



# **E-Handbook on Cross-border Enforcement**

## **OSH for Mobile Workers**

### ***LATVIA***

*Republic of Latvia*

*Committee of Senior Labour Inspectors (SLIC)*

*Last version adopted at the 83<sup>rd</sup> SLIC Plenary in Stockholm, 10 May 2023*

## TABLE OF CONTENTS

<b>FOREWORD</b> .....	<b>4</b>
<b>DIRECTORY</b> .....	<b>5</b>
<b>NATIONAL REPORT: LATVIA</b> .....	<b>9</b>
<b>1. THE LABOUR INSPECTORATE</b> .....	<b>9</b>
1.1. ORGANISATION OF THE LABOUR INSPECTORATE.....	9
1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION .....	10
1.3. COMPETENCES OF LABOUR INSPECTORS .....	11
1.3.1. Occupational Safety and Health (OSH) .....	11
1.3.2. OSH or Labour Law Matters .....	14
1.3.3. Labour Law .....	14
1.3.4. Social Security .....	14
1.4. INSPECTORS' POWERS .....	15
1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES .....	17
<b>2. POSTING OF WORKERS</b> .....	<b>17</b>
2.1. NATIONAL LEGISLATION .....	18
2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES .....	18
2.2.1. Deadline to submit the declaration.....	18
2.2.2. Content of the declaration of posting.....	18
2.3. SOCIAL SECURITY PROCEDURES.....	19
2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS .....	20
2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS.....	20
<b>3. COOPERATION AND MUTUAL ASSISTANCE</b> .....	<b>21</b>
3.1. LEGISLATION ON MUTUAL ASSISTANCE.....	21
3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION ..	21
3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES .....	22
3.4. TOOLS FOR EXCHANGING INFORMATION.....	22
3.4.1. IMI (Internal Market Information System) for Posting of workers...22	
3.4.2. KSS (Knowledge Sharing System) .....	22
3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE .....	22
<b>ANNEX E-HANDBOOK (UPDATING 2023)</b> .....	<b>25</b>
1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the	

---

road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 .....	25
1.1. Transposition to National Legislation .....	25
1.2. Competences of the SLIC Member on road transport .....	25
2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation.....	25
2.1. Transposition to National Legislation .....	25
2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation .....	26
3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals.....	26
3.1. Transposition in National Legislation .....	26
3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive .....	26
4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS .....	26
4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates? .....	26
5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS .....	27
5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)	27
6. COOPERATION WITH ELA .....	27
6.1. Do you regularly collaborate with the national liaison officer? .....	27
6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ? .....	27

## FOREWORD

The first version of the E-Handbook on Cross-border Enforcement was published in 2016 and updated in 2019. The last version was published in 2021 in the [Library of the SLIC public site](#) on the EU collaborative platform CIRCABC.

This last version had a format that enhances a better public disclosure of the organisation of the bodies and entities dealing with the inspection of occupational safety and health in EU Member States, as well as in Norway and Switzerland. The purpose of that E-Handbook was to provide labour inspectorates with informative tools to facilitate cooperation and mutual assistance with competent bodies from other countries.

The new working group on Mobile Workers on OSH matters, which replaced the previous working group dedicated to cross-border enforcement, was mandated to update the content of the E-Handbook for several reasons.

First, it was necessary to add new regulations such as the new Directive (EU) 2020/1057 laying down specific rules for posting of drivers in the road transport, a sector which moreover includes aspects related to the enforcement of working time under Directive 2006/22/EC, a matter that is considered a part of OSH legislation in many Member States.

Secondly, it was necessary to enlarge the content of that handbook following the new scope of the working group dedicated to mobile workers. A mobile worker is someone who works in more than one Member State or travels to other Member States as part of his job (posted workers, cross-border workers, seasonal workers, temporary workers, migrant workers...).

Therefore, the handbook should include information on the competence of SLIC Members on legislation about Third Country National workers. This includes Directive 2014/36 on seasonal workers in aspects related to the health and safety conditions such as workers' accommodation and Directive 2009/52 on sanctions. These directives have been explicitly mentioned in the current EU strategic framework on health and safety at work 2021-2027 in a changing world of work.

Moreover, it was necessary to complement some aspects related to the practice of concerted and joint inspections on OSH matters regarding the legal possibility to carry them out in each Member State.

Lastly, the SLIC working group considered that the easiest way to update the existing E-Handbook was to maintain its structure, with the updated information provided by Member States, and to complete it with new items gathered in a specific annex.

Finally, the handbook needed a new title reflecting its purpose and also support to gain more visibility among labour inspectors on the field.

We hope that this document will be a useful tool for national labour inspectorates and beyond, for all organisations involved in OSH matters for mobile workers.

This new updated version was announced to SLIC members at the 82<sup>nd</sup> Plenary session of 12 October 2022, held under the Czech Presidency.

## DIRECTORY

<b>Austria</b>	<p><b>ARBEITSINSPEKTION</b></p> <p>Favoritenstraße 7 A-1040 Wien</p> <p><a href="https://www.arbeitsinspektion.gv.at/inspektorat">https://www.arbeitsinspektion.gv.at/inspektorat</a></p>
<b>Belgium</b>	<p><b>SURVEILLANCE ON WELL-BEING AT WORK and SURVEILLANCE ON SOCIAL LAW</b></p> <p>Blerotstraat/rue Blerot 1 B-1070 Brussels</p> <p><a href="http://www.employment.belgium.be">http://www.employment.belgium.be</a>        In Dutch: <a href="http://www.werk.belgie.be">www.werk.belgie.be</a>        In French: <a href="http://www.emploi.belgique.be">www.emploi.belgique.be</a></p>
<b>Bulgaria</b>	<p><b>GLI EA (General Labour Inspectorate Executive Agency)</b></p> <p><a href="http://www.gli.government.bg/en">http://www.gli.government.bg/en</a></p>
<b>Croatia</b>	<p><b>STATE INSPECTORATE</b></p> <p>Šubićeva 29, 10 000 Zagreb</p> <p><a href="https://dirh.gov.hr/">https://dirh.gov.hr/</a></p>
<b>Cyprus</b>	<p><b>DEPARTMENT OF LABOUR INSPECTION (DLI)</b>  <a href="http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument">http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument</a></p> <p><b>DEPARTMENT OF LABOUR (DL)</b>  <a href="https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument">https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument</a></p> <p><b>DEPARTMENT OF LABOUR RELATIONS (DLR)</b>  <a href="https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home_en/home_en?openform">https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home_en/home_en?openform</a></p>
<b>Czech Republic</b>	<p><b>STATE LABOUR INSPECTION OFFICE OF THE CZECH REPUBLIC</b></p> <p>Kolářská 13 746 01 Opava</p> <p>Email: <a href="mailto:opava@suip.cz">opava@suip.cz</a>  <a href="https://www.suip.cz/web/en">https://www.suip.cz/web/en</a></p>
<b>Denmark</b>	<p><b>ARBEJDSTILSYNET</b></p> <p>Landskronagade 33 2100 København Ø</p> <p>Email: <a href="mailto:at@at.dk">at@at.dk</a>  <a href="http://engelsk.arbejdstilsynet.dk/en/">http://engelsk.arbejdstilsynet.dk/en/</a></p>
<b>Estonia</b>	<p><b>TÖÖINSPEKTSIOON</b></p> <p>Mäealuse 2/3, 12618 Tallinn Estonia</p>

	<p>Email: <a href="mailto:ti@ti.ee">ti@ti.ee</a>  <a href="http://www.ti.ee">www.ti.ee</a></p>
<b>Finland</b>	<p><b>TYÖSUOJELUHALLINTO</b></p> <p>Email: <a href="mailto:tyosuojelu.viestinta@avi.fi">tyosuojelu.viestinta@avi.fi</a>  <a href="https://www.tyosuojelu.fi/web/en">https://www.tyosuojelu.fi/web/en</a></p>
<b>France</b>	<p><b>DIRECTION GÉNÉRALE DU TRAVAIL</b></p> <p>39-43 quai André Citroën  75902 Paris Cedex 15</p> <p>Email: <a href="mailto:dgt.dir@travail.gouv.fr">dgt.dir@travail.gouv.fr</a>  <a href="https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du-travail">https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du-travail</a></p>
<b>Germany</b>	<p><b>LASI Länderausschuss für Arbeitsschutz und Sicherheitstechnik (Gremium der Länder)</b>  <b>LASI Vorsitz (bis 2024):</b> Ministerium für Wirtschaft, Arbeit und Tourismus Baden-Württemberg;</p> <p>Theodor-Heuss-Straße 4, 70174 Stuttgart</p> <p><a href="https://lasi-info.com">https://lasi-info.com</a></p>
<b>Greece</b>	<p><b>LABOUR INSPECTORATE</b></p> <p>8, Dragatsaniou str,  10110 Athens,</p> <p>Email: <a href="mailto:dpseaye@hli.gov.gr">dpseaye@hli.gov.gr</a>  <a href="https://www.hli.gov.gr/">https://www.hli.gov.gr/</a></p>
<b>Hungary</b>	<p><b>MINISTRY OF ECONOMIC DEVELOPMENT, STATE SECRETARY OF EMPLOYMENT POLICY</b></p> <p>Kálmán Imre utca 2.  Budapest, 1054-Hungary</p> <p>Email: <a href="mailto:munkavedelmi-foo@gfm.gov.hu">munkavedelmi-foo@gfm.gov.hu</a>  <a href="http://www.mvff.munka.hu">http://www.mvff.munka.hu</a></p>
<b>Ireland</b>	<p><b>HEALTH AND SAFETY AUTHORITY</b></p> <p>The Metropolitan Building  James Joyce Street  Dublin 1</p> <p>Email: <a href="mailto:contactus@hsa.ie">contactus@hsa.ie</a>  <a href="https://www.hsa.ie/eng">https://www.hsa.ie/eng</a></p>
<b>Italy</b>	<p><b>ISPETTORATO NAZIONALE DEL LAVORO</b></p> <p>Piazza della Repubblica, 59  00185 Roma</p> <p><a href="https://www.ispettorato.gov.it">https://www.ispettorato.gov.it</a></p>

<p><b>Latvia</b></p>	<p><b>VALSTS DARBA INSPEKCIJA (VDI)</b></p> <p>38 k-1, Kr.Valdemara Street                  Riga LV –1010</p> <p>Email: <a href="mailto:vdi@vdi.gov.lv">vdi@vdi.gov.lv</a>  <a href="https://www.vdi.gov.lv">https://www.vdi.gov.lv</a></p>
<p><b>Lithuania</b></p>	<p><b>STATE LABOUR INSPECTORATE OF THE REPUBLIC OF LITHUANIA (SLI)</b></p> <p>19 Algirdo str.                  LT-03607 Vilnius                  Lithuania</p> <p>Email: <a href="mailto:info@vdi.lt">info@vdi.lt</a>  <a href="https://www.vdi.lt">https://www.vdi.lt</a></p>
<p><b>Luxembourg</b></p>	<p><b>INSPECTION DU TRAVAIL ET DES MINES</b></p> <p>3 Rue des Primeurs,                  2361 Strassen, Luxembourg</p> <p><a href="http://www.itm.public.lu">www.itm.public.lu</a></p>
<p><b>Malta</b></p>	<p><b>OCCUPATIONAL HEALTH AND SAFETY AUTHORITY</b></p> <p>17, Triq Edgar Ferro,                  Pietà PTA                  1533 Malta</p> <p>Email: <a href="mailto:ohsa@ohsa.mt">ohsa@ohsa.mt</a>  <a href="http://www.ohsa.mt/">http://www.ohsa.mt/</a></p>
<p><b>Norway</b></p>	<p><b>ARBEIDSTILSYNET</b></p> <p>Arbeidstilsynet                  Postboks 4720 Torgarden                  7468 Trondheim</p> <p>Email: <a href="mailto:post@arbeidstilsynet.no">post@arbeidstilsynet.no</a>  <a href="https://www.arbeidstilsynet.no/en/">https://www.arbeidstilsynet.no/en/</a></p>
<p><b>Poland</b></p>	<p><b>PAŃSTWOWA INSPEKCJA PRACY (PIP)</b></p> <p>28/30, Barska St.,                  02-315 Warsaw</p> <p>Email: <a href="mailto:kancelaria@gip.pip.gov.pl">kancelaria@gip.pip.gov.pl</a>  <a href="https://www.pip.gov.pl/en">https://www.pip.gov.pl/en</a></p>
<p><b>Portugal</b></p>	<p><b>AUTORIDADES PARA AS CONDIÇÕES DE TRABALHO</b></p> <p>Praça de Alvalade, 1                  1749-073 Lisboa</p> <p>Email: <a href="mailto:dir.mail@act.gov.pt">dir.mail@act.gov.pt</a>  <a href="http://www.act.gov.pt">http://www.act.gov.pt</a></p>

<b>Romania</b>	<p><b>INSPECTIA MUNCII</b></p> <p>Str. Matei Voievod, Nr. 14 Sector 2, București</p> <p>Email: <a href="mailto:comunicare@inspectiamuncii.ro">comunicare@inspectiamuncii.ro</a> <a href="http://www.inspectiamuncii.ro">www.inspectiamuncii.ro</a></p>
<b>Slovakia</b>	<p><b>NÁRODNÝ INŠPEKTORÁT PRÁCE</b></p> <p>Masarykova 10 040 01, Košice</p> <p>Email: <a href="mailto:nip@ip.gov.sk">nip@ip.gov.sk</a> <a href="https://www.ip.gov.sk/home/">https://www.ip.gov.sk/home/</a></p>
<b>Slovenia</b>	<p><b>LABOUR INSPECTORATE OF THE REPUBLIC OF SLOVENIA (LIRS)</b></p> <p>Štukljeva cesta 44 SI-1000 Ljubljana</p> <p><a href="http://www.id.gov.si/en/">http://www.id.gov.si/en/</a></p>
<b>Spain</b>	<p><b>ORGANISMO ESTATAL INSPECCION DE TRABAJO Y SEGURIDAD SOCIAL (OEITSS)</b></p> <p>Paseo de la Castellana 63 28046 Madrid</p> <p><a href="https://www.mites.gob.es/itss/web/index.html">https://www.mites.gob.es/itss/web/index.html</a></p>
<b>Sweden</b>	<p><b>THE SWEDISH WORK ENVIRONMENT AUTHORITY</b></p> <p>Svetsarvägen 12 SE 171 41 Solna</p> <p>Email: <a href="mailto:arbetsmiljoverket@av.se">arbetsmiljoverket@av.se</a> <a href="https://www.av.se/en/">https://www.av.se/en/</a></p>
<b>Switzerland</b>	<p><b>STATE SECRETARIAT FOR ECONOMIC AFFAIRS (SECO) WORKING CONDITIONS – FEDERAL LABOUR INSPECTION</b></p> <p>Holzikofenweg 36 CH-3003 Bern</p> <p>Email: <a href="mailto:abea@seco.admin.ch">abea@seco.admin.ch</a> <a href="http://www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschutz.html">www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschutz.html</a></p>
<b>The Netherlands</b>	<p><b>NETHERLANDS LABOUR AUTHORITY</b></p> <p>PO Box 90801 2509 LV Den Haag</p> <p><a href="https://www.nllabourauthority.nl/">https://www.nllabourauthority.nl/</a></p>



## NATIONAL REPORT: LATVIA

LABOUR INSPECTORATE	State Labour Inspectorate <b>VALSTS DARBA INSPEKCIJA (VDI)</b>
OTHER COMPETENT AUTHORITIES	<ul style="list-style-type: none"> <li>• Ministry of Welfare</li> <li>• State Social Insurance Agency</li> <li>• State Employment Agency</li> <li>• Consumer Rights Protection Centre</li> <li>• Construction Merchant Register</li> <li>• State Construction Control Office</li> <li>• Municipality Construction Board</li> <li>• State Fire and Rescue Service</li> <li>• Latvian Environment, Geology and Meteorology Centre, Chemicals and Hazardous Waste Department</li> <li>• State Environmental Service</li> <li>• Radiation Safety Centre of the State Environmental Service</li> <li>• Road Transport Administration</li> <li>• Centre of Occupational and Radiological Medicine of the Pauls Stradins Clinical University Hospital</li> <li>• Health Inspectorate</li> <li>• State and Municipal Police</li> <li>• State Revenue Service</li> <li>• State Border Guard:</li> <li>• Ministry of the Interior</li> <li>• Ministry of Defence</li> </ul>
	<ul style="list-style-type: none"> <li>•</li> </ul>

## 1. THE LABOUR INSPECTORATE

### 1.1. ORGANISATION OF THE LABOUR INSPECTORATE

The Labour Inspectorate is the direct management authority, which is subordinated to the Minister of Welfare. Employers, businessmen, their authorized persons and enterprises, construction objects, including the construction objects belonging to a private individual during the time of construction works, as well as working areas and work equipment - all this is a subject to the supervision and control of the State Labour Inspectorate (SLI).

The main function of the Labour Inspectorate is to maintain the effective implementation, supervision and control of the state policy in the area of labour relations and occupational safety and health (OSH).

The SLI structure comprises the Labour Inspectorate Headquarters and five Regional State Labour Inspectorates (SLIs). Inspectors are employed by the SLI according to the State Civil Service Law and Labour Law, on basis of non-discrimination of gender or race.

The SLI staff is divided into Inspectors, Senior Inspectors, Chief Inspectors and administrative support staff. Total number of inspectors is 120. Inspectors of the SLI are so-called “universal inspectors” and they carry out inspections controlling both issues - OSH and labour legal relations. The SLI inspectors do not have any kind of assistants. Methodological support for inspectors is provided by the specialists from the SLI Headquarters’ Units in form of direct consultations and development of uniform inspection methods and inspection procedures.

## **1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION**

The legal status, function, tasks and the operational procedure of the SLI is defined in the State Labour Inspectorate Law adopted on 19 June 2008. The SLI is the only one state institution that carries out the implementation of the policy in the field of labour legal relations and OSH.

Requirements of the Framework Directive (89/391) are transposed into the national legislation by the Law on Occupational Safety and Health. Requirements concerning labour legal relations are transposed into national legislation by the Labour Law. Administrative sanctions are imposed according to the Law on Administrative Liability. Amount of fine is determined by the Labour Law, Labour Protection Law and other regulatory enactments.

Latvia has ratified the ILO Conventions on Labour Inspection listed below.

**Figure N° 1: International Conventions on Labour Inspection ratified**

CONVENTION	RATIFIED	NOT RATIFIED
<b>ILO Convention 81 on Labour Inspection in Industry and Commerce</b>	X	
<b>ILO Convention 129 on Labour Inspection in Agriculture</b>	X	
<b>Maritime Labour Convention 2006</b>	X	

<b>ILO Convention 187 on Promotional Framework for Occupational Safety and Health</b>		X
---	--	---

### 1.3. COMPETENCES OF LABOUR INSPECTORS

#### 1.3.1. Occupational Safety and Health (OSH)

The State Labour Inspectorate (VALSTS DARBA INSPEKCIJA) is the competent body on occupational safety and health with the exceptions listed below:

**Figure N° 2: Map of competence on Occupational Safety and Health**

MATTERS	COMPETENCE OF THE LABOUR INSPECTORATE	OTHER PUBLIC BODIES WITH COMPETENCE
<b>OSH, in general terms</b>	Yes	
<b>Occupational Safety, in general terms</b>	Yes	
<b>Occupational Health, in general terms</b>	Yes	Centre of Occupational and Radiological Medicine approves cases of occupational diseases; Health Inspectorate carries out inspections and provides opinions on the quality of health care, including workplace health surveillance. Both institutions are under the Ministry of Health
<b>Work-related accidents</b>	Yes	Medical treatment institutions issue statements regarding the level of seriousness of the health disorders in case of accidents at work (Ministry of Health).
<b>Trade of Machines and Equipments</b>	No	Consumer Rights Protection Centre carries out market surveillance and it is under the Ministry of Economics.
<b>Radiations</b>	Yes, the SLI carries out control of risk	Radiation Safety Centre of the State Environmental

	assessments at the workplaces, including risks related to the ionizing radiation	Service provides inspection related to radiation safety.
<b>Explosives</b>	Yes	Consumer Rights Protection Centre carries out supervision of the ATEX directive requirements; State Environmental Service - regarding the environment and natural resources protection, and control on radiation and nuclear safety; State Police issues licences for commercial activities with pyrotechnic articles.
<b>Mines</b>	No	Latvia has no mines.
<b>Vessels</b>	Yes, the SLI carries out investigation of accidents at work	Maritime Administration of Latvia carries out supervision concerning safety of navigation and ships and security of ports and port facilities.
<b>Retail sector</b>	Yes	
<b>Horecca</b>	Yes	Food and Veterinary Service
<b>Agriculture</b>	Yes	The Rural Support Service ensures uniform implementation of agricultural and rural support policies.
<b>Construction industry</b>	Yes	State Construction Control Bureau performs state control of construction works, inspection and supervision of public and high risk buildings, organizes appraisals of design and buildings, grants the rights of individual practice to construction experts to perform appraisals, as well as execute supervision of

		individual practices in the field of construction expertise. Construction Merchant Register; These institutions are under the Ministry of Economics. Municipality Construction Boards;
<b>Aviation</b>	Yes	The State Agency "Civil Aviation Agency"
<b>Railway</b>	Yes	The State Railway Technical Inspectorate is under the Ministry of Transport. The Inspectorate carries out supervision and control of railway technical operation.
<b>Road Transport</b>	Yes	Road Transport Administration is under the Ministry of Transport. The Administration activities relate to planning of public transport - passenger transportation by bus and train, issuing licenses for commercial cargo and passenger transportation and permits to carry out international transportation.
<b>REACH</b>	Yes	Helpdesk - Latvian Environment, Geology and Meteorology Centre (LEGMC), Chemicals and Hazardous Waste Department; State Fire and Rescue Service; Health Inspectorate
<b>Self Employed</b>	No	
<b>Police</b>	Yes, (SLI investigates accidents at work occurred	Ministry of the Interior

	with the Municipal Police employees not the State Police. SLI supervises and controls workplace requirements of the State Police)	
<b>Civil Servants</b>	Yes	
<b>Military personnel and premises</b>	No	Ministry of Defence
<b>Penitentiaries</b>	Yes (only for those who have a labour contract)	Ministry of the Interior
<b>Customs</b>	Yes	

### 1.3.2. OSH or Labour Law Matters

**Figure N° 3: Map of competences in matters which could be considered within OSH or Labour Law**

MATTERS	Yes	No
<b>Working hours</b>	X	
<b>Bullying and harassment</b>	X	
<b>Third Party Violence</b>	X	

### 1.3.3. Labour Law

**Figure N° 4: Map of competences on Labour Law matters**

MATTERS	Yes	No	COMMENTS
<b>Salaries</b>	X		
<b>Equal Treatment</b>	X		
<b>Labour rights</b>	X		
<b>Foreign workers</b>	X		
<b>Others</b>			

### 1.3.4. Social Security

**Figure N° 5 Map of competences on Social Security Matters**

MATTERS	Yes	No	COMMENTS
<b>Affiliation of workers (REGISTER)</b>		X	State Revenue Service An employer (including a micro-enterprise taxpayer) shall register each employee with the State Revenue Service by submitting

			information regarding employees
<b>Contributions to Social Security System</b>		X	State Revenue Service By the date determined for making monthly mandatory payments, the employer shall submit to the State Revenue Service an employer's report
<b>Social Security benefits</b>		X	State Social Insurance Agency
<b>Private pension funds</b>		X	A licence for the activities of a private pension fund is issued by the Financial and Capital Market Commission
<b>Others</b>			

#### 1.4. INSPECTORS' POWERS

**Figure N° 6: Map of Inspectors' powers**

POWERS	Yes	No	COMMENTS
<b>Visit workplaces</b>	X		Inspector can visit workplaces upon presentation of a service identification document, at any time of day without prior notification or without receiving permission, also in the absence of the employer
<b>Request for documents</b>	X		Inspector can request accounting, registration and other documents, which are necessary in accordance with the regulatory enactments regarding labour legal relationships and OSH
<b>Summon employers to the Inspection Office</b>	X		Officials of the SLI can invite employers, employees or other persons to appear at the SLI in order to obtain information from them regarding matters of labour legal relations and OSH, or to provide such persons with information, explanations and other kinds of assistance
<b>Recommendations / Assistance</b>	X		The SLI has put into practice a principle "Consult First" to improve compliance with the requirements of laws and regulations through

			consultations, instead of punishments
<b>Injunction / Improvement notice</b>	X		Inspector can issue warnings and orders to employers in order to ensure the observance of the requirements of the regulatory enactments on labour legal relations and OSH
<b>Initiate an administrative punishment procedure</b>	X		Inspector can issue warning on imposing of administrative fines
<b>Initiate a judicial punishment procedures</b>	X		The SLI has the rights in accordance with the procedures specified in regulatory enactments to issue to the law enforcement institutions materials regarding the violations of regulatory enactments in respect of labour legal relations and OSH
<b>Imposing fines</b>	X		Inspector can impose administrative fines according to the Law on Administrative Liability in case of violation of the regulatory enactments. The amount of the fine is determined by the Labour Law, Labour Protection Law and other regulatory enactments. Fines can be appealed to the Director of the SLI. Director's decision may be appealed to the court
<b>Stoppage / Prohibition Notice</b>	X		Inspector has the duty to take a decision regarding the suspension of activities of a person or object without prior notice by issuing a written order if a violation of OSH regulatory enactments, which causes threats to human life or may cause fire, explosion, release of dangerous substances or unforeseen increase of radiation
<b>Notify offences to the Public Prosecutor or the Judge</b>	X		If violation is connected with the criminal offence (e.g., accident at work)
<b>Others</b>			



## 1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES

**Figure N° 7: Cooperation mechanisms with other national public bodies**

BODIES	Yes	No	COMMENTS
<b>Tax Authorities</b>	X		SLI has a direct and automated access to the database of the State Revenue Service concerning information on companies (number of workers, wages, taxes etc.)
<b>Social Security bodies</b>	X		SLI sends a copy of the accident's investigation report to the State Social Insurance Agency, as well as collaborates on matters concerning the posted workers (A1 form)
<b>Police</b>	X		SLI collaborates with the State Police and Municipal Police on issues concerning undeclared work, investigation of accidents at work
<b>Public Prosecutor</b>	X		SLI provides information to the Public Prosecutor concerning violations on labour legal relations and OSH by request.
<b>Others</b>			<p><b>Consumer Rights Protection Centre</b> SLI collaborates on market surveillance issues, investigation accidents at work with dangerous equipment if worker is injured.</p> <p><b>State Environmental Service and State Fire and Rescue Service</b> SLI carries out joint inspections on Seveso III Directive and REACH Regulation.</p> <p><b>State Construction Control Office</b> SLI obtains all information on companies from the Enterprise Register.</p> <p><b>National Centre for Education (Ministry of Education and Science)</b> SLI collaborates with the Centre on OSH education of teachers and pupils.</p>

## 2. POSTING OF WORKERS

## 2.1. NATIONAL LEGISLATION

The legal disposition, which transposes Directive 96/71/EC, of the European Parliament and of the Council, of 16 December 1996, concerning the posting of workers in the framework of the provision of services, is Labour Law Section 14, Section 14.<sup>1</sup> and Section 14.<sup>2</sup>.

Directive 2014/67 was transposed by the Cabinet recommendation No. 1 of 24 May 2016, Recommendations for a uniform action on the secondment of staff, Official publication: Latvijas Vēstnesis; Number: 101; Publication date: 2016-05-26.

**Figure N° 8: EU Directives on posting of workers implemented**

DIRECTIVE	Yes	No	DATE
<b>Directive 96/71</b>	X		2002
<b>Directive 2014/67</b>	X		2016
<b>Directive 2018/957</b>	X		2021

## 2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

An employer who posts an employee to perform work in Latvia has a duty to inform in writing in the Latvian language the State Labour Inspectorate regarding such posted employee.

### 2.2.1. Deadline to submit the declaration

Declaration should be submitted prior to posting.

### 2.2.2. Content of the declaration of posting

**Figure N° 9: Content of the posting declaration**

COMPANY DATA		
	YES	NO
<b>Identity of Service Provider</b>	X	
<b>Representative of the company in your country</b>	X	
<b>A person designated for acting as a representative into collective bargaining within the host Member State</b>	X	
<b>Activity</b>	X	
<b>Authorization in the sending MS</b>		X
<b>If it is a Temporary Work Agency or not</b>	X	
<b>Identity Tax Number</b>	X	

WORKERS DATA		
	YES	NO
Number of workers	X	
Name of workers	X	
Nationality		X
Age		X
Role	X	

POSTING DATA		
	YES	NO
Envisaged beginning	X	
End date of the posting	X	
Anticipated Duration	X	
Address(es) of the workplace	X	
Nature of the services justifying the posting	X	
Contractor	X	

LABOUR CONDITIONS		
	YES	NO
Working hours		X
Salaries		X
Collective accommodation		X
Use of dangerous agents		X
Prevention services		X

### 2.3. SOCIAL SECURITY PROCEDURES

The State Social Insurance Agency (VSAA) issues A1 forms to workers posted from Latvia and provides information on relevant social security legislation. The SLI receives information on A1 forms issued upon the request from the State Social Security Agency.

**Figure N° 10: Position of the Labour Inspectorate with regard to A1 forms**

	Yes	No
Access to A1 forms delivered by national authorities		X
The Labour Inspectorate is consulted about the approval of A1 forms by competent institutions		X
Access to A1 forms delivered by other Member States		X

## 2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

Accidents occurred at work should be investigated according to the Cabinet Regulations No.950 "Procedure for Investigation and Registration of Accidents at Work". An accident that has occurred in a foreign state shall be investigated according to the point 101. – 103. of the Regulations. The employer shall inform the SLI about the occurrence of the accident at work. An investigation act is drawn up by the employer (irrespective of the severity of the accident at work), based on the available information received from abroad - most often from the police or medical institutions. The SLI shall investigate accident at work if the accident has occurred to a person employed in Latvia by a foreign employer and socially insured in Latvia (point 25.5).

## 2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

**Figure N° 11: Authorities involved in posting of workers**

	Yes	No
<b>Labour authorities</b>	<b>X</b>	
<b>OSH authorities</b>	<b>X</b>	
<b>Customs authorities</b>	<b>X</b>	
<b>Tax authorities</b>	<b>X</b>	
<b>Social Security Institutions</b>	<b>X</b>	
<b>Others</b>		

Tax Authority is the State Revenue Service and Social Security Institution is the State Social Insurance Agency.

## 3. COOPERATION AND MUTUAL ASSISTANCE

### 3.1. LEGISLATION ON MUTUAL ASSISTANCE

**Figure N° 12: Legislation and International Conventions signed and ratified**

	RATIFIED / IMPLEMENTED	APPLICABLE TO L.I.	COMMENTS
<b>Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67</b>	Yes	Yes	The Cabinet Recommendations No.1 "Recommendations on Secured Unified Action for Posted Workers"
<b>European Convention in Criminal Matters</b>	Yes	Yes	Rules of this Convention may be applicable to the SLI as well.
<b>Convention 094 Council of Europe</b>	No	No	
<b>Others</b>			

### 3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

The SLI has bilateral agreement with the Norwegian Labour Inspection Authority on cooperation and mutual exchange of information and trilateral cooperation agreement with the Labour Inspectorate of Estonia and Labour Inspectorate of Lithuania in the field of OSH and posted workers.

**Figure N° 13: Bilateral Agreements signed**

COUNTRIES	DATE
<b>Norway</b>	2019
<b>Estonia</b>	2018
<b>Lithuania</b>	2018

### 3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES

**Figure N° 14: Exchange of information from other Labour Inspectorates**

MATTERS	YES	YES But subjected to previous Protection Data Authorities supervision or approval	NO
Does current regulation in your country allow providing information directly to other Labour Inspectorates?	X		
Does current regulation in your country allow receiving information directly from other Labour Inspectorates?	X		

### 3.4. TOOLS FOR EXCHANGING INFORMATION

#### 3.4.1. IMI (Internal Market Information System) for Posting of workers

**Figure N° 15: Liaison office of the Labour Inspectorate in IMI**

Main IMI coordinator is in the Ministry of Economics: [NIMIC@em.gov.lv](mailto:NIMIC@em.gov.lv)

	Yes	No
Use of IMI by the Labour Inspectorate	X	
In affirmative case, specify the liaison offices	Headquarters of the SLI <a href="mailto:vdi@vdi.gov.lv">vdi@vdi.gov.lv</a>	

#### 3.4.2. KSS (Knowledge Sharing System)

[kss.coordinator@vdi.gov.lv](mailto:kss.coordinator@vdi.gov.lv)

### 3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE

**Figure N° 16: Nature of fines**

	Yes	No

<b>Penal or criminal fines</b>		X
<b>Administrative fines</b>	X	
<b>Others</b>		

**Figure N° 17: Execution time of fines**

	Yes	No
<b>After the first judgement of the courts</b>		X
<b>After the final judgement of the courts</b>	X	
<b>After the first administrative decision</b>		X
<b>After the binding administrative decision</b>	X	
<b>Others</b>		

**Figure N° 18: Nature of Courts where fines can be appealed**

	Yes	No
<b>Penal/Criminal courts</b>		
<b>Labour/Civil courts</b>	X	
<b>Courts for administrative affairs</b>	X	
<b>Others</b>		

**Figure N° 19: Authorities with competence to collect fines**

	Yes	No
<b>Labour Inspection Authorities</b>		X
<b>Labour/ Government Authorities</b>		X
<b>Tax/Customs Authorities</b>		X
<b>Courts</b>		X
<b>Others</b>	A violator shall pay the fine not later than within one month, but if this decision is appealed not later than within one month from the day, when it was notified of the appeal rejection. If fine is not paid within the specified period, the decision shall be sent to the Bailiff Office. Fines imposed by the SLI go to the state budget.	

**Figure N° 20: Legal framework to collect fines imposed by authorities from other Member States**

	YES	IF YES, is it applicable to Labour Inspectorate proceedings?	NO Authorities supervision or approval	COMMENTS
<b>Framework Decision 2005/214</b>	X	Yes		
<b>Directive 2014/67 on administrative fines</b>	X	Yes		
<b>International or Bilateral Conventions</b>			X	
<b>Other National Rules</b>				



## ANNEX E-HANDBOOK (UPDATING 2023)

**SLIC MEMBER:** Mr Renārs LŪSIS / alternate: Ms Linda MATISĀNE

**MEMBER STATE:** LATVIA

### 1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012

#### 1.1. Transposition to National Legislation

Transposition	National Law or Regulations	Date
Yes	Law on Carriage by Road	11 March 2022

#### 1.2. Competences of the SLIC Member on road transport

LEGISLATION	COMPETENCE	COMMENTS
Regulations 1071/09, 1072/09 and 1073/09 on road transport activity	No	The State Police.
Regulation 561/06 on driving time	No	The State Police
Directive 2006/22 on social legislation in road transport	No	The State Police
Article 1 of Directive 2020/1057 on posting of workers on road transport	No	Road Transport Administration

### 2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation

#### 2.1. Transposition to National Legislation

Transposition	National Law, Regulations or Collective Agreements	Date
Yes	No	

## 2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation

COMPETENCE	COMMENTS
No	The SLI does not carry out inspection on health and safety conditions on workers' accommodation

## 3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

### 3.1. Transposition in National Legislation

Transposition	National Law or Regulations	Date
Yes	Criminal Law, Section 280	16 June 2011

### 3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive

COMPETENCE	COMMENTS
Yes	Labour Law, Section 158

## 4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS

### 4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?

Yes, by legal rules	
Yes, by bilateral agreements	X
No	

There is no definition of the concerted and joint inspections in the national regulatory enactments in Latvia. In the case of joint inspection could be problem with the entry to the undertaking an inspector from another country.

## **5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS**

### **5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)**

<https://www.lm.gov.lv/en/posting-workers-0>

## **6. COOPERATION WITH ELA**

### **6.1. Do you regularly collaborate with the national liaison officer?**

Yes, Iveta Suraka, [iveta.suraka@ela.europa.eu](mailto:iveta.suraka@ela.europa.eu)

### **6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ?**

SLI takes part in the in the Working Group of Inspection, European Platform tackling undeclared work.

As part of ELA's awareness-raising campaign "Rights for all seasons", in the period between June to October 2021 the State Labour Inspectorate of Latvia has carried out numerous inspections, information activities, as well as other compliance measures in order to promote fair and safe working conditions for seasonal workers in Latvia. The inspections have focused mainly on seasonal work and aimed at reducing and preventing possible violations of labour law and labour protection in the employment of seasonal workers, as well as recalling that the right to fair and safe working conditions is not of a seasonal nature.

In total, the State Labour Inspectorate carried out 202 thematic inspections, mostly in the following sectors:

- street trade (retail sale of ice cream, fruits, vegetables, food, beverages and tobacco products)
- restaurant and mobile food service activities
  - mixed agriculture
- accommodation in hotels and similar accommodation
- operation of amusement and recreation parks
- other industries - peat extraction, transport support activities

The Inspectorate has not identified any breaches related to wage agreements, rest periods and the provision of personal protective equipment or other significant risks to the safety and health of workers during the inspections. However, the inspectorate has initiated 52 administrative proceedings related to the undeclared work of 56 persons.

In some cases, minor violations of Labour law and labour protection legislation have been identified, such as, work environment risk factors that had not been fully assessed, employees which had not been sent to perform mandatory health examinations, and other slight deficiencies.