who began working in the year 1970-1975, it can be said that the implemented measures to prevent harmful occupational risk factors (the period from 1990 to the present taken during the relative reporting period) were effective and resulted in a positive outcome.

According to the type of economic activities, in 2015, occupational diseases were mainly diagnosed in manufacturing - 32 percent (OD - 140), construction - 24 percent (OD - 105), transport - 16 percent (OD - 70), agriculture and forestry - 10.1 percent (OD - 44). An average of 80.1 per cent of all occupational diseases was established in these four economic activities in 2008-2015. The majority of occupational diseases in 2015 were caused by physical factors (noise, vibration). They resulted in 52.6 per cent of occupational diseases, i.e. 230 occupational diseases (73 OD due to noise, 157 OD – due to vibration). In 2008 – 2015, occupational diseases caused by physical factors were reduced by 2.7 times (from 754 OD to 230 OD). This trend was caused by a targeted improvement of parameters of work equipment (by replacing equipment or reducing the values of estimates of the noise and vibration of equipment used), ensuring the use of appropriate personal protective equipment.

10. Explain how to develop transparency and consistency between inspectors as a means to encouraging compliance.

Entities are selected for the scheduled SLI inspection following the procedure laid down in the methodology for management activities of the State Labour Inspectorate of the Republic of Lithuania, having assessed their risk under the criteria set thereof, unless otherwise provided for in other SLI

legislation. These criteria are also applied when deciding on carrying out of the unscheduled inspections, except for the unscheduled inspection due to the accidents at work or complaints, reports, investigation of illegal work issues, as well as participation in the investigation of an industrial accident.

Entities will be informed about the planned and unplanned SLI inspections by the official e-mail address of the entity (in the absence of technical possibilities - by fax) by sending a notice of the certain form. A notice on the planned or unplanned inspection can be sent by post to the address declared by the entity or other known address of the entity.

For the inspection of operators, the SLI inspectors must have an order form established by the Chief State Labour Inspector of the Republic of Lithuania, which is developed by the Head of the territorial inspection division of SLI (or its authorized person).

The order to carry out an inspection of an entity is signed by the Head of the SLI territorial division (on its order - the deputy Head of the SLI territorial division) unless otherwise provided by the Chief State Labour Inspector of the Republic of Lithuania (e.g., when the order to carry out an inspection of the entity signs the Lithuanian Chief State Labour Inspector or his deputies).

An order to carry out the inspection of an entity will be presented to the employer or his designee (when there is a separate branch of the company located in another area). At the request of the employer or his authorized person, copies of this document may be made (in the presence of an inspector of SLI).

Head of the SLI territorial inspection division (on his order - the Deputy Head of the SLI territorial division) in accordance with SLI activity legislation appoints at least two SLI inspectors to carry out the planned or unplanned inspection of the entity (preferably of different specializations and different working SLI experience) and forms a task in the established procedure. The first SLI inspector specified in the order to carry out the inspection of the entity is considered the Head of the group and will be responsible for the organization of the inspection, the fulfilment of the task, and execution of documents. His orders (decisions) are required for all SLI inspectors referred to in the order.

If the inspection of the entity due to objective reasons lasted longer than the term referred to in the task, the Head of the SLI territorial inspection division or his deputy, upon receipt of a reasoned written formal report of the SLI inspector, which is presented at least one working day before the deadline for completion of the task, will extend its execution term having made the appropriate entry in the information system controlled by SLI (OSH IS).

Actions of the SLI inspectors carrying out the task of the Head of the SLI territorial inspection division to conduct the planned or unplanned inspection before the inspection of the entity:

1) to get acquainted with all the information about an entity in a public space, in the SLI managed information databases, where technically possible – in the databases of other state and municipal institutions and agencies, other information;

- 2) to control questionnaires and/or thematic control questionnaires will be selected according to which the inspection of the entity is carried out;
- 3) in accordance with the appropriate control questionnaire (s) and experience in the inspection of similar operators, to predict potential problems and risks of the inspected entity and by equally treating the provision of the legislation to plan the preventive measures;
- 4) to clarify the need and possibilities in carrying out the inspection, also conduct the inspection and (or) investigation of other issues;
- 5) the inspector of SLI (head of the group) having provided for the date of the inspection will send a notification to the Head of the entity on the routine inspection or having taken a decision to inform the entity in advance will send a notification on the unscheduled inspection.

Actions of inspectors of SLI in carrying out the tasks of the Head of the SLI territorial inspection division on the planned or unplanned inspection in performing the inspection of the entity:

- 1) joint inspection carried out by the inspectors of SLI specified in the order who check all the questions included in the appropriate control questionnaire(s); the SLI inspectors must compulsorily wear the required personal protective equipment during the inspections;
- 2) meeting with the Head of the entity and persons invited to participate in the inspection, presentation of himself, showing the certificate (s) of a public servant to the Head of the entity and the order to carry out an inspection of an entity signed by the Head of SLI or his deputy, request to provide documents that were specified in the notice of the inspection (if the entity has not been informed in advance on the inspection, a reasonable period to furnish documents will be provided));
- 3) during the meeting with the Head of the entity or its authorized person, the inspector will clarify the policy of OSH legislation regulating labour relations and their fulfilment by the entity, their enforcement measures, the internal control system of law, questions of the relevant control questionnaire (s) or other matters to be inspected, and consult the Head of the entity or its authorized person on relevant issues;
- 4) the inspector agrees with the Head of an entity that the Head of an entity or his authorized person (hereinafter - the accompanying person) will accompany the SLI inspector as well as the OSH specialist and occupational health specialist (if there is such in an entity), and explain to the accompanying person and the OSH professionals and occupational health specialist about the implementation of the requirements of the legislation and the practical aspects of their implementation by the entity.

Actions of the inspectors of SLI in carrying out the task of the Head of the SLI territorial inspection division in performing the planned or unplanned inspection after the inspection of the entity:

- 1) discussions of results of the inspection of the entity with the Head of the entity, specialists of OSH and occupational health, and other persons who participated in the inspection;
- 2) seeking the development of the social dialogue at the level of economic operators, inform orally the representatives of employees about the results of the inspection;
- 3) not later than five (5) working days from the end of the inspection, send documents drawn up during the inspection of the entity to the Head of the entity and the representatives of employees to the official e-mail address (in the absence of email – by mail or fax).

Implementation of these requirements will ensure the transparency of work of the SLI labour inspectors.

11. What action have you taken to stimulate social partners to develop a prevention culture?

On 1 October 2013, the State Labour Inspectorate started to apply a new form of assessment of economic entities, i.e., based on the information declared by the entity about the state of OSH and labour law. Information provided by the employers in the declaration is very important for the organization of supervision of the business, particularly in optimizing the activity of the inspection of SLI, i.e. by targeting it to the most urgent areas thereby reducing the control and easing the administrative burden on responsible, orderly, progressive businesses. Data presented shall also have an impact on the assessment and adjustment of the risks of economic entities.

The provision that for the supervisor of working conditions in the entities employers must provide to SLI information about the state of workplaces in the enterprise was established by the Law on Safety and Health at Work of the Republic of Lithuania in 2008. For the convenience of the employers, the Inspectorate introduced in 2013 the Electronic Declaration System enabling to provide data remotely. The principles of the legal provisions necessary to ensure decent working conditions are provided in the questionnaire. They are reflected in the control questionnaires used for the inspection of companies for several years and made public.

The declaration makes it possible for employers to evaluate once again carefully and responsibly their OSH situation and the implementation of the labour law in the company. The presumption of fair treatment shall be applied to employers declaring this condition, i.e. their data submitted to the Inspectorate shall be regarded as correct.

The State Labour Inspectorate in order to improve the literacy of the public in the field of labour law and health and safety, and to promote fundamental changes in the labour market, which are necessary for reducing the extent of illegal work and the number of accidents at work, on their own initiative, in 2011-2012, changed in essence the principles of its activities and introduced a new methods of supervision of economic entities. These changes were based on the report of the analysis on the state of OSH and labour laws by directing human resources of SLI to support the provision of consultations, information and education, especially to the most risky businesses and (or) risky activity sectors. The risk assessment system of economic entities (RAS) has also been created to carry out the educational and targeted inspection activity. This system helps in creating a culture of inspections of economic entities based on mutually supportive relationships, when the more risky companies receive more attention of the SLI inspectors. In addition, special attention was given to education of the younger generation on the issues of OSH and harm of illegal work. The lessons on the safe and legal employment were started conducting in schools, children's social centres, vocational training institutions, orphanages as well as events and lectures for vocational and high school students and pupils were provided in regional offices of the Lithuanian Labour Exchange under the Ministry of Social Security and Labour and high schools.

The thematic guide "To promote youth employment" has been created on the website of the Inspectorate according to the plan of measures to reduce youth unemployment, as well as special material has been prepared and distributed to young people.

During the preventive activities, social partners (employers, employees, their representatives and other persons) are consulted on labour law and OSH by applying the following forms:

1. The unanimous advisory service has been established to provide advice over the phone on a daily basis to all interested parties and their conversations were recorded.
2. The interested parties are advised orally and in writing in the administration and territorial inspection divisions of the State Labour Inspectorate.
3. Consultations by e-mail are provided to the received electronic requests in the administration of the State Labour Inspectorate.
4. Consultation on labour law and OSH are provided by carrying out the inspection of entities.
5. Public consultations are provided on the SLI website.
6. Consultations are provided to operators during the workshops or upon arrival to the company upon the invitation of the entity or representatives of employees.
7. Consultations are provided through a special electronic periodical newsletter, digital consultant and a social network Facebook.
8. Consultations are provided through the media and other mass media.
9. The interested parties are consulted by providing methodological assistance on the SLI website,
10. Consultations are provided in educational institutions during the evaluation of OSH.

EU Strategic Framework

12. Provide a short description of how your country is already meeting or intends to meet, the expectations of the new EU Strategic Framework. Explain your priorities in taking forward the new strategy. Indicate where you see particular opportunities for quick progress and where you see particular challenges or problems.

The State Labour Inspectorate does not provide comments on this issue, because, as it has already been mentioned, the Minister of Social Security and Labour of the Republic of Lithuania, which is authorized by the legislation of the Republic of Lithuania to implement the state policy in the field of OSH, organizes and coordinates the Lithuanian national strategy on OSH matters with the social partners and approves it.

Organisation

13. Explain how annual plan of work is prepared, with priority areas for action set for the year.

The activities of SLI are prepared in accordance with the approved annual and long-term activity plans for targeted indicators under the published strategic action plans approved by the Minister of Social Security and Labour of the Republic of Lithuania, the principles of supervision of economic entities, and other documents governing the planning. Plans of SLI are published on the website of SLI (<http://www.vdi.lt/>). The Chief State Labour

Inspector of the Republic of Lithuania establishes an internal control and accountability in the implementation of SLI's annual and long-term activity plans for targeted indicators.

The State Labour Inspectorate has created an information system for continuous monitoring of working conditions in the workplaces (OSH IS). The aim of the information system is to monitor the implementation of the provisions of law regulating the OSH and labour relations in the entities, and to improve the effectiveness of the prevention of violations and control performed by SLI. OSH IS allows to gather data on the state of working conditions in the workplace, i.e., on the risk factors in companies; collects data on accidents at work and occupational diseases in enterprises, individual economic activities in the enterprise and in the country; rapid analysis of the OSH situation and developments; taking into account the changes in plans implements the necessary measures for the improvement of employment and to prevent occupational injuries. OSS IS is intended to automate processes in SLI; exchanges data with other state information systems and registers; provides information to the authorities to carry out their functions established by the legislation on accidents at work and occupational diseases, OSH status, phenomena of illegal activity, the state of preservation of workers' life, health and work; provides employers with public electronic services and informs employers on issues of OSH and activities of SLI.

The State Labour Inspectorate has developed a performance management methodology that establishes the processes of planning, monitoring and improvement of SLI activities. This methodology was developed in order to improve the quality of services provided by SLI, to increase the objectivity and effectiveness of planning activities and limited resources. It defines the application of modern management methods in planning, monitoring and improvement processes of SLI activities.

The new procedure is prepared in accordance with the following modern management methods:

- the Plan-Do-Check-Act method;
- the method of balanced activity indicators;
- the risk assessment-based planning method.

The application of modern management methods in activities of SLI contributes to the continuous improvement of activities and effective implementation of the mission. The performance management methodology must follow the staff of SLI structural units responsible for the planning, monitoring and improvement. The Chief State Labour Inspector of the Republic of Lithuania or its appointed person is responsible for the development, improvement and updating of the performance management methodology.

Annual plans of SLI are drawn up in view of data available as well as the number of accidents at work and occupational diseases that occurred during the last three years, their frequency indicators, as well as the specifics of the counties and regions.

The main priorities of the annual plans of SLI, the essence of which does not change (only some variations are allowed every year) are as follows:

- 1) control of illegal work and coordination of actions of the bodies carrying out such control;
- 2) advise to employers, employees and their representative organizations by drawing particular attention to the activities of small, medium and entities operating in the first year;
- 3) development of public education on the application of labour laws and the negative consequences of their violation (illegal work, accidents at work and occupational diseases and the like) by emphasizing the training and preparation of young people for legitimate and safe work;
- 4) inspections of entities of the maximum risk when the requirements of labour legislation may be infringed in the field of health and safety at work;
- 5) optimization of methods and principles of supervision of economic entities, expansion of the volume of e-inspections in order to promote awareness and responsibilities of employers about legal and safe work;
- 6) creation of conditions for the activities of labour disputes commissions and improvement of procedures for handling of disputes;
- 7) development of the administrative capacity of the SLI staff by raising the professional level, strengthening the internal control, implementation of the measures of the SLI program to combat corruption and the efficient use of resources.

14. Explain how progress against plans is monitored, and explain any regional differences if planning is a regional matter.

The State Labour Inspectorate aiming the ultimate objective of its activities, has introduced the indicators of operational efficiency (performance) helping to achieve the primary operating objective of the institution and the objectives of the activities to carry out efficient and effective operations, the efficient use of financial and human resources by constantly monitoring, measuring and evaluating the results of activities.

The SLI performance management methodology and the description of SLI monitoring and performance measurement indicators were approved by orders of the Chief State Labour Inspector of the Republic of Lithuania. SLI planning, management and good governance indicators established in these documents help to achieve the mission, main goals and objectives of SLI to carry out efficient and effective supervision of the operators, the efficient use of financial and human resources and constantly monitor and evaluate the results of activities of SLI and to make the right management decisions to improve the activities of SLI on a timely basis.

The following supervision indicators are currently used to assess the level of achievement of the SLI mission - the main objective (to protect workers' health, life and the ability to work, to promote social dialogue and to prevent violations of labour laws, industrial accidents and occupational diseases):

- 1) the number of fatal accidents per 100 thousand employees;
- 2) the number of serious accidents at work per 100 thousand employees;
- 3) the number of occupational diseases per 100 thousand employees;
- 4) *the ratio (percent) of inspections and number of persons who worked illegally as well as those who worked in violation of work and rest time, or who were not paid the remuneration for work on rest days, overtime and night work per 100 thousand employees.*

SLI performance assessment indicators and values of their respective periods are published/updated on a quarterly basis on the SLI website (www.vdi.lt) under the heading “Activities”, “Supervision of Entities” (“Assessment Criteria for SLI Performance”).

The indicators are calculated based on the data accumulated by information system of continuous monitoring of SLI working conditions in the workplaces.

Inspectors’ competencies and independence

15. Explain how inspectors are appointed and trained and how fairness in terms of gender and race is built into the selection process. Explain the grading of inspectors. Include in this answer assistant inspectors, technical officers and 'controllers' and explain their role and their relationship with inspectors.

At the beginning of each calendar year, taking into account the objectives of training provided for civil servants (*SLI inspectors under the laws of the Republic of Lithuania are civil servants*), the training plan for SLI civil servants and employees working under an employment contract is drawn up and approved by the order of the Chief State Labour Inspector of the Republic of Lithuania.

SLI carries out workshops for labour inspectors of SLI territorial inspection divisions to improve their professional skills in the field of inspection and strengthening the development of technical skills and administrative and professional skills in provision of services in the field of legal issues.

Seminars are held annually in the premises of the SLI Inspectorate during which the following topics are discussed: the organization of work of labour dispute commissions, news in the supervision of entities, changes and trends in the study of occupational accidents, prevention of corruption and conflicts of interest, European platform - international risk assessment tool OiRA, legal problems of illegal work study, presentation and discussion of the results of the audit of the training and certification process, the practical aspects of the application of material responsibility of workers and civil servants.

Mobile seminars for labour inspectors of all SLI territorial inspection divisions are organized two times a year – on the strengthening of administrative and professional skills as well as on legal issues of provision of services, as well as organization of the inspections and strengthening of technical skills.

The training program of assessment is drawn up and applied for training of employees newly taken into service, and in assessing of operational risk of labour inspectors during the performance of their official functions.

16. Explain how inspectors obtain specialist support, and give similar details to 15 where this support comes from within the labour inspectorate.

SLI carries out workshops for inspectors of territorial inspection divisions to improve the professional skills in the field of inspection and strengthening the development of technical, and administrative skills, and development of professional skills in the provision of services in the field of legal issues.

Seminars are held annually in the premises of the SLI Inspectorate during which the following topics are discussed: the organization of work of labour dispute commissions, news in the supervision of entities, changes and trends in the study of occupational accidents, prevention of corruption and conflicts of interest, European platform - international risk assessment tool OiRA, legal problems of illegal work study, presentation and discussion of the results of the audit of the training and certification process, the practical aspects of the application of material responsibility of workers and civil servants.

Mobile seminars for labour inspectors of all SLI territorial inspection divisions are organized two times a year – on the strengthening of administrative and professional skills as well as on provision of services on legal issues, and the organization of the inspections and strengthening of technical skills.

The training program of assessment is drawn up and applied for training of employees newly taken into service, by assessing operational risk of labour inspectors during the performance of their official functions.

Civil servants of SLI are trained according to the Civil Servants' Training Strategy for 2014-2017 approved by Resolution No 481 of the Government of the Republic of Lithuania of 28 May 2014 (*SLI inspectors are civil servants under the Lithuanian law*).

Civil servants and employees of SLI working under employment contracts participate, if possible, in various events in the field of information technology, procurement, financial and document management, and human resources management.

17. Explain how the independence of inspectors is assured, and detail other duties, which they undertake, in addition to their health and safety responsibilities.

After the inspections of operators, SLI inspectors will be entitled to decide whether to advise and make recommendations in cases of established violations of OSH and labour law or to issue an order, or bring administrative proceedings.

ILO Convention No 81 (hereinafter - the Convention) provides that persons who violate or ignore the legal provisions implemented by the labour inspectors are promptly brought to justice in accordance with the legislation of the Republic of Lithuania. The Law on the State Labour Inspectorate of the Republic Lithuania requires labour inspectors upon determination of violations of labour laws, regulatory OSH legislation to issue in the

prescribed manner the protocols, requirements, regulations, and other documents of the approved form. Although, in accordance with the said Convention, inspectors are entitled, at their discretion, to decide whether to warn or give advice, or whether to bring to proceedings or recommend to bring to proceedings; however, this discretion is not absolute. If a violation of labour laws is identified, and composition of such a violation is not insignificant - the administrative sanctions shall apply. In other words, the adequacy of the administrative sanctions must deter the offender from committing an offense in the future.

18. Describe the accommodation arrangements for inspectors and how they are expected to travel to undertake their responsibilities. Detail the expenses they may claim and how this is done.

A business trip (hereinafter - the trip) shall be regarded as the departure of the SLI public servant or employee working under an employment contract and receiving a salary from the budget of the Republic of Lithuania (hereinafter - the employee) for at least one working day (except when due to objective circumstances, the departure on the rest, and (or) public holidays) from outside the city in which the administration, and territorial divisions of SLI operate or resides the SLI employee, to carry out an official task or to improve skills. The Minister of Social Security and Labour of the Republic of Lithuania or a person authorized shall determine the purpose of business trips of the Chief State Labour Inspector of the Republic of Lithuania.

The workplace and wage is maintained for the employee on a business trip.

A business trip, with the exception of a business trip for one working day in the territory of the Republic of Lithuania is executed by the order of the Chief State Labour Inspector of the Republic of Lithuania.

One-day business trip in the territory of the Republic of Lithuania is executed by the Chief State Labour Inspector, his deputy or territorial division of SLI of the Republic of Lithuania, as the task assignment within the information system of constant supervision of working conditions in the workplace (OSH IS) in accordance with the procedure established by the Chief State Labour Inspector of the Republic of Lithuania.

Orders on business trips are issued by the SLI division responsible for personnel management.

The order on the business trip in the territory of the Republic of Lithuania includes:

- 1) a full name and position of the posted (going) employee (in case of a group of employees going on a business trip for the same purpose – their full names, positions), tasks, location (area), duration;
- 2) the estimated cost to be paid by SLI: daily subsistence allowance (daily subsistence allowance will not be paid in case of one-day business trip), the cost of transport, accommodation and the amount of advance payment (if the employee (employees) wishes), etc.;

3) vehicle: public vehicle, office vehicle, rented or personal vehicle. If an office, rented or personal vehicle is used for a business trip, its model, registration number must be indicated, and name of the SLI employee (employees) driving the SLI official or rented vehicle. The conditions for use of personal vehicles are laid down in the manner established in the procedure for the use of private cars of SLI employees for the purpose of the business trip;

4) the obligation to provide a report on the business trip.

The name and position of the posted employee, the purpose of the business trip, area, duration of the business trip, expenses to be paid by SLI, as well as the obligation to present a report on the business trip are indicated in the order on a business trip. The order shall be accompanied by the available documents: the invitation, agenda, and documents supporting the payment of business trip expenses. In case when the dates of specific events are identified in international instruments, treaties, etc., they will be regarded. If a group of workers are going on a foreign business trip for the same purpose, this business trip will be executed by one order of the Chief State Labour Inspector of the Republic of Lithuania.

A worker, after returning from a business trip, will prepare a report within three working days and submit to the Chief State Labour Inspector of the Republic of Lithuania.

A worker who participated in the meeting within the European Union, their working groups and committees, after returning from a business trip, will develop within five working days a report in the established form and submit it to the Chief State Labour Inspector of the Republic of Lithuania.

Advance accounts of the worker along with documents certifying the actual costs attached to it will be presented (sent) within three business days to the Financial and accounting division of SLI. When travelling by public transport, the costs will be paid upon presentation of a ticket indicating the date of purchase, and in the case when the date of purchase is not indicated on the ticket of public transport; expenses will be reimbursed upon presentation of a document confirming the purchase of the ticket.

A worker after return from a business trip and in case the advance has been paid and has not fully exhausted, must return the balance of unused advance within three working days.

The costs associated with the business trip will be paid to the employee when the responsible employee of the SLI finance and accounting division verifies advance accounts and the Chief State Labour Inspector of the Republic of Lithuania or his authorized deputy approves them. The costs related to the business trip will be reimbursed to the employee until the 15th of the next month.

Prevention, protection and assistance for inspectors

19. Describe the main arrangements you have made to ensure, at national or local level, that inspectors can perform their tasks in the safest

possible conditions.

- **Describe the risks of violence facing inspectors.**
- **Describe the measures taken to provide support, follow-up and care should inspectors fall victim to violence.**

Measures for enforcing safety of inspectors of SLI are established in the Description of the procedure for the prevention, elimination and control of illegal use of impact against employees of the State Labour Inspectorate of the Republic of Lithuania approved by the order of the Chief State Labour Inspector of the State Labour Inspectorate of the Republic of Lithuania. The main possible ways of illegal use are:

- 1) prohibition to enter into the premises and exit from the premises;
- 2) attempt of the security guards of the company by orders of the employer to take away the SLI labour inspector from the company's premises (territory);
- 3) setting dogs on;
- 4) verbal abuse, slander;
- 5) threatening to involve the media, the judiciary authorities, the use of violence against relatives, destruction of property, etc.;
- 6) the real threat of use of physical force (the threat to use a weapon, or the like);
- 7) the use of physical force;
- 8) acts of corruption;
- 9) the psychological trauma (as well as the investigation of serious / fatal accidents at work).

The planned application of the organizational and preventive measures to minimize the extent of the illegal effects:

- 1) the SLI labour inspectors can only be trained to inspect entities according to a separate training program covering the assessment and treatment of the risk of work of the inspector to help to prevent violence or to reduce its negative effects. Such trainings will be held by the Head of the SLI territorial division or its authorized person.
- 2) SLI territorial divisions are provided with work clothing with distinctive signs, mobile communications, gas dispensers, and ultrasonic dog repellers;
- 3) SLI civil servants carrying out inspections must wear work clothes that have distinctive signs (jackets, hats, and so on), and have mobile communications;
- 4) cases of illegal impact during the inspection and data about the companies in which conflict situation occurred at least once are recorded and collected in the administration and territorial divisions of SLI;

- 5) summary information on the illegal cases of illegal impact, conflict situations and their solutions are prepared in the administration and territorial divisions of SLI;
- 6) cases of illegal impact during inspections, conflict situations and their consequences and possible ways to avoid such situations are analysed and discussed during the SLI seminars, meetings at the administration and territorial offices of SLI;
- 7) in order to ensure the granting of the necessary psychological support, service contracts, as appropriate, are concluded with psychological services or individual experts in the regions;
- 8) where the SLI civil servant or employee applies to the management of SLI for legal assistance in the event of a conflict situation and at the time of the service or work, such assistance is guaranteed (preparation of necessary documents, legal advice and so on);
- 9) SLI informs the media about the incidence of illegal impact against the SLI civil servants or employees.

Before commencement of the inspections and in order to prevent illegal impact (especially physical violence) and its consequences, the SLI inspector must try to gather information about the inspected company, assess the situation and the potential risks. In the event of the increased risk of illegal impact (especially for physical violence) and the suspicion that SLI inspectors cannot inspect the company alone as it may not be safe, the SLI inspector will inform the Head of the SLI territorial division (hereinafter - the Head of Division). The Head of Division having assessed the potential hazards of the inspection decides whether to invoke the assistance of police officers. During the inspection, or other official functions, when an aggressive person (-s) poses a serious risk of violence and other unlawful influence and failure to manage conflict situations, the SLI civil servant or employee must depart from the place of event and immediately seek the assistance by available means of appropriate services, and, if possible, in the procedure set out in the legislation, to capture the actions by technical means. The SLI inspector having assessed the conflict situation during the inspection due to which the continuation of the inspection is no longer possible, may either terminate the inspection or inform the Head of Division and requests him, if possible, to arrive to the company.

Inspectors powers

20. Summarise the powers of inspectors covering in particular the powers listed above;

- describe any other powers inspectors have which help them carry out their duties;
- what qualifications or exceptions are placed upon the use of inspectors' powers?
- what difficulties do inspectors face in using their powers?
- what sanctions can an inspector use personally, and at what level do these have to be approved? What other sanctions are available to the inspector if proposed through the legal system, or otherwise?

Fundamental rights of inspectors of the State Labour Inspectorate are the following:

- 1) to enter any workstation freely and without a prior notification at any time of the day and to inspect the compliance with the requirements laid down in labour laws, standard acts on occupational safety and health or other regulatory acts;
- 2) having identified violations of legislation regulating OSH and labour relations, to draw up an ordinance for the employer's representative or a person authorised by the employer, indicating the identified violations as well as to establish the time, within which the above mentioned persons are obliged to eliminate said violations;
- 3) upon disclosing violations of labour laws, standard acts on occupational safety and health, and following the established procedure to draw up protocols, ordinances, statements and other documents of the approved form;
- 4) to ban the use of work equipment and personal protective equipment for the employer if they do not comply with the requirements of standard acts on occupational safety and health or other regulatory acts;
- 5) to demand that the employer's representative or a person authorised by the employer immediately stop the works: when employees are not trained and (or) not instructed to work safely, when employees' safety and health is in danger due to faults of work equipment or emergency situations, when works are carried out in a manner violating technological regulations, without installation of relevant collective protective equipment or when employee (employees) are not supplied with personal protective equipment and in other cases when the working environment becomes hazardous and (or) dangerous to health and safety;
- 6) during performance of official duties, in case of need, to call upon the assistance of police officers;
- 8) in exercising the prevention and control of violations of laws regulating occupational safety and health as well as labour relations and other regulatory acts, and in the manner not contravening the immunity of private life of persons as guaranteed by laws of the Republic of Lithuania, to take photos, to make audio and video records.

One of the main difficulties faced by SLI inspectors in exercising their powers – to inspect the workplaces physically. SLI inspectors are often faced with situations when they are not allowed to enter the enterprise, to carry out inspections and to identify OSH violations is especially difficult when it comes to inspect private dwellings. In this case, although there is a need to carry out their duties, SLI inspectors cannot enter the premises without the consent of the owners of premises. A similar situation also arises in ships flying with the flag of a foreign country, but located in the territory of the Republic of Lithuania. In this case, for instance when investigating the accident, which took place on board, the SLI inspectors require the consent of the ship's captain to access to ship.

Another difficulty for the SLI inspectors in exercising their duties is the reluctance of people (witnesses, victims and so on) to cooperate. In some cases, the person who reported on the violations of law, changes its testimony during the investigation, provides contradictory and false information, and without detailed explanations of the persons concerned the Inspectorate cannot conduct the investigation.

After the inspection of companies, SLI inspectors are enabled to decide whether to advise and make recommendations in cases of violations of OSH and labour law, or to issue an order, or bring the proceedings.

The State Labour Inspector of the Republic of Lithuania defines only the basic criteria for the application of impact measures.

SLI inspectors and courts impose administrative fines for violations of labour laws and OSH in Lithuania depending on the amount of the administrative penalties imposed by law. The maximum administrative penalty imposed by SLI inspectors is EUR 1448.

Guidance for inspectors

21. Explain how guidance for inspections is prepared, administered and quality assured. Describe the range of guidance available on:

- hardware/technical issues;
- techniques of inspection;
- the selection and management of inspections;
- action to be taken in particular circumstances — in particular in relation to the use of sanctions.

Please comment on the overall approach to the use of discretion by inspectors; that is, are inspectors expected to follow closely the guidance they are given, or are they expected to act flexibly and interpret the guidance in particular circumstances? To what extent does the use of discretion vary according to the guidance topic?

Scheduled inspections of companies are carried out in accordance with the annual plan of the State Labour Inspectorate approved by the Minister of Social Security and Labour of the Republic of Lithuania in which the inspection directions of sectors of economic activities to be inspected, specificity and scope are determined. The number of routine inspections is annually determined by financial and human resources allocated by SLI.

Unscheduled inspections are carried out during the investigation of accidents at work due to which the workers are exposed to health hazards and the causes of occupational diseases, verifying information received by SLI or published in the mass media about violations of law and protecting the public interest in matters of enforcement of laws, as well as to reduce accidents at work due to which the workers suffer health damage, the number of occupational diseases, and the likelihood of possible violations of the requirements of the legislation.

Scheduled and unscheduled inspections are carried out in accordance with the criteria set out in the Methodology of risk assessment of economic operators, after the assessment of the risks of the entity to violate the requirements of the legislation unless the Chief State Labour Inspector of the Republic of Lithuania provides otherwise. This methodology is approved by the Chief State Labour Inspector of the Republic of Lithuania.

Scheduled inspections of companies that fall into the prescribed range of risk “Inspect” according to the degree of risk values of OSH of risk assessment methodology for economic entities are conducted no more than once every three years. Scheduled inspections of companies who declared SLI data (information) about the status of compliance with the requirements of the legislation in the procedures laid down by the Chief State Labour Inspector of the Republic of Lithuania, are not conducted three years from the date of the last declaration (update of information). The decision on the scheduled inspections is adopted by the Chief State Labour Inspector of the Republic of Lithuania who approves a list of published inspections for the next period of one quarter, as well, where there are objective reasons, takes a reasoned decision on the adjustment of this list. Entities included in the list of quarterly routine inspections are informed about the inspection at least 10 working days before its commencement.

The above procedure does not apply to illegal labour (illegal activity), including violations of work and rest mode, the control of routine inspections and routine inspections of companies engaged in the construction work, construction facilities and construction sites. Due to significant damage to the public or to specific individuals, and increased risk of accidents at work these inspections are carried out without establishing the periodicity and evaluation of the risk of companies according to the methodology of risk assessment of companies. The decision on illegal work and routine inspections of construction sites are adopted by the heads of SLI territorial inspection divisions who approve the lists of those inspections for the next month, as well, where there are objective reasons, adopt a reasoned decision on their adjustment if the Chief State Labour Inspector of the Republic of Lithuania does not provide otherwise. Information about illegal work and routine inspections of construction sites is not made public and operators are not informed about them in advance.

If the need arises to carry out the unscheduled inspection but the routine inspections or unscheduled inspections of the economic entity have been already planned for any other reasons, only one scheduled or unscheduled inspection will be carried out by checking all questions.

Scheduled and unscheduled inspections of companies are carried out only upon the instructions of the Head of the SLI territorial inspection divisions to inspect the company.

Scheduled and unscheduled inspections of companies unless the SLI local legal acts provide otherwise, are carried out according to the control questionnaires approved by the order of the Chief State Labour Inspector of the Republic of Lithuania.

Questions about the basic requirements of the legislation are included in the control questionnaires and failure to comply with at least one of which can greatly increase the risk of accidents at work, or (and) do significant damage or cause a real threat to the health and safety of workers, the public, the environment and other people's interests.

After completion of the scheduled or unscheduled inspection, the SLI inspector sends to the operator no later than 5 business days after the completion of the inspection or examination by electronic means (in the absence of technical possibilities - by fax or mail) the completed questionnaires where recommendations on how to solve problematic issues are provided, and in the procedure established by law sends or delivers other documents drawn up during the inspection of the entity.

After the inspection of operators, the SLI inspectors are enabled to decide whether in cases of specified violations of OSH and labour laws to provide advice and recommendation by including it into a control questionnaire, or to issue an order, or bring to proceedings.

The State Labour Inspector of the Republic of Lithuania defines only the basic criteria for the application of sanctions.

Internal communications

22. Describe the internal communications arrangements in the labour inspectorate. How is information communicated up, down and across the organisation? What influences the use of face-to-face or verbal communications, written communications or electronic communication? How widespread amongst inspectors is the use of e-mail and access to the world wide internet, to a labour inspectorate 'intranet' or other information system?

The main way of the internal communication in the Labour Inspectorate is through an implemented IT system, which covers internal, external the Labour inspectorate's documentation (letters, orders, etc.) system, everyday tasks for SLI employees, inspection activities records, complains, and requests database, also and database of legal units, accidents register, etc. Besides that, there is intranet, where all local news, guides, recommendations, also plans and reports for labour inspectors are placing. In addition, e-mails are using for daily communication.

Once a week a meeting of heads of the headquarter units for discussing current issues is organized. The minutes of the meeting are placed in the IT documentation system and sent by e-mail to all labour inspectors. Twice a year the top management meets with labour inspectors in the districts to discuss any problems at work. Once a year a general meeting – workshop of all labour inspectors is organized.

All labour inspectors have access to the worldwide internet.

Action taken as a result of the inspection

23. This section is concerned with the action taken as a result of the inspection and how this action is communicated externally to the social partners and other organisations and internally. Please describe:

- **the overall pattern of action to ensure compliance e.g. the proportion of visits which result in no action being taken, or which result in advice, issue of orders or notices, prosecution report;**

- **the extent to which worker representatives are present in workplaces, and the practicalities of communicating with representatives.**
- **explain typical patterns of communication with other enforcing bodies. Under what circumstances does this take place and how?**

In organizing the supervision of economic entities, the State Labour Inspectorate closely cooperates with the social partners (employers and workers organizations) and other institutions carrying out the supervision of economic entities.

Cooperation with the social partners (organizations of employers and workers) takes place at the national level by signing of cooperation agreements with the central organizations of employers and workers, and carrying out general preventive actions, and at the level of individual companies. For the development of social dialogue at the level of economic entities, representatives of employees are informed orally about the results of inspection, and no later than five (5) business days from the end of the inspection control questionnaire (s), as well as other documents drawn up during the inspection of the relevant entity are sent to the representatives of employees by the official email address (in the absence of this option – by mail or fax). In order to ensure consultation with employees and their representatives, in all cases, after the completion of the inspection, it is recommended for the head of the entity to inform employees and their representatives about the results of the SLI inspection, even if during the inspection no violations of OSH and labour legislation have been established.

The main provisions on joint inspections of supervision bodies (including SLI) are laid down in the laws of the Republic of Lithuania and resolutions of the Government of the Republic of Lithuania. This legislation provides that at the same time can be carried out no more than two scheduled inspections of entity's activities. Entities carrying out the supervision the subject and form of which are interrelated can carry out the scheduled inspection of two or more entities conducting the supervision provided the supervision burden of entities is reduced.

Similar provisions are also laid down in the orders of the Chief State Labour Inspector of the Republic of Lithuania, which provide that SLI does not plan to carry out the inspection of the entity alone or in combination with other control agencies if it turns out that at that time two scheduled inspections of the entity's activities are being conducted by other regulatory authority. SLI can initiate a joint inspection of an economic entity in conjunction with the other member(s) of processes or other safety supervision group if the subject and form of their supervision are interrelated and thus the supervision burden on the operator is reduced.

SLI closely cooperates with the health bodies (investigation of causes of occupational diseases, inspection of dangerous objects), the State Territorial Planning and Construction Inspectorate under the Ministry of Environment (acceptance of structures as fit for use, investigation of structures (parts thereof) when workers are injured), fire protection agencies (control of dangerous objects, investigation of accidents when workers are injured, acceptance of structures as fit for use), environmental protection agencies (control of dangerous objects, investigation of accidents when workers are injured, acceptance of structures as fit for use) and other inspection bodies.

Illegal employment and other manifestations of informal economy are controlled in close cooperation with other control bodies. SLI actively cooperates with the State Tax Inspectorate under the Ministry of Finance, the Financial Crime Investigation Service under the Ministry of Internal

Affairs, the State Social Insurance Fund Board under the Ministry of Social Security and Labour, the Police Department under the Ministry of Internal Affairs to carry out this control. The State Labour Inspectorate organizes meetings during which the authorities analyse important issues of illegal work and control of its manifestations, share experiences and coordinate activities of territorial units, and provide joint control measures and methods.

Educational activities on the harm of illegal work are organized and joint seminars for persons registered in territorial labour exchanges are held in close cooperation with the Lithuanian Labour Exchange under the Ministry of Social Security and Labour.

24. Describe how internal records of inspections are organised and stored.

- **How are employer records structured? By company group, by company, by site address?**
- **By what methods are employers' records stored? On paper; electronically; a mixture of both? How do inspectors get access to these records?**
- **How are records kept for contractors, who may operate on a number of temporary sites?**
- **How are records accessed nationally, and across regional boundaries?**

Inspections of companies carried out by SLI provided for in the Law on the State Labour Inspectorate of the Republic of Lithuania, are structured and implemented using public electronic services and information system for continuous monitoring of working conditions in the workplace (hereinafter - OSH IS), the manager and operator of which is SLI.

Data of inspections of employers is recorded in the database of the OSH IS by carrying out their systematisation and verification according to the data obtained under the data supply contracts from other state registers and information systems, information gathering, processing, storage, use and provision.

OSH IS systemic card of the employer is formed by an electronic (digital) method, and may be revised in accordance with the type of employer (a legal person, natural person, farmer) according to the main economic activity (EVRK2) and according to the criteria of the county, municipality, legal status, legal form, size of the entity by groups of staff and other search criteria.

OSH IS consists of functional subsystems. All data is processed in the functional subsystems according to the following scheme: data is entered from the original documents; their processing consists of standard data processing operations, such as recording, accumulation, storage, grouping, combination, alteration (supplementing and correcting), search, review, archiving, and destruction. Results are generated according to the stored data. The data obtained from the data providers and the collected data are aggregated by allowing the users of OSH IS to choose, view and use the stored information on a specific employer, and (or) events.

Legal and natural persons using public electronic services provide remotely mandatory information to the State Labour Inspectorate, receive answers about the successfully submitted information or errors, and see in real time the state of processing of data submitted.

Access of labour inspectors to OSH IS is managed by access rights management procedures. The OSH IS system will be available only to registered and authenticated OSH IS users. At least one role must be assigned for each of the users, which will provide the users with the access rights assigned to that role, functions and responsibilities. Roles are divided into major and minor ones.

General log in/ log out functions to OSH IS, replacement functions of user's password are available to all users' roles.

The ability to work with OSH IS subsystems and functions of roles ensures a safe log in to the OSH IS, user authorization and authentication and secure user log out of the OSH IS or automatic session termination after a prolonged period of inactivity of the logged-in user.

The OSH IS logged-in user is given the opportunity to review all the data on the employer stored in OSH IS with the option to supplement them for the inspectors who supervise these employers. The function of employer's data change and supplement can be used for the correction of data after the completion of the inspection.



EUROPEAN COMMISSION
 Employment, Social Affairs and Inclusion DG
 Employment **Health and Safety**

Annex 1

Statistics of enterprises and employees in the member state (Lithuania) - 2015

Total No. of enterprises ⁽¹⁾	micro enterprises ⁽²⁾ (% of total No. of enterprises)	small enterprises ⁽³⁾ (% of total No. of enterprises)	medium enterprises ⁽⁴⁾ (% of total No. of enterprises)	large enterprises ⁽⁵⁾ (% of total No. of enterprises)	Total No. of employees ⁽⁶⁾	Total No. of self-employed
99.200	80,13	15,24	4,09	0,54	1.234.000*	122.301*
Total No. of enterprises visited	micro enterprises visited (% of total No. of enterprises visited)	small enterprises visited (% of total No. of enterprises visited)	medium enterprises visited (% of total No. of enterprises visited)	large enterprises visited (% of total No. of enterprises visited)		
10.186	54	29,74	11,75	4,51		

Statistics of labour inspectorate staff in the member state (Lithuania)

Total staff of L.I. authority	
298	
No. of labour inspectors ⁽⁷⁾	No. of labour inspections ⁽⁸⁾
175	8.590
	No. of OSH inspections
	3.735

Enforcement outputs in the OSH field in the member state (Lithuania)

No. of OSH improvement notices issued	No. of prohibitions	No. of administrative fines concerning OSH proposed by L.I.	No. of cases concerning OSH presented to the public prosecutor	No. of convictions concerning OSH in the given year ⁽⁹⁾
798	38	410	188**	***

Comments: ** In Lithuania only cases of occupational accidents (fatal/ non-fatal) are presented to the public prosecutor.

*** Data is not available.

Other indicators

Total No. of notified occupational diseases	Total No. of notified occupational accidents fatal / non-fatal (10)	No. of complaints concerning OSH
437	3 504	824*****
Notified occupational diseases investigated (%)	Notified occupational accidents investigated (%)	
100	99	

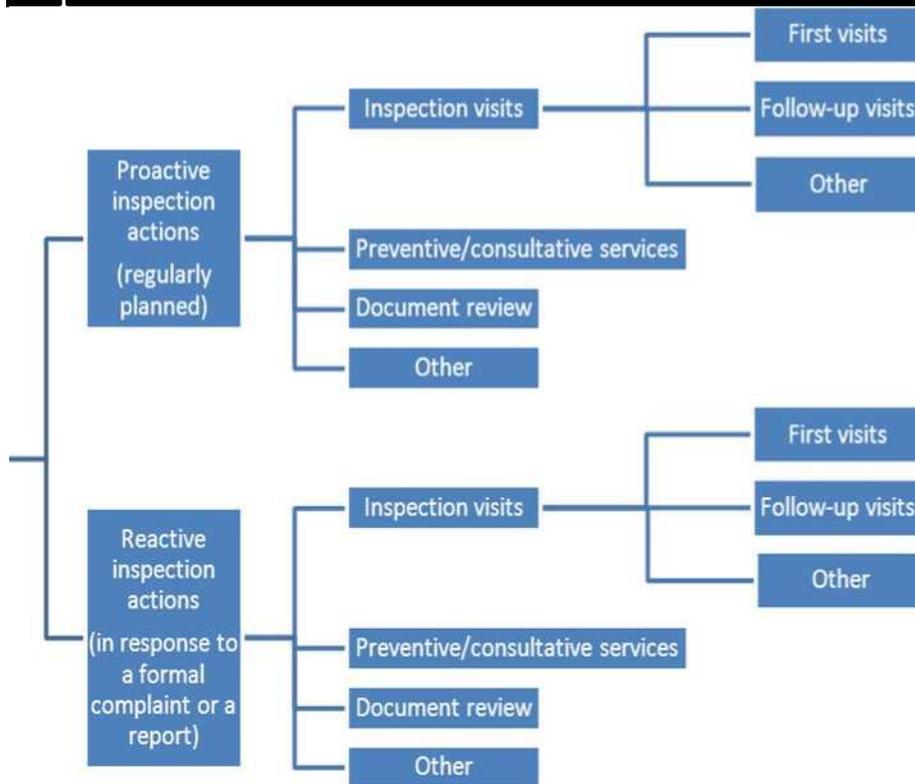
Comments: ***** It is the number of complaints issues concerning OSH. Complain could include one or more issues.

Commentary:

- (1) this number includes also the enterprises with not stated number of employees, self-employed **excluded**; it is the number of enterprises for the whole country regardless the scope of labour inspectorate
- (2) **micro** enterprises: up to 9 employees
- (3) **small** enterprises: up to 49 employees
- (4) **medium** enterprises: up to 249 employees
- (5) **large** enterprises: 250 employees and more
- (6) self- employed **excluded**
- (7) **labour inspectors** are public officials (men and women) named or recruited as labour inspectors (including sub-inspectors, labour controllers, or similar categories) and who undertake advisory, control and monitoring tasks with respect to OSH conditions, labour laws and possibly also other regulations, and who are responsible for initiating sanction procedures in the event of an infringement.
- (8) **an inspection** (action) occurs every time that one or more inspectors carry out a singular and distinct action to determine compliance with labour legislation, whether proactive or reactive. Inspection actions include inspection visits, preventive or advisory services, document checks, and procedures among other possible actions.
- i. Proactive inspection action:** A proactive inspection action occurs when one or more inspectors carry out an inspection action on the initiative of the responsible ministry or agency as part of its programmed tasks or activities.
- ii. Reactive inspection action:** A reactive inspection action occurs when one or more inspectors carry out an inspection action that is triggered in response to a prior report, complaint, request or other notification.

An inspection differs from an inspection visit - a specific type of inspection action, it occurs every time one or more inspectors visit an economic unit in person to verify compliance with labour legislation.

Inspection actions



(9) **No. of convictions concerning OSH** - not necessarily the cases sent to the public prosecutor the same year

(10) the **specification of occupational accidents** within the member state is to be explained **in the online document (handbook)**.

Annex 2

Descriptive part – (voluntary content)

While carrying out the functions assigned in the fields of OHS and labour law, the State Labour Inspectorate (SLI) under the Ministry of Social Security and Labour of the Republic of Lithuania performed the following activities in 2015:

- intensified the control of illegal activities and the coordination of actions with other control institutions prioritizing the cooperation with local authorities and institutions for the purpose of development of social support;

- advised employers, employees and their representative organizations, focusing on the activities of small and medium-sized economic entities as well as the economic entities operating for the first year and performed other educational activities;

- performed the control of economic entities falling to the area of the maximum risk of violation of the requirements of OHS and labour law;

- created the conditions for the activity of labour dispute commissions and improved the dispute settlement procedures;

- improved the administrative skills of the personnel of the SLI via the development of the professional qualifications, strengthening of the internal controls, implementation of the measures of the SLI anti-corruption program and the efficient use of the resources.

Control and coordination of illegal activities

During the year of 2015, 7 100 control checks of illegal work were performed, i.e. almost 27% more than in 2014. These checks accounted for nearly 70% of the total annual number of the checks by the SLI. The majority (about 45%) of the subjects engaged in illegal work were found in the construction sector. During the checks, 2.5 times more illegally employed foreigners were found than in 2014 (respectively - 170 and 66). Since 2012, a trend has been observed that illegal employment is being replaced with other forms in the country - employees are recruited on a part-time basis, although the actual time worked does not correspond to the contractual obligations; the working time is not recorded; the overtime and night work are not accounted; works are organized on holidays without executing the fact in accordance with the established procedure; the labour and rest requirements are not followed. In 2015, these violations accounted for 77% of all established labour law infringements (67% in 2014, 58% in 2013, 55.5% in 2012, and 39.8% in 2011), i.e. they have a tendency to increase.

Consultation, education and communication activities of the SLI

Seeking to implement the priority of consulting and informing of employers, employees and their representatives, the SLI allocates more than 44% of the work time resources to the activities of consultative, informative and educational nature - after the carried out OSH inspections, almost in more than a half cases recommendations are prepared and provided to the employers regarding the elimination of the established incompliances with the requirements of OSH and labour law, which focus on the formation of the OHS and labour law policy of a company by the means of the complex addressing of these issues and the rational use of the available human and financial resources. Throughout the year, various consultation events on the OSH and labour law issues were organized for small and medium-sized businesses in all regions and almost 160 different preventive guidance and information were prepared and distributed. To commemorate the World Day for Safety and Health at Work, the national e-test (an exam) on OSH was organised throughout the country.

Seeking to improve the public awareness in the fields of OSH and labour law, the SLI continues the long-term campaign on the preparation of the youth for safe and lawful employment. In 2015, classes and lectures on safe and lawful labour were organized at the educational institutions and centres for children and the youth, and methodological materials (leaflets) were prepared for young people on training / education and coordination of studies and work; together with the Lithuanian Non-Formal Education Center for Pupils, 5 visits to the SLI were organized; in cooperation with the Ministry of Education and Science, the SLI participated in the work of 5 national commissions at the competitions of professional skills.

Seeking to develop a number of forms of consultations of employers, employees and their representatives and improve the availability of these consultations, new consulting techniques have been expanded: the digital e-consulting programme (digital consultant) through which answers to various questions a person is interested in may be received in an automatic way has been improved and the consultations on Facebook have become popular due to condensed and concentrated consultations. While forming a single policy on the application of the standards of OHS and labour law, the type and frequency of the asked questions are recorded and then analysed and assessed, and such information is regularly published on the SLI website (www.vdi.lt) in the FAQ section.

In 2015, the SLI provided almost 126 000 consultations to employees and employers via different means of consulting, i.e. every tenth employed citizen of the country applied to the SLI and received consultations. About 75% of all consultations were given via the common consultation telephone; the availability of the consultation line amounted to 94%. In 2015, over 16 200 questions were asked via the new consultation means – the e-counselling program (electronic consultant). It

should be noted that 96% of economic entities who had been granted the SLI consultancy state that the consultations were useful and helped them to understand the laws and follow them.

Control of economic entities

In 2015, the SLI inspected almost 10% of all companies performing economic activities in the country. The share of the scheduled checks (66% of the total number of the annual inspections of the SLI) basically left unchanged compared to 2014. The compliance with the requirements of labour law was checked during 84% of all inspections, and the compliance with the requirements of OSH - during 37% of all checks.

In order to reduce the administrative burden on economic entities and optimize their supervision, 33% of inspection activities were carried out in conjunction with other control authorities (with the presence of their representatives or with the presence of the inspectors of the SLI at the inspections performed by other control authorities).

After the emergence of a new risky field of economic activity or a field of economic activity which requires control, new control questionnaires have been developed that include the basic requirements of OSH and labour law and are available to economic entities on the SLI website (www.vdi.lt) under the heading “Activities”, “Supervision of economic entities”. In 2015, 18 control questionnaires were used to perform the inspections of economic entities as well as 9 control questionnaires designed for prevention of access of unsafe work equipment to the market in the country. The share of the SLI inspections carried out with the use of the control questionnaires in 2015 accounted for nearly 90% of all checks.

As mentioned above, the SLI in its activities gives priority to the consulting of economic entities and provision of recommendations on the implementation of the legislation requirements. In comparison with the year of 2014, the reduction of the sanctions applied to economic entities was observed in 2015: the reduction of the requests to eliminate violations R1 amounted to about 18%, the number of administrative law violation protocols reduced approximately by 7%. However, in the event of a direct risk to the health and safety of the employees, the SLI inspectors were much stricter than in 2014: in 2015, the number of the requests to terminate the works or to prohibit the use of the work equipment R2 was twice higher than in 2014.

Activities of labour dispute commissions

The labour dispute committees (hereinafter referred to as the LDCs) at the SLI territorial units successfully continued their activities, which were addressed over 5300 requests to examine individual labour disputes. A tendency has remained that the vast majority of the requests (nearly 90%) was filed regarding the recovery of the salaries (or the related amounts). About 49% of the requests have been satisfied or satisfied in part; after the examination of about 14% of the demands, the circumstances indicated by the applicants were not confirmed and were rejected; after the examination of about 10% of the requests, peace agreements have been approved when the parties to the dispute had agreed with each other and concluded a peace agreement. About 16% of the labour dispute cases were terminated or waived after the applicant had withdrawn all demands, i.e. after the dispute was actually resolved by the means of negotiations.

Two seminars were organized – a seminar on training of the chairpersons of the LDCs and 3 trainings for the members of the LDCs - the representatives of employers and employees.

Training and qualifications of the SLI inspectors

Special attention was paid to the training and development of the qualifications of the SLI inspectors and employees working under employment contracts: in 2015, 293 employees of the SLI improved their skills, amounting to 4695 hours in total.
