

APPROVED

by the Chief Labour Inspector of
the Republic of Lithuania

Order No V-334 as of 29 July 2014

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Labour Inspector of the Republic of Lithuania as of
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RULES FOR INSPECTIONS OF ECONOMIC OPERATORS' ACTIVITIES APPROVED BY THE STATE LABOUR INSPECTORATE OF THE REPUBLIC OF LITHUANIA

CHAPTER I GENERAL PROVISIONS

1. Rules for inspections of economic operators' activities approved by the State Labour Inspectorate of the Republic of Lithuania (hereinafter referred to as the Rules) set forth the types of inspections of the economic operators undertaken by the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania (hereinafter – the SLI), as well as the criteria for the establishing the schedule of inspections and sampling parameters for the routine inspections, procedures for and duration of the routine inspections, as well as the criteria for the sampling of the economic operators' for non-routine inspections, and the procedures for and duration of the non-routine inspections.

2. The Rules have been drafted in observance with the Law on Public Administration of the Republic of Lithuania, Law on the State Labour Inspectorate of the Republic of Lithuania, Statutes of the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania approved by Order No A1-316 of the Minister of Social Security and Labour of the Republic of Lithuania as of 12 May 2009 *Regarding Approval of the Statutes of the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania*, as well as with the legal deeds implementing the aforementioned legislation and in consideration of basic international principles of such inspections embedded by Convention No 81 of the International Labour Organisation *Regarding Labour Inspections in Industry and Commerce* ratified by Resolution No I-507 of the Seimas of the Republic of Lithuania on 23 June 1994 *Regarding Ratification of the International Labour Organisation's Conventions*.

3. The terms used in the Rules are in compliance with the terms used in the Labour Code of the Republic of Lithuania, Law on Safety and Health at Work of the Republic of Lithuania, and legal deeds specified in Item 2 of the Rules and other legislation regulating occupational safety and health, as well as labour relations (hereinafter – Legal Deeds).

CHAPTER II TYPES OF INSPECTIONS

4. To prevent accidents at work, occupational diseases and infringements of legal acts, as well as to control the legislative enforcement, within the scope of its competence, the SLI carries out the following routine and non-routine inspections of the activities of economic operators:

4.1. control of illegal and unreported employment, unreported self-employed activities and violations of procedure for the recruitment of foreign nationals (hereinafter – Control of Illegal Work), where relevant through acquisition of the goods and services during the inspection (*mystery shopping*);

4.2. prevention of and compliance with the requirements embedded by effective legislation regulating safety and health at work, as well as labour relations (hereinafter – Inspections of compliance with the laws on occupational safety and health, as well as labour relations).

5. Due to a significant economic, social and individual harm, the control of illegal work may be carried out during the inspections of compliance with the legal deeds regulating safety and health at work, as well as labour relations.

6. During the inspections specified in Item 4 of the Rules, to address any specific issue, define the nature of potential infringement and (or) evaluate the implementation of individual provisions set forth by the effective legislation, parallel thematic inspections may be carried out through specifically designed control surveys, thematic reports or preventive questionnaires.

7. Conduct of routine and non-routine inspections is based on the principles of risk assessment of a specific company, agency, organisation or other employer, specific sector of economic operation or specific object of economic operation through directing the SLI actions towards elimination of the highest risk cases of illegal work, accidents at work and (or) occupational diseases by associating the risk with a likely occurrence of the harm to the values protected by legal deeds and with the extent and scope of such harm.

8. When carrying out routine and non-routine inspections, the SLI pursues the principles of minimal and proportional supervisory burden on economic operators, non-discrimination, planning, and the principle of separation of functions. In addition to the principles above, the principles of publicity and provision with methodological support are applied on the routine and non-routine inspections of compliance with the legislation regulating safety and health at work, and (or) labour law.

CHAPTER III ORGANISING ROUTINE INSPECTIONS

SECTION ONE SAMPLING OF ECONOMIC OPERATORS FOR ROUTINE INSPECTIONS AND PROCEDURES FOR LISTING AND APPROVAL

9. Routine inspections are carried out in observance with the SLI Annual Activity Plan approved by the Minister of Social Security and Labour of the Republic of Lithuania setting out orientations for the inspections, specifying sectors of economic operations with the highest risk for occurrence of the cases of illegal work, accidents at work and (or) occupational diseases to be inspected, as well as the specific features and scope of the inspections. The number of routine inspections depends on the financial and human resources allotted to/by the SLI.

10. The sampling of companies, agencies, organisations and other employers for the routine inspections is carried out and the lists of the routine inspections are generated automatically by the Risk Assessment System. The sampling is carried out in observance with the criteria defined by the Chief State Labour Inspector of the Republic of Lithuania in the Methodology for the risk assessment of economic operators and automatic listing of the routine inspections for a respective year.

11. The criteria for risk assessment of the companies, agencies, organisations and other employers set forth by the Methodology for the risk assessment of economic operators are made publicly available on the SLI website (www.vdi.lt) under *Supervision of Economic Operators*.

12. The lists of the companies, agencies, organisations and other employers of the highest risk generated automatically by the Economic Operators' Risk Assessment System shall be approved by:

12.1. The Chief State Labour Inspector of the Republic of Lithuania – lists of the SLI general routine inspections, lists of social entities to be inspected on a routine basis and lists of routine inspections of compliance with the requirements for the ongoing maintenance of potentially hazardous equipment. The Inspector shall approve the lists of the inspections, which are made publicly available, for the coming period of one quarter; moreover, on an objective ground, the Inspector shall adopt a reasoned decision on the adjustment of the lists;

12.2. Heads of the SLI territorial divisions – the lists of the routine inspections to control illegal work and of the compliance with the requirements for the safety and health at work, and (or) with labour law other than specified in Subitem 12.1 of the Rules, unless the order of the Chief State Labour Inspector of the Republic of Lithuania provides for otherwise. The Heads of the SLI territorial

divisions shall approve the lists for the coming period of a quarter or a month, and on an objective ground, they shall adopt a reasoned decision on the adjustment of the lists.

13. For the coming period of a quarter or a month, following the criteria defined by the Chief State Labour Inspector of the Republic of Lithuania, the Heads of the SLI territorial divisions shall approve the lists of the economic operators of the highest risk to be inspected on a routine basis, and on an objective ground, they shall adopt a reasoned decision on the adjustment of the lists.

SECTION TWO

ROUTINE INSPECTIONS OF COMPLIANCE WITH LEGAL REQUIREMENTS FOR OCCUPATIONAL SAFETY AND HEALTH AND (OR) LABOUR LAW

14. Routine inspections of the compliance with the legal requirements for the safety and health at work and (or) with the labour law of the companies, agencies, organisations and other employers of the highest risk who are attributed to the risk profile *Inspect* set by the values of the risk degree of the occupational safety and health, as well as labour law defined in the methodology for the economic operators' risk assessment shall be carried out with the interval of at least 3 years, except for the following cases:

14.1. operations of social entities shall be inspected with the interval of at least 2 years;

14.2. operations of dangerous facilities shall be inspected under the inspection programme for dangerous facilities of the Republic of Lithuania approved by the Director of Fire and Rescue Department under the Ministry of the Interior of the Republic of Lithuania;

14.3. on issues related to the compliance with the requirements for the ongoing maintenance of potentially dangerous equipment, the companies, agencies, organisations and other employers shall be inspected with the interval of at least 2 years;

14.4. operations of the companies, agencies, organisations and other employers who under the procedure embedded by the Chief State Labour Inspector of the Republic of Lithuania, have reported their data (information) on the status of their compliance with the requirements of the effective legislation to the SLI as set forth by Part 5 Article 39 of the Law on Safety and Health at Work of the Republic of Lithuania, shall not be inspected for 3 years following the day of the last report (update). The provision shall not be applied if the SLI Annual Activity Plan attributes the company, agency, organisation or other employer to the sectors of economic activities to be inspected and in other cases where the routine inspection of the economic operator is required by legal deeds.

15. In the form set forth by the Annex to the Rules, the companies, agencies, organisations and other employers shall be notified on the general routine inspections, routine inspections of social entities, routine inspections of compliance with the requirements for the ongoing maintenance of potentially dangerous equipment and other routine inspections of compliance with the requirements for safety and health at work, as well as labour law, the purpose of which is only to prevent accidents at work, occupational diseases and violations of legal deeds, at least 10 working days prior to the intended inspection by sending the notification to the formal e-mail (in the absence of technological capabilities – by fax). The notification may be sent by mail to the address of the reported registered office or other known address of activity of the company, agency, organisation or other employer.

16. The notification on the routine inspection (Item 15 of the Rules) shall contain the basis for the routine inspection, as well as the date, subject and preliminary list of documents to be submitted by the employer to the SLI inspector(s) carrying out the inspection. The routine inspection shall be carried out irrespective of whether the company, agency, organisation or other employer has confirmed the receipt of the notification or not.

SECTION THREE

ROUTINE INSPECTIONS TO CONTROL ILLEGAL WORK

17. Due to a significant economic, social and individual harm, routine inspections of the highest risk companies, agencies, organisations and other employers, who based on the values of the risk degree of the illegal work defined by the methodology of the economic operators' risk assessment

are attributed to the risk profile *Inspect*, the purpose or one of the purposes of which is to control illegal work, shall be carried out without setting any periodicity.

18. Moreover, due to a significant economic, social and individual harm, the lists of the routine inspections, the purpose or one of the purposes of which is to control illegal employment and the lists of economic operators of the highest risk to be inspected on a routine basis shall not publicly available. The SLI inspectors shall inform on the ongoing inspection right upon their arrival to the site, and if mysterious purchase of the goods or services are to be carried out, - right upon the acquisition is done.

SECTION FOUR DURATION OF ROUTINE INSPECTIONS

19. When routine inspections of the compliance with the requirements for safety and health at work, and (or) labour law are carried out, the presence of the SLI inspectors on the site being inspected shall not exceed 3 working days; if the routine inspection pertains to the control of illegal work, it shall not exceed 2 working days. If an objective reason exists, the presence on the site being inspected may be extended upon the decision of the Head of the SLI territorial division or upon the decision of the SLI civil servant duly authorised by the order of the Head of the SLI territorial division.

CHAPTER IV ORGANISING NON-ROUTINE INSPECTIONS

SECTION ONE BASIS FOR NON-ROUTINE INSPECTIONS

20. Non-routine inspections shall be carried out only upon a well-grounded decision to carry out the inspection of the Chief State Labour Inspector of the Republic of Lithuania, Head of the SLI territorial division or the SLI civil servant duly authorised by the order of the Head of territorial division:

20.1. upon a well-grounded written request of or assignment by a competent public administration authority or any other competent authority institution, or the Chairman of the Labour Dispute Committee, or any other Head of the SLI territorial division or any other SLI civil servant duly authorised by the order of the Head of territorial division to carry out the inspection of an economic operator;

20.2. upon notification, request, claim, information published by mass media or made publicly available or received otherwise regarding the infringement of legislation upon the assessment of the available information and allegations of irregularities of the economic operator's activities potentially threatening the values protected by the legal deeds;

20.3. upon an anonymous claim regarding the activity or inactivity of a specific economic operator, if upon the assessment of the available information there is a suspicion that the activities of the economic operator may potentially threaten the values protected by the legal deeds;

20.4. to ensure that the violations of the legal deeds detected within previous inspection of the economic operator have been eliminated and the SLI inspectors' orders and (or) recommendations for the elimination of the irregularities have been implemented;

20.5. if the basis for the non-routine inspection is prescribed by the laws and implementing legislation regulating the supervision of the economic operators by the SLI:

20.5.1. upon notification on the accident at work, which has caused the damage to the employee's health, irrespective of the means the notification has been received by;

20.5.2. when investigating an accident at work causing damage to the employee's health, or the causes of an occupation disease, or if it has been detected repeatedly that the incident at work or accident on the way to or from work has been investigated and (or) the results of the investigation have been filed in breach of the requirements embedded by the effective legislation;

20.5.3. to reduce the number of incidents at work causing damage to the employees' health, as well as the number of occupational diseases, the likely occurrence of the breach of the effective legislation in certain sectors of economic operations, regions, or groups of economic operators or

employees, or in observance with the goals prescribed by the legal deeds, the SLI Annual Activity Plan or orders of the Chief State Labour Inspector of the Republic of Lithuania;

20.5.4. to implement protocolled decisions of the JOC (Joint Operation Centres) regarding non-routine inspections of the economic operators of the highest risk;

20.5.5. upon a serious breach(-es) of the law(-s) able to make a negative impact on the employees' life and health but only to the extent that it is necessary to eliminate the breach(-es) detected.

SECTION TWO

SAMPLING OF ECONOMIC OPERATORS FOR NON-ROUTINE INSPECTIONS

21. The sampling of the economic operators for the non-routine inspections is not carried out based on the notifications regarding an incident at work causing damage to the employee's health, as well as in carrying out the investigation on the causes of the incident or occupational disease, or if it is detected repeatedly that the incident at work or accident on the way to or from work has been investigated and (or) the results of the investigation have been filed in breach of the requirements embedded by the effective legislation. In such cases, the SLI inspector arrives at the site for the non-routine inspection.

22. To reduce the number of incidents at work causing damage to the employees' health and the number of occupational diseases, as well as the likely occurrence of potential breaches of the legislation, the companies, agencies, organisations and other employers of the highest risk are sampled for the non-routine inspections (actions) automatically by the Economic Operators' Risk Assessment System. The listing is carried out automatically in observance with the automatic listing criteria defined by the order of the Chief State Labour Inspector of the Republic of Lithuania regarding non-routine inspections (actions).

23. When investigating a well-grounded written request of or assignment by any competent public administration authority to carry out the inspection of the economic operator, or the request of any other competent authority, or the Chairman of the Labour Dispute Committee, or the Head of the SLI territorial division, or the SLI civil servant duly authorised by the order of the Head of the SLI territorial division, as well as when investigating the notification, request, claim, inclusive of the anonymous one, information published by mass media or made publicly available or received otherwise regarding the infringement of the legislation, the priority shall be given to the off-site investigation instead of the on-site inspections.

24. Upon notifications, requests, claims, inclusive of the anonymous ones, information published by mass media or made publicly available or received otherwise regarding the infringement of the legislation, non-routine on-site inspections shall be carried out only upon the assessment of the threats of the infringements to the values protected by the laws based on the criteria for the non-routine inspections defined by the Chief State Labour Inspector of the Republic of Lithuania. The on-site inspections shall be carried out only if there is a likelihood of illegal work in any form or (and) direct danger for the employees' safety and health, or (and) threat of the accident at work, serious poisoning or acute occupational disease.

25. Notifications, requests, claims, inclusive of the anonymous ones, information published by mass media or made publicly available or received otherwise regarding the infringement of the legislation shall not be subjected to a thorough investigation if upon the assessment undertaken in observance with the criteria for the non-routine inspections defined by the Chief State Labour Inspector of the Republic of Lithuania it has been found that the infringements of the laws indicated may cause a slight damage or no damage at all.

26. The criteria of the sampling of the notifications, requests, claims, inclusive of the anonymous ones, information published by mass media or made publicly available or received otherwise regarding the infringement of the legislation for the non-routine inspections are publicly available on the SLI website (www.vdi.lt) under *Supervision of Economic Operators*.

27. Non-routine inspections to control the progress of the elimination of the irregularities found during previous inspection and to control the implementation of the SLI inspectors' orders and (or) recommendations on elimination of such irregularities shall be carried out on the site only in

exceptional cases provided for that the economic operator fails to inform the SLI on the elimination of the irregularities within the time limit specified by the SLI inspector. Usually, the control of the economic operator takes place during the next routine or non-routine inspection of that economic operator.

28. To implement the protocolled decisions of the Joint Operation Centres (JOC), the non-routine inspections are carried out on the sites of the economic operators the risk degree of which is assessed by the risk assessment systems of the supervisory institutions participating in the JOC activities.

SECTION THREE ADOPTING WELL-GROUNDED DECISIONS TO CARRY OUT NON-ROUTINE INSPECTIONS

29. Well-grounded decisions to carry out non-routine inspections shall be adopted by:

29.1. the Chief State Labour Inspector of the Republic of Lithuania – pursuant to Subitem 20.5.3 of the Rules. To implement the decision, the Inspector shall execute and sign a respective order regarding arrangements for and carrying out a non-routine inspection (action);

29.2. the Head of the SLI territorial division or the SLI civil servant duly authorized by the order of the Head of the SLI territorial division – in all other cases specified in Item 20 of the Rules, unless the Chief State Labour Inspector of the Republic of Lithuania provides for otherwise. To implement the decision adopted, the Head of the division or the SLI civil servant duly authorised by the Head of the SLI territorial division shall execute and sign the order for a non-routine inspection. In cases specified by Subitem 20.5.5 of the Rules the decision shall be adopted upon an advance notification by the SLI inspector sent to the Head of the SLI territorial division or to the SLI civil servant duly authorised by the Head of the SLI territorial division regarding serious infringement(-s) of the law(-s) detected by the inspector which can make a negative impact on the employees' life and health.

SECTION FOUR MAKING ARRANGEMENTS FOR NON-ROUTINE INSPECTIONS

30. The economic operators shall be notified on the non-routine inspections in the procedure embedded by Part 11 Article 33 of the Law on Public Administration of the Republic of Lithuania, i.e. the SLI inspector(-s) shall inform about the inspection at the time of their arrival to the site, except for the cases of the non-routine inspections to control illegal work where mystery purchases of the goods or services are to be carried out. In the latter case, the economic operator shall be informed about the inspection as soon as the mystery shopping is completed.

31. The SLI inspector(-s) duly authorised to carry out a non-routine inspection shall submit to the economic operator being inspected the order for the non-routine inspection signed by the Head of the SLI territorial division or the SLI civil servant duly authorised by the order of the Head of the SLI territorial division.

32. The duration of the non-routine inspection shall depend on the factual circumstances of the ongoing investigation.

33. In case of the need to carry out a non-routine inspection but a routine or non-routine inspection has already been projected for that economic operator due to any other reason, only one routine or non-routine inspection shall be undertaken by combining all the issues to be investigated.

CHAPTER V ASSIGNMENT TO CARRY OUT INSPECTION OF ECONOMIC OPERATOR'S ACTIVITY

34. The decision to carry out a routine or non-routine inspection of the economic operator's activity adopted pursuant the procedure set forth by the Rules shall be confirmed by the Letter of Assignment signed by the Head of the SLI territorial division or by the SLI civil servant duly authorised by the Head of the SLI territorial division. Except for the cases specified in Subitems 20.5.1 and 20.5.5

of the Rules, routine or non-routine inspections shall be carried out upon the submission of the decision confirming the assignment for the routine or non-routine inspection by the SLI inspector(-s) and their Civil Service Certificate(-s).

35. Non-routine inspections pursuant to Subitems 20.5.1 and 20.5.5 of the Rules shall be carried out upon submission of the Letter of Assignment and Civil Service Certificate only.

36. The Letter of Assignment to carry out the inspection of the economic operator shall contain full names and positions of the SLI inspectors, purpose and type of the inspection, area(-s) to be inspected, location(-s), date and (or) period of the inspection, name of the economic operator (if necessary, full name of a natural person) and registered office or address of registration of the economic operator, and any other information related to the inspection. In carrying out routine or non-routine inspections to control an illegal work, the name(-s) of the economic operator(-s) may be omitted from the Letter of Assignment.

37. The Civil Service Certificate and the Letter of Assignment to carry out the inspection of the economic operator shall not be submitted if the control of the illegal work is carried out, provided for that during the control activities the mystery purchase of the goods or services is to be completed. The aforementioned documents shall be submitted to the economic operator being inspected right upon the completion of the mystery shopping.

CHAPTER VI APPLYING A CONTROL SURVEY

38. Unless the Chief State Labour Inspector of the Republic of Lithuania provides for otherwise, routine and non-routine inspections shall be based on the control surveys approved by the orders of the Inspector.

39. The control surveys contain questions pursuant to the requirements embedded by the effective legislation, the failure to comply with at least one of which could dramatically increase the risk of the accidents at work or (and) cause a significant harm or serious danger to the employees' safety and health, as well as to the society, environment, interests of other persons.

40. Control surveys may not be applied:

40.1. when carrying out the control of illegal work;

40.2. when carrying out the control of compliance with the requirements for the ongoing maintenance of the potentially dangerous equipment;

40.3. when controlling the implementation of the orders to eliminate irregularities and (or) when evaluating the implementation of the recommendations given during previous inspections;

40.4. when participating in the non-routine inspections by the invitation of the competent outside authority institutions and agencies;

40.5. when carrying out a non-routine inspection pursuant to Subitems 20.5.1 and 20.5.5 of the Rules;

40.6. when the economic operator is being inspected for the second time or more within the past twelve months before the inspection, if during the inspections, respective control surveys have been used.

41. If necessary, in cases set forth by Item 40 of the Rules, the SLI inspector(-s) may also use control surveys in carrying out a routine or non-routine inspection.

42. In carrying out a routine or non-routine inspection, the inspector may use one control survey or more, if necessary.

CHAPTER VII BREACHES OF LEGISLATION CONSIDERED TO BE INSIGNIFICANT AT THE TIME OF INSPECTION

43. The compliance of the economic operator's activity with the requirements of the effective legislation omitted from the control surveys, shall be evaluated in exceptional cases only and in the procedure prescribed by Article 38 of the Law on Public Administration of the Republic of Lithuania.

44. In case if during a routine or non-routine inspection, any breaches of the legal requirements omitted from the control surveys are detected, the inspector shall make a verbal request to eliminate such breaches (preferably, by the end of the inspection) by adding recommendations for the solution of the issues detected to the control survey.

45. If the breach of the legal requirement omitted from the control survey may increase the risk of accidents at work or (and) cause a significant harm or serious danger to the employees' safety and health, as well as to the society, environment, interests of other people, certain enforcement measures prescribed by the effective legislation shall be applied.

CHAPTER VIII COMPLETION OF INSPECTION

46. Upon completion of the routine or non-routine inspection, no later than within 5 working days following the completion of the inspection or investigation, by electronic means of communication (if there are no technological capabilities – by fax or ordinary mail), the SLI inspector shall send a filled-in control survey containing recommended solution of the issues detected to the company, agency, organisation or other employer; furthermore, in the procedure laid down by the Chief State Labour Inspector of the Republic of Lithuania, the inspector shall send or hand in any other documents filed during the inspection of the economic operator, provided for that the documents are intended for the economic operator.

47. No later than within 3 working days following the completion of the inspection, the SLI territorial divisions shall submit the results of the routine and non-routine inspections of a social entity and beneficiary of the subsidy to the Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania (hereinafter referred to as the Employment Service) by sending a filled-in control survey and (or) any other document filed during the inspection.

48. If at the time of the inspection, a social entity or a beneficiary of the subsidy has been requested to eliminate the irregularities, no later than within 3 working days following the occurrence of the circumstances, the SLI territorial divisions shall inform the Employment Service about any circumstance of the request implementation: implementation of the request in due course, extension of the time limit to implement the request, the failure to implement the request in due course and the results of the non-routine inspection to ensure the implementation of the request. Copies of the verdicts on administrative offences, inclusive of the ones adopted by the Court, as well as the copies of the verdicts on the infringements of the Law on Employment and the Law on Environment of the Republic of Lithuania shall be sent within 3 working days following their binding effect (final judicial decisions (verdicts) shall be sent within 3 working days upon the receipt by the SLI territorial division).

CHAPTER IX SUPERVISORY FRAMEWORK FOR ECONOMIC OPERATORS WITHIN THE FIRST YEAR SINCE THE COMMENCEMENT OF OPERATION

49. When carrying out the inspection of the economic operator's compliance with the requirements for the employee safety and health and (or) labour law in the first year of their operation, the economic operator shall be handed in a Declaration on the First Year of Business.

50. Actual date of the commencement of the legal entity's operation shall be the date when that legal entity submits a declaration on personal income tax to the State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania for the first time, in the absence of the declaration – the first invoice received and submitted by the company, or the first bill of lading submitted by the company. Thus, to find out the commencement of the legal entity's operation the data kept by the Inspectorate shall be used. In case if a permit (or in some cases prescribed by the laws, a licence) for a certain activity has to be obtained, the commencement of the economic operator's activity shall be the date of issue of the permit (licence).

51. Within the first year since the commencement of the economic operator's activities, the priority shall be given to the consultancy and methodological support in issues related to the safety and health at work and (or) labour law. Any enforcement measures may be imposed on these economic

operators in exceptional cases only and as a last resort, always upon an advance assessment whether the compliance with the requirements of the effective legislation cannot be ensured by providing the economic operator with consultancy services, and only in cases when they are necessary and unavoidable to diminish the risk of accidents at work or occupational diseases, as well as to avoid a negative impact on the employees' interests or on the environment, when such damage or impairment is significant, provided for that:

51.1. the inspector detects the case of illegal or (and) unreported work, as well as the infringement of the procedures for the recruitment of foreign nationals as laid down by the Law on Employment of the Republic of Lithuania in regard to the illegal work and unreported work, as well as to the infringement of the procedures for the recruitment of foreign nationals;

51.2. operation is suspended or (and) work equipment and personal protective measures are prohibited to protect an employee or employees against a potential danger to their safety and health, if the violations of the requirements of the legislation regulating safety and health at work cannot be eliminated immediately, as laid down by Part 9 Article 22 of the Law on Safety and Health at Work of the Republic of Lithuania in regard to the suspension of operations.

CHAPTER X COOPERATION WITH OTHER SUPERVISORY AUTHORITIES IN ISSUES RELATED TO ROUTINE AND NON-ROUTINE INSPECTIONS

52. The SLI shall not carry out any inspection if it appears that at the same any other supervisory authority is carrying out their routine inspection of the economic operator's activity having no connection with the supervisory functions of the SLI not to exert an excessive burden on that economic operator.

53. The SLI may initiate a joint routine or non-routine inspection with any other supervisory authority provided for that either the subject or the form of the supervisory functions are interrelated, and thus, a supervisory burden for the economic operator is to be reduced.

54. Routine and non-routine inspections shall be carried out in a maximum coordinated manner either directly or through the Joint Operation Centres (JOC) in cooperation with other supervisory authorities to avoid any cases when the same operator is being inspected by several supervisory authorities separately. Moreover, the SLI shall either directly or through the Joint Operation Centres (JOC) actively exchange information on the results of the inspections carried out and cooperate otherwise with supervisory authorities to ensure legitimate interests of the companies, agencies, organisations and other employers operating safely and transparently.

CHAPTER XI APPEALS AGAINST ACTIONS AND DECISIONS OF THE SLI INSPECTORS

55. Actions (inactivity) and decisions of the SLI civil servants may be appealed against to the Chief State Labour Inspector of the Republic of Lithuania or to the Administrative Court in the procedure laid down by the Law on Administrative Proceedings of the Republic of Lithuania. The complaint must be lodged within one month following the date of the delivery of the document to be appealed against or the delivery of the notification on the action (refusal to take any action) to the involved party.

56. The decision of the Chief State Labour Inspector of the Republic of Lithuania may be appealed against to the Administrative Court in the procedure laid down by the Law on Administrative Proceedings of the Republic of Lithuania within one month following the receipt of the decision.

CHAPTER XII FINAL PROVISIONS

57. Under the heading *Supervision of Economic Operators* and under some other headings, the SLI website (www.vdi.lt) contains the following information: control surveys, methodology for the

Economic Operator's Risk Assessment, sampling criteria for non-routine inspections based on notifications, requests, claims, including anonymous ones, information published by mass media or made publicly available or received by other means and ways on the breach of the effective legislation, lists of general routine inspections, social entities to be inspected on a routine basis and routine inspections of the compliance with the requirements for the ongoing maintenance of potentially dangerous equipment approved by the Chief State Labour Inspector of the Republic of Lithuania, amendments to the aforementioned lists, as well as any other information relevant for the economic operators as laid down by Article 34 of the Law on Public Administration of the Republic of Lithuania.

58. If at the time of routine or non-routine inspection it appears that there is the need for the inspection of any area other than specified in the goals or notification on the inspection, the SLI inspector shall be entitled to expand the areas of and extend the duration of the inspection.

59. In the procedure approved by the Chief State Labour Inspector of the Republic of Lithuania, in respect to the economic operators, in addition to the routine and non-routine inspections, the SLI inspectors may undertake any other inspection activities, i.e. consultancy of the economic operator on the issues pertaining to the SLI competence on the site of the economic operator's activities by invitation of the economic operator or representatives of their employees where the priority is given to the entities in their first year of their operations; advisory events (consultative seminars and educational events); testing of the knowledge in safety and health at work; participation in the work of the Construction Commission to establish whether the structure has been erected or reconstructed in accordance with the solutions of the construction project, provided for that before the commencement of the Commission work, the workplaces and (or) workstations have been equipped; off-site investigation of notifications, requests, claims, inclusive of the anonymous ones, information published by mass media or made publicly available or received otherwise regarding the infringement of the effective legislation; investigation of requests on termination of employment; verification of the construction technology projects; off-site investigation of incidents at work and causes of occupational diseases; investigation of the employers' requests to terminate an employment contract with the representatives of the employees or to make amendments to certain terms and provisions of the contract; participation in the measures undertaken by other supervisory authorities.

60. If necessary, the off-site investigation of notifications, requests, claims, inclusive of the anonymous ones, information published by mass media or made publicly available or received otherwise regarding the infringement of the effective legislation may be carried out following a respective control survey.

61. If the provisions of the Rules are violated by the SLI inspectors, they shall be liable in the procedure embedded by the effective legislation of the Republic of Lithuania.
