

Annual Report of the State Labour Inspectorate: 2011

Member State: Republic of Lithuania

Title: State Labour Inspectorate of the Republic of Lithuania

1.1 Description of the scope of the Inspectorate's activities

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

Main sectors not included (please mark sectors not included)

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

Changes in the legal framework of sanctions? **NO**

Changes in the national inspection system? **YES**

1.2 Staff and inspections conducted over the year; main results

INFORMATION ON ENTERPRISES (COMPANIES)		
		Comments (if necessary)
Total number of enterprises (companies)	194.638	
Number of enterprises (companies) in each size category		
1 – 9 employees	176.500	
10 – 49 employees	13710	
50 – 249 employees	3930	
> 250 employees	498	
Total number of employees	1.094.869	
Total number of self-employed	230.400	
INFORMATION ON THE STATE LABOUR INSPECTORATE (SLI)		
Number of employees engaged in tasks related to occupational health and safety	211	
Number of inspectors	196	
Number of inspections	12.325	
Percentage of complaints investigated	100	

Percentage of time spent outside the office (per inspector per year)	64	
If available, figures regarding - inspection of companies	44	
- travel	20	
Percentage of time spent in the office for carrying out administrative tasks regarding visits to companies (e.g. drafting reports) (per inspector per year)	27	
Percentage of time devoted to other administrative tasks (per inspector per year) <i>(Including basic training)</i>	9	
Number of improvement notices	6950	
Number of suspensions of work activities	230	
Number of administrative fines imposed/proposed by the Labour Inspectorate (including on-the-spot fines)	473	
Number of cases referred to prosecutors	171	
Percentage of cases referred to prosecutors resulting in court hearings		Not available
Percentage of registered occupational diseases investigated	100	
Percentage of registered accidents investigated	7.3	The SLI inspectors investigate all serious and fatal accidents at work. Minor accidents at work are investigated by the bilateral commission of a company.
Number of equivalent full-time occupational health and safety	196	

inspectors		
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1.3 Main activities undertaken by the SLI over the year

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

In 2011, the SLI, acting within its powers to prevent accidents at work, occupational diseases and violation of requirements of normative legal acts on occupational safety and health and labour relations, and in the framework of consultancy and information activities aimed at employees and employers as well as educational activities targeting the public, while monitoring adherence to the requirements of the Labour Code of the Republic of Lithuania and of normative legal acts on occupational health and safety, also, seeking to contribute effectively to the implementation of strategic objectives regarding occupational safety and health and to enhance the activities of the Government of the Republic of Lithuania in improving business environment and optimising the supervision of economic entities and the activities of control authorities and bodies, as well as contributing to the implementation of the labour policy developed by the Ministry of Social Security and Labour, has executed the tasks and measures provided for in the annual action plan.

It should be noted that, while planning its activities for 2011, the SLI has focused on the assistance to companies in the form of consultancy and information activities, rather than on the planning of rigorous inspections, thus seeking to build the culture of inspections based on a mutually good-natured relationship.

It must be noted that the analysis of the indicators concerning the situation of occupational safety and health in companies, namely:

- a) the number of fatal accidents at work per 100,000 employees; and
- b) the number of occupational diseases per 100,000 employees

shows that the situation has become significantly positive as the number of fatal accidents at work and the rate of occupational diseases are respectively 15% and nearly 50% lower, as compared to the forecast for 2011.

This should be seen as a result of targeted and effective preventive work carried out jointly by all interested parties, i.e. social partners: employers, employees and state authorities.

Meanwhile, the number of confirmed complaints and notifications regarding occupational safety and health and labour relations per 100,000 employees was two times lower in 2011, as compared to the forecast. It may be assumed that the value of this indicator has resulted from the insufficient legal literacy of employees and other people addressing the SLI; an incomplete or inadequate analysis or understanding of the situation within an economic entity; provision of misleading data on the situation within an economic entity, presumably due to some unspecified personal goals, etc.

Consultancy and information activities undertaken by the SLI

In 2011, the following events were held in order to provide advice and raise the awareness of employers, employees and organisations representing their interests:

- 50 regional seminars on occupational risks, their management and other important issues, intended for employers and employees in small and medium-sized enterprises (SMEs) and organisations representing their interests (a total of 1,660 participants);
- three national conferences, as part of the 2nd year measures of the 2010-2011 Pan-European information campaign *Healthy workplaces. It's good for you. It's good for business* on safe maintenance implemented in Lithuania (a total of 200 participants);
- 10 regional seminars, organised in conjunction with the European Business and Innovation Network (a total of 570 participants);

- a seminar on the Online Interactive Risk Assessment (OIRA) web application developed by the European Agency for Safety and Health at Work (EU-OSHA) (a total of 38 participants);
- a seminar on effective management of occupational safety and health in the company, intended for heads of businesses, in cooperation with the Training Centre of the Lithuanian Confederation of Industrialists (a total of 38 participants);
- on April 28, consultations took place in 62 venues to mark the World Day for Safety and Health at Work; a total of 1,170 participants representing 80 companies took part in these consultancy events;
- 168 individual seminars/consultations provided by inspectors of territorial offices (a total of 1,900 participants);
- eight seminars at workplaces aimed at presenting the procedures for organising certification regarding occupational safety and health (a total of 270 participants).
- More than 181,000 people sought advice from the SLI specialists through the different types of consultancy measures, including:
 - 95,500 people – through telephone inquiries;
 - 6,300 people – through written inquiries (as compared to 2010, the total number of questions comprising the totality of inquiries on labour relations has barely increased – from 6,459 to 6,542);
 - 32,200 – at local consultation offices;
 - 21,800 – during the certification process (this is the total number of employers, persons authorised by the employer, specialists of occupational safety and health services and other employees who were issued certificates on occupational safety and health);
 - another 25,300 people addressed the SLI specialists at their workplace and during other consultancy events.
- The SLI and the Lithuanian Agricultural Advisory Service (*Lietuvos žemės ūkio konsultavimo tarnyba, LŽŪKT*) have signed a cooperation agreement on the joint consultancy events organised in the agricultural sector; a total of four preventive information packages have been prepared under the agreement with the LŽŪKT;
- a total of 18 preventive information sheets have been prepared and published on the SLI website;
- a total of 25 summarised answers by the SLI specialists to the most important inquiries made by economic entities have been published on the SLI website; these were granted the status of a published consultation;
- a total of four quarterly communications on the situation of occupational safety and health, the enforcement of legislation on labour relations and infringements reported have been prepared and published on the website of the SLI and the informational publication of the SLI “Saugus darbas” (Safe Work) and provided to the employers’ and employees’ organisations and associations;
- a total of 42 preventive information notes regarding accidents at work have been prepared and disseminated among employers and social partners via the Internet (they have been dispatched to approximately 50,000 email addressees);
- a total of 16 methodological preventive recommendations have been drafted;
- a total of 180 advisory inspections have been conducted at the request of economic entities.

Public legal education activities undertaken by the SLI regarding application of the Law on Labour and adverse effects of its infringement (illegal employment, accidents at work, occupational diseases, etc.).

A total of 2,000 preventive posters on the topic of accidents at work have been designed and printed.

In November–December, the SLI conducted an awareness raising campaign on the prevention of illegal employment:

- audio clips were broadcast for a total of 90 radio station days
- a total of 10,000 preventive posters have been designed and printed
- a total of 20,000 stickers have been designed and printed;
- a total of 10,000 flyers have been designed and printed;
- a video clip on the prevention of illegal employment was broadcast on 250 video screens by the cash desks at 30 shopping centres;
- a video clip on the prevention of illegal employment was broadcast on 400 video screens in the public transport;
- a video clip on the prevention of illegal employment had been broadcast on TV for 20 days;
- telephone numbers of the SLI for making anonymous phone calls to prevent illegal employment had been advertised in different publications in November and December;

A total of five preventive letters addressed to the employers have been prepared and sent by the Chief State Labour Inspector of the Republic of Lithuania.

A total of 32 press releases have been prepared and disseminated.

Three issues of the informational publication of the SLI “Saugus darbas” (“Safe Work”) have been prepared and published.

Supervision of economic entities

Inspections of economic entities have been organised in accordance with the priorities set out in the action plan for 2011, taking into account the following:

1. the sectors in which the economic entities are active;
2. the size of the economic entities;
3. the level of traumas and occupational diseases (economic entities which reported such traumas and occupational diseases over the past five years);
4. the length of service of an employee in an economic entity;
5. the nature of an economic activity characteristic of a specific region (area) of the country.

The priorities have been determined after assessing the circumstances and causes of the accidents at work that are being reported for a number of years, the causes of occupational diseases, also the analysis data of the situation of occupational safety and health, identification of dangers and their risk assessment, as well as the reported results of inspections and supervision of the adherence to the legislation on labour relations.

The principles and forms of supervision of economic entities have been set out in the rules on the routine and non-routine inspections by the SLI of activities undertaken by economic entities and other forms of supervision of economic entities (hereinafter ‘the Rules’) approved by Order of January 13, 2011 of the Chief State Labour Inspector of the Republic of Lithuania; these rules have been drafted in accordance with Section 4. *Supervision of activities of economic entities* of the Law on the Public Administration of the Republic of Lithuania;

To improve the different forms and methods of supervision of economic entities, the SLI has provided (in the Rules) for a possibility for the economic entities to request, on their own initiative, an inspection of the company and to receive advice on a desired topic. In 2011, the SLI conducted a total of 180 of such inspections.

In 2011, the SLI conducted a total of 12,325 inspections of economic entities and their subdivisions (the forecast value for 2011 is 10,000).

8,066 (65,4%) inspections of companies and their individual structural subdivisions covered the issues of the occupational safety and health, whereas 10,221 inspections concerned

the adherence to the labour law. Occupational safety and health infringements comprise 63.4% of all the infringements of the legislation reported during the inspections. Heads of the economic entities have been issued improvement notices requiring elimination of violations, the execution of which is being monitored, and in 230 cases, in accordance with the procedure laid down in the normative legislation, the economic entities were required to suspend their operations.

The Inspectorate cooperates effectively with other authorities and bodies supervising (controlling) economic entities by coordinating, first of all, inspections of manifestations of illegal employment and the joint decision-making process. To reduce the administrative burden on business entities, 22.2% of inspections (15.6% in 2010) have been conducted jointly with other authorities which supervise and control economic entities (involving representatives of these authorities or labour inspectors).

Prevention of illegal employment

To increase the effectiveness of the use of human and financial resources and time, also, to improve the risk management, mobile groups for controlling illegal employment have been established by the SLI in five major counties of the country (Vilnius, Kaunas, Klaipėda, Šiauliai and Panevėžys counties).

According to the results of control activities undertaken in 2011, the effectiveness of the illegal employment control reached 65.2% (the target is 62.0%). It must be noted that although the human and financial resources of the SLI did not increase in 2011, the Inspectorate identified a 2.1 times higher number of illegal employees, as compared to 2010 (1,823 and 854 persons respectively), and the number of detected cases of illegal employment was 2.5 times higher than in 2010 (1,080 and 429 respectively).

The following data have been provided upon summarising the data on the control of illegal activities (illegal employment, activities undertaken without a business licence, without registering a business or without a licence, and other types of illegal activities) conducted within the powers of each of the authorities conducting the control and prevention of illegal employment (the Police Department under the Ministry of the Interior, the State Tax Inspectorate under the Ministry of Finance, the Financial Crime Investigation Service under the Ministry of the Interior and the State Labour Inspectorate under the Ministry of Social Security and Labour) that was submitted by all of the said authorities:

- the number of identified illegally employed persons (no employment contracts concluded): 2,120;
- the number of established cases of activities undertaken without a business licence: 661;
- the number of established cases of activities undertaken without registering a business, without a licence and in another illegal manner: 3,707.

In 2011, the authorities drew up a total of 5,301 administrative offence reports and instigated pre-trial investigation proceedings against 672 subjects.

For the purposes of prevention and control of illegal employment, in 2011, the SLI conducted 3,644 inspections of illegal employment and as a result identified 1,823 illegally employed persons including 26 persons under 18 years of age and seven foreign nationals. Over 12 months of 2011, a total of 455 administrative offence reports had been drawn up under Article 41³ (Illegal employment) of the Code of Administrative Offences (CAO) against employers in respect of 763 illegally employed persons.

In 2011, 20,6% of all the inspections of illegal employment conducted by the SLI were carried out together with other authorities conducting control and prevention of illegal employment (State Social Insurance Fund Board (SODRA), Financial Crime Investigation Service, State Tax Inspectorate, Police Department).

The demand for foreign labour did not increase in 2011. Thus, the number of illegally employed foreign nationals identified by the SLI reached the level of 2006, when only seven illegally employed foreign nationals (i.e. foreigners worked without employment contracts or their employment procedure laid down in normative legislation had been breached) were identified.

In 2011, following the administrative offence reports drawn up by the SLI officers, the courts heard a total of 368 (84.8%) cases of administrative offences. In 173 (44.8%) cases regarding 264 illegally employed persons, their employers were fined to pay LTL 3,000–10,000 as provided for in Article 41³(1) of the CAO, i.e. on average LTL 3,407 per one illegally employed person identified.

The SLI of the Republic of Lithuania recorded 52 notifications on fatal accidents and 125 notifications on serious accidents at work in 2011. The majority of fatal accidents at work were reported by transport (15 cases; cf. 11 cases in 2010), construction (13 cases; cf. 6 cases in 2010), manufacturing (7 cases, the majority (5) of which were reported by wood manufacturing companies; cf. 9 cases in 2010) and agricultural companies (4 cases; cf. 9 cases in 2010).

The number of employees of transport companies killed at work increased from 11 in 2010 to 15 cases in 2011, every second of which was a road accident. Cargo handling, storage, loading and unloading operations occupy some of the leading positions among jobs with the highest rate of fatalities and serious accidents at work.

In 2011, two employees were killed and one employee suffered severe injury while operating potentially dangerous equipment.

It has been established that around 50% of the 39 fatal accidents and 111 severe accidents at work which were investigated, happened during the first year of employment at the company.

Investigation of complaints and notifications, handling of inquiries

In 2011, the SLI received 7,483 complaints and notifications and 6,542 individual inquiries on the issues of labour law and guarantees of occupational safety and health.

The number of complaints received by the SLI has not been decreasing for a number of years: in 2011, this number was 8% higher, as compared to 2010, meanwhile, the number of issues raised in the complaints has gone up by 11%. Following the investigation of complaints, 41% of issues were not confirmed. This indicator is related to the legal precedent of the courts regarding the competence of the SLI in the field of handling labour disputes. The courts claim that the SLI does not have a delegated power to handle labour disputes, meanwhile, the SLI officers very often identify the features of such a dispute during the investigation and redirect the applicants to the court.

In 2011, the number of complaints regarding conclusion of and the grounds for terminating employment contracts increased by 28%, the number of complaints concerning violations of the work and rest schedule, also, the issues regarding work payment went up by 14%, meanwhile, the number of complaints regarding collective labour relations grew from 16 to 59. The SLI continues to observe stable increase in the number of complaints regarding guarantees of occupational safety and health (the number of such complaints reached 884 in 2010, and in 2011, the number was 1,134 or 28% higher).

In 2011, the number of confirmed complaints and notifications regarding occupational safety and health and labour relations per 100,000 employees was two times lower, as compared to the forecast. It may be assumed that the value of this indicator has resulted from the insufficient legal literacy of employees and other people addressing the SLI; an incomplete or inadequate analysis or understanding of the situation within an economic entity; deliberate provision of misleading data on the situation within an economic entity, presumably due to some unspecified personal goals, etc.

As compared to the preceding year, the total number of questions comprising the totality of inquiries on labour relations has increased very little – from 6,459 to 6,542.

New legislation implemented over the year

In 2011, in an effort to fully harmonise the relevant provisions of the Labour Code of the Republic of Lithuania with Council Directives 96/34/EEC, 96/71/EC, 97/81/EC, 98/59/EC, 2001/23/EC and 2002/14/EC regarding protection of employees' rights and interests, social partnership, conclusion and termination of employment contracts, severance pay, length of overtime and full material liability agreement, amendments were made to:

1. Articles 162, 2, 101, 146, 214, 88, 108, 113, 130, 132, 78, 131 140 and 141 of the Labour Code of the Republic of Lithuania; and
2. Articles 43, 44, 45 of the Law of the Republic of Lithuania on Safety and Health at Work.

Training programmes for inspectors.

The strategy for the training of civil servants for the period 2011–2013 sets out the following priority objectives of the training of civil servants:

- improving their managerial capacity, strengthening their leadership, management and managerial competence;
- improving their skills regarding participation in the EU decision-making process, the enforcement of adopted decisions and the preparation of Lithuania for the EU Presidency in 2013;
- developing the knowledge of civil servants in the field of professional ethics and corruption prevention;
- improving the relevant capacities and skills of civil servants who provide services to the residents.

The newly hired labour inspectors of the SLI are instructed on the occupational safety and health and fire safety; they are also subject to regular medical examination.

The training of the newly hired labour inspectors is in accordance with the Programme for the Basic Training of Labour Inspectors approved by the Chief State Labour Inspector of the Republic of Lithuania:

1. The duration of the basic training programme for inspectors with a background of technical education is 420 hours including 155 hours of theoretical and 265 hours of practical training. The main topics covered by the theoretical training include the organisation of the labour inspector's work, the organisation of occupational health and safety in a company, the fundamentals of occupational hygiene, the technical legal framework and occupational safety, occupational safety in specific fields of industry and the basic computer skills.

In 2011, a total of five labour inspectors completed this programme and submitted their reports.

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

In 2011, there were no labour inspectors undergoing training under this programme.

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

A total of five labour inspectors completed this programme and submitted their reports in 2011.

Every year, the SLI, in accordance with the provisions on the training of civil servants of the Law on Public Service of the Republic of Lithuania, draws up a plan for the training of civil servants and employees working under employment contracts.

The SLI inspectors develop their competences at training establishments approved in accordance with the procedure laid down by the Minister for the Interior or at seminars organised by the SLI specialists.

In 2011, the SLI inspectors were involved in the following types of training:

At training establishments:

- Training on effective management (KUOVADIS): 3 persons x 16 hours = 48 person-hours;
- Management training programme OLYMP-32: 1 person x 21 hours (Deputy Chief State Labour Inspector);
- English language courses: 1 person x 40 h;
- A seminar on drafting and presentation of reports, interaction with the audience, and the ways of conducting a discussion (*Pranešimų rengimas ir pristatymas, bendravimas su auditorija, diskusijų pravedimas*): 25 people x 8 hours = 200 person-hours;
- Training on internal and external conflict management: 11 people x 8 hours = 88 person-hours.

The training aimed at developing specific professional knowledge:

- A seminar on the risk assessment of hazardous materials at small and medium-sized car repair companies and the requirements on the safe use of hazardous chemicals in the framework of the EU legislation (*Pavojingų medžiagų rizikos vertinimas vidutinėse ir mažose automobilių remonto įmonėse. Pavojingų cheminių medžiagų saugaus naudojimo reikalavimai įgyvendinant Europos Sąjungos teisės aktus*): 76 people x 8 hours = 608 person-hours;
- A seminar on the requirements on the supply of loader cranes (manipulator cranes) and mobile loading equipment to the market and their safe use, also the requirements on the safe handling (shipment, storage) of cargo (*Kranų krautuvų (kranų manipuliatorių) bei mobilių krovinių įrenginių tiekimo į rinką bei saugaus naudojimo reikalavimai. Krovinių tvarkymo (transportavimo, sandėliavimo) saugaus atlikimo reikalavimai*): 70 people x 8 hours = 560 person-hours;
- A seminar on the evaluation of technical and technological construction projects, the important aspects of the participation in the completion of construction operations and the verification of technical construction projects (*Statybos techninių ir technologinių projektų vertinimo, dalyvavimo statybos užbaigime aktualijos. Statybos techninių projektų tikrinimas*): 46 people x 8 hours = 368 person-hours;
- A seminar on the evaluation of the formal and informal occupational safety and health training programmes (*Darbuotojų saugos ir sveikatos klausimais mokymo formaliųjų ir neformaliųjų programų vertinimas*) 10 people x 4 hours = 40 person-hours;
- The annual seminar of the SLI on the implementation of the SLI priorities in the field of occupational safety and health (*VDI prioritetų DSS klausimais įgyvendinimas*): 160 people x 12 hours = 1920 person-hours

In 2011, there were a total of 160 labour inspectors taking part in different training programmes (3983 person-hours).

Special activities undertaken, campaigns conducted and priority topics covered during the year

In 2011, the SLI organised a number of targeted thematic preventive inspections of economic entities.

- Inspections of the construction sites of buildings intended for the European Basketball Championship 2011 – regarding accident prevention

The SLI territorial offices have conducted inspections of a number of construction sites, including construction sites of the buildings intended for the European Basketball Championship 2011.

During the period of March 1–18, 2011, the SLI had inspected a total of 60 construction sites, including the two construction sites of the entertainment and sport arenas in Kaunas and Klaipėda which later that year hosted events of the European Basketball Championship 2011.

During these inspections, a total of 60 R1-type improvement notices requiring elimination of violations were drawn up, also, the SLI, in accordance with regulatory procedures, nine times demanded the suspension of operations (a total of nine R2-type improvement notices were drawn up);

Results of the inspections have shown that the major violations identified on the construction sites were:

- ❖ directly related to the risk of falling from a height: the installation and the use of collective protection measures against falls from a height are inadequate (or they are not used at all), including inadequate marking of danger areas and inappropriate use of the occupational safety and health signs;
- ❖ the shortcomings of the activities of construction coordinators: cooperation between the individual construction participants is not ensured on the construction site; also, three cases were reported where construction site coordinators had not been appointed;

- Inspections of social care establishments – regarding employment conditions of social workers

A total of 46 inspections have been conducted at the mentioned care institutions. Improvement notices cover 54 infringements of labour law (19 infringements are related to the work and rest schedules, eight infringements concern regulation of the pay, 18 infringements are related to the conclusion, conditions, etc. of an employment contract) and 67 infringements regarding occupational safety and health (infringements regarding workplace equipment and the use of instruments make up the majority (19) of these infringements; 11 infringements are related to the risk assessment at the workplace and its organisation; 10 infringements concern the internal control of the occupational safety and health; 9 infringements concern medical examination, and another 8 infringements concern the instruction of employees, etc.). During these inspections, four administrative offence reports have been drawn up;

- Inspections of companies engaged in economic activities on the territory of the Port of Klaipėda – regarding prevention of accidents;

- Inspections of retail networks Maxima, Rimi, Iki, Norfa (in August and September) – regarding work and rest schedules and the conclusion, execution and termination of the employment contract

A total of 221 trading companies or their individual structural subdivisions have been inspected; infringements of labour law and normative legislation on occupational safety and health (actual working hours differ from the work schedule, time sheets not filled in on a day-to-day basis, employees not issued certificates of employment, etc.) have been reported at 71 of these trading companies;

- Inspections of companies undertaking construction operations – regarding prevention of accidents.

A total of 342 companies have been inspected which resulted in 230 R1-type improvement notices against the management of the companies requiring elimination of violations; in five cases, the companies were required to suspend their operations;

- Inspections of training establishments (providing training in the field of occupational safety and health) – regarding organisation of training and certification process

In October and December 2011, the SLI, which is implementing the control of the adherence to the general provisions and requirements on the training and certification regarding occupational safety and health, conducted thematic inspections regarding organisation of training and certification process at the training establishments providing training under occupational safety and health training programmes in the areas under the administration of the territorial offices of the SLI.

Control of employment conditions of young people

At the beginning of the seasonal work period when more young people become employed, the SLI annually organises a number of measures to control and raise the awareness of the problems related to youth employment.

According to the data of the inspections carried out in 2011, young people (under 18) have been employed by 25 companies or by one in 315 companies inspected by the SLI. The inspections have helped to identify four cases (0.04% of all the infringements identified) of the failure to provide young people under the age of 18 with the privileges and guarantees set forth in the normative legislation.

The overview of the information provided in support of complaints and inquiries has revealed that the complaints and notifications received raised a total of 11 questions regarding work activities of young people below 18 (0.1% of all the questions raised within the complaints and inquiries). Following the investigation, approximately 60% of the questions submitted have been confirmed. The most frequently raised questions concern the conclusion and execution of employment contracts, also the work and rest schedules.

In 2011, the SLI, in the framework of illegal employment prevention and control activities, identified a total of 26 illegally employed people under 18. This comprises nearly 1.4% of the total number of illegally employed people that have been identified, including seven people illegally engaged in the administrative and support service activities, six people working in the constructions sector, four people involved in activities of the forestry and fisheries sectors, three people engaged in the activities of professional, scientific and technical nature and one person taking part in the manufacturing sector. Thirteen of the identified illegally employed young people were working in a company, one person was illegally employed in a farm, and 13 young people were illegally employed by natural persons.

Control of drivers' driving and rest schedule

The SLI has achieved the targets regarding the scope of the control of driving and rest schedules of road vehicle drivers with a view to implementing Directive 2006/22/EC of the European Parliament and of the Council. The SLI has verified a total of 67,470 days worked by drivers or 105.7% of the overall target set by the Government of the Republic of Lithuania.

Pan-European information campaign on risk assessment

In the framework of the 2010–2011 Pan-European information campaign *Healthy Workplaces. Good for You. Good for Business* on safe maintenance that has been initiated by the European Agency for Safety and Health at Work (hereinafter ‘the Agency’), the SLI – as part of the functions of the Lithuanian focal point of the Agency and in close cooperation with the

representatives of the European Business and Innovation Network (its functions are carried out by the Lithuanian Chamber of Commerce, Industry and Crafts) in Lithuania – has implemented the 2nd year measures of the campaign: organised three conferences and 12 thematic seminars, published an article in the daily “Lietuvos Žinios“ and disseminated two press releases. Also, the SLI has presented their reports at three conferences hosted by other members of the Lithuanian network of focal points.

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

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

Minor accidents at work are investigated by the bilateral commission of a company, which is comprised of an equal number of employer and employee representatives. Labour inspectors assist the commission in filling out accident reports (analyse the causes and circumstances of the accident and encode the data of the report).

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

The SLI does not investigate anonymous complaints, except for the reports on undeclared (illegal) employment and reports related to hazards to the occupational health and safety.

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

Any type of studies or projects that serve as a simulation of the intervention process

The SLI does not provide any information on this issue.

Any type of experiments or pilot programmes aimed at changing the implementation of the regulatory activities and their results

The SLI does not provide any information on this issue.

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

To reduce the administrative burden on business, in 2011 the SLI adopted the tactics comprising more flexible decisions, promotion and advice.

To implement the provisions established by the Government of the Republic of Lithuania regarding improvement of the supervision of activities undertaken by economic entities and optimisation of the supervisory functions of the authorities, the SLI has implemented the following measures:

- Following the analysis of 57 pieces of legislation regarding supervision of economic entities which had been approved by orders of the Chief State Labour Inspector of the Republic of Lithuania, the SLI:

- has repealed 20 legal acts (35% of the total number);
- has amended four legal acts (7%).

This will allow reducing the administrative burden on economic entities, avoiding the duplication of individual legislative provisions and giving up legislation that is no longer relevant or applied in practice.

- To reduce the administrative burden on business operators, the SLI conducted 22% (annual target – 20%) of inspections (15.6% in 2010) together with other authorities supervising and controlling the economic entities (through participation of representatives of the authorities or labour inspectors).

While planning its activities for 2011, the SLI has focused on the assistance to companies in the form of consultancy and information activities, thus seeking to build the culture of inspections based on a mutually good-natured relationship.

- The principles and forms of supervision of economic entities have been set out in the rules on the routine and non-routine inspections by the SLI of the Republic of Lithuania of the activities undertaken by economic entities and other forms of supervision of economic entities (hereinafter ‘the Rules’), which have been drafted in accordance with Section 4. *Supervision of activities of economic entities* of the Law on the Public Administration of the Republic of Lithuania.

- To improve the different forms and methods of supervision of economic entities, the SLI has provided for (in the Rules) a possibility for the economic entities to request, on their own initiative, an inspection of the company and to receive advice on a desired topic. In 2011, the SLI conducted a total of 180 of such inspections.

- Inspections of economic entities involve no less than two inspectors of the SLI. This is aimed at strengthening self-control and avoiding potential manifestations of corruption, also, at ensuring the safety of labour inspectors in the economic entity and at improving the competence of labour inspectors who have a possibility to directly acquire their inspection experience from the more experienced colleagues on-the-spot.

- When conducting an inspection, the SLI inspectors use general or thematic checklists approved by the Chief Labour Inspector of the Republic of Lithuania, except for the cases where an inspector is required to respond within his/her powers to the identified serious hazard to the occupational safety and health. The use of the checklists during inspections of economic entities is aimed at ensuring the following:

- equal interpretation of the legislation by the SLI inspectors, management of the economic entities, and safety and health specialists;
- the transparency of inspections; and
- provision of concrete assistance to the management of economic entities.

Suggestions are provided to the employers after assessing inspection results and taking into consideration the general principles of the labour inspectorate on the inspection of occupational safety and health adopted by the Senior Labour Inspector Committee of the European Commission.

The practical application of the Rules in 2011 allowed achieving better results and understanding that, when it comes to inspections of companies, the consultancy and advisory activity-based tactics is more effective than the administration and penalisation of the management of economic entities.

- To increase the effectiveness of the use of human and financial resources and time and to improve the risk management, mobile groups for controlling illegal employment have been established by the SLI in five major counties of the country (Vilnius, Kaunas, Klaipėda, Šiauliai and Panevėžys counties).

According to the results of control activities undertaken in 2011, the effectiveness of the illegal employment control reached 65.2% (the target is 62.0%). It must be noted that although

the human and financial resources of the SLI did not increase in 2011, the Inspectorate identified a 2.1 times higher number of illegal employees, as compared to 2010 (1,823 and 854 respectively), and the number of detected cases of illegal employment was 2.5 times higher than in 2010 (1,080 and 429 respectively).

- In 2011, the software of the State Register of Potentially Hazardous Equipment (hereinafter 'the PHE') was updated and a number of other operations were performed. As of mid-December 2011, in case of approaching deadline of the PHE technical check or the failure to perform the check, the owner of PHE receives an extended notice on the obligation to perform a technical check of the PHE and on the potential consequences of the failure to perform the check. The second copy of the notice is sent to the SLI territorial office of the relevant region. This has significantly helped to conduct the supervision of the PHE.

- To improve the quality of training in the field of occupational safety and health, the SLI has drafted the procedure for organising occupational safety and health-related certification based on SLI-prepared tests. As of January 1, 2012, the said procedure, which is independent of the training procedures, has been introduced at training establishments.

- The digest of the legislation on the activities of the SLI has been approved by Order of the Chief State Labour Inspector of the Republic of Lithuania and granted the status of a published consultation. The digest is available on the website of the SLI at [www.vdi.lt/Teisinė informacija /Teisės aktų sąvadas](http://www.vdi.lt/Teisinė_informacija/Teisės_aktų_sąvadas).

- The SLI is currently implementing the project on the introduction of the quality management system and on the enhancement of citizens' service at the State Labour Inspectorate (*Kokybės vadybos sistemos diegimas bei piliečių aptarnavimo gerinimas Valstybinėje darbo inspekcijoje*) co-financed from the European Social Fund and the national budget of the Republic of Lithuania under the Operational Programme for the Development of Human Resources 2007–2013.

The goal of this project is to introduce a quality management system to improve the quality of services provided by the SLI. The project will cover:

- development and introduction of the monitoring system of performance management indicators based on the management of balanced indicators;
- development and introduction of the system for assessing the level of risks posed by the operations of economic entities and the risks related to the health safety of the employees of economic entities.

Examples of reviewed current practice providing lessons to be learnt

The SLI continues to improve the information system for regular monitoring of working conditions at workplaces.

The purpose of the present information system is to monitor the implementation of provisions of legislation on occupational health and safety and labour relations in companies and to improve the effectiveness of control and prevention of infringements conducted by the SLI.

- *Work done or planned to avoid duplication of activities undertaken by EU Member States*

The SLI does not provide any information on this issue.

1.5 Changes in the legal framework of sanctions

None.