



E-Handbook on Cross-border Enforcement

OSH for Mobile workers

SWEDEN

Kingdom of Sweden

Committee of Senior Labour Inspectors (SLIC)

Last version adopted at the 83rd SLIC Plenary in Stockholm, 10 May 2023

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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 82nd Plenary session of 12 October 2022, held under the Czech Presidency.

DIRECTORY

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

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

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

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

NATIONAL REPORT: SWEDEN

LABOUR INSPECTORATE	THE SWEDISH WORK ENVIRONMENT AUTHORITY
OTHER COMPETENT AUTHORITIES	<ul style="list-style-type: none"> • • The Swedish Radiation Safety Authority • • The Swedish Civil Contingencies Agency • • The Swedish Transport Agency • • The Swedish Chemical Agency

1. THE LABOUR INSPECTORATE

1.1. ORGANISATION OF THE LABOUR INSPECTORATE

The Swedish Work Environment Authority (SWEA) is an independent government authority that celebrated its 130th jubilee in 2020. SWEA have, according to ordinance (2007:913, including later amendments) with instructions for the Swedish Work Environment Authority, the government mandate to, among other things, enforce the Swedish legislation on working hours and occupational safety and health.

The headquarters of SWEA is situated in Solna. The Department for Inspections has five regional offices. In 2021, the number of staff was approximately 632, of which 267 were OSH inspectors.

1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION

The basic laws governing SWEA is the Work Environment Act and the Work Environment Ordinance, enacted by the Swedish Riksdag (Parliament), (Swedish Statute Book 1977:1160 and 1977:1166, with later amendments), as well as the ordinance 2007:913 with instructions for SWEA. As a complement to this instruction, every year in December SWEA receives a letter of appropriation containing time-limited tasks and stating the economic and other conditions that will apply for the coming year's activity.

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

Figure N° 1: International Conventions on Labour Inspection ratified

CONVENTION	RATIFIED	NOT RATIFIED
ILO Convention 81 on Labour	X	

Inspection in Industry and Commerce		
ILO Convention 129 on Labour Inspection in Agriculture	X	
Maritime Labour Convention 2006	X	
ILO Convention 187 on Promotional Framework for Occupational Safety and Health	X	
ILO Convention 189 on Domestic Workers Convention	X	

1.3. COMPETENCES OF LABOUR INSPECTORS

1.3.1. Occupational Safety and Health (OSH)

The Labour Inspectorate (Arbetsmiljöinspektion) 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
OSH, in general terms	Yes	
Occupational Safety, in general terms	Yes	
Occupational Health, in general terms	Yes	
Work-related accidents	Yes	
Trade of Machines and Equipments	Yes	
Radiations	No	The Swedish Radiation Safety Authority
Explosives	No	The Swedish Civil Contingencies Agency
Mines	Yes	
Vessels	No	The Swedish Transport Agency
Retail sector	Yes	
Horeca	Yes	
Agriculture	Yes	

Construction industry	Yes	
Aviation	No	The Swedish Transport Agency
Railway	Yes	The Swedish Transport Agency
Road Transport	Yes	The Swedish Transport Agency
REACH	Yes	The Swedish Chemical Agency
Self Employed	Yes, to some extent	
Police	Yes, with minor exemptions	
Civil Servants	Yes	
Military personnel and premises	Yes, with minor exemptions	
Penitentiaries	Yes	
Customs	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
Working hours	X	
Bullying and harassment	X	
Third Party Violence	X	

1.3.3. Labour Law

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

MATTERS	Yes	No	COMMENTS
Salaries		X	
Equal Treatment		X	The Equality Ombudsman is competent
Labour rights		X	The social partners are competent
Foreign workers	X		
Others			

1.3.4. Social Security

Figure N° 5 Map of competences on Social Security Matters

MATTERS	Yes	No	COMMENTS
Affiliation of workers (REGISTER)		X	
Contributions to Social Security System		X	
Social Security benefits		X	
Private pension funds		X	
Others			

1.4. INSPECTORS' POWERS

Figure N° 6: Map of Inspectors' powers

POWERS	Yes	No	COMMENTS
Visit workplaces	X		
Request for documents	X		
Summon employers to the Inspection Office	X		
Recommendations / Assistance	X		
Injunction / Improvement notice	X		
Initiate an administrative punishment procedure	X		
Initiate a judicial punishment procedures	X		
Imposing fines	X		
Stoppage / Prohibition Notice	X		
Notify offences to the Public Prosecutor or the Judge	X		

Others	
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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
The Swedish Tax Agency	X		
Social Security bodies	X		
Swedish Police	X		
The Swedish Prosecution Authority	X		
The Swedish Public Employment Agency	X		
The Swedish Economic Crime Authority	X		
Socialstyrelsen	X		
Swedish Gender Equality Agency	X		
The Swedish Migration Agency	X		

2. POSTING OF WORKERS

2.1. NATIONAL LEGISLATION

The legal disposition that 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 the Posting of Workers Act (1999:678)-

Directive 2014/67 was transposed by the Ordinance (2017:319) on the posting of workers.

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

DIRECTIVE	Yes	No	DATE
Directive 96/71	X		1999
Directive 2014/67	X		2017
Directive 2018/957	X		2020

2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

In Sweden, European posting companies are required to register their posted workers to the Swedish Work Environment Authority if the activity in Sweden lasts for more than five days. Changes in the activities shall also be notified.

Documents declaring posting of workers or registering posting companies to the national authorities are available to Labour Inspectors.

2.2.1. Deadline to submit the declaration

At the latest when the posted worker begins the work in Sweden.

2.2.2. Content of the declaration of posting

Figure N° 9: Content of the posting declaration

COMPANY DATA		
	YES	NO
Identity of Service Provider	X	
Representative of the company in your country	X	
A person designated for acting as a representative into collective bargaining within the host Member State	X	
Activity	X	
Authorization in the sending MS	X	

If it is a Temporary Work Agency or not	X	
Identity Tax Number	X*	

*_partially yes – an identification number is required when registering the enterprise, this is usually the identity tax number. On the other hand this question can be answered with free text and does not guarantee that we receive the information we ask for.

WORKERS DATA		
	YES	NO
Anticipated number of clearly identifiable posted 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 Social Insurance Agency (Försäkringskassan) delivers A1 forms and information on the relevant social security legislation.

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		X

consulted about the approval of A1 forms by competent institutions		
Access to A1 forms delivered by other Member States	X	

2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

In Sweden the Labour Inspectorate receives immediately and effectively notifications of serious and fatal work related accidents, including those suffered by posted workers.

2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

Figure N° 11: Authorities involved in posting of workers

	Yes	No
Labour authorities	X	
OSH authorities		X
Customs authorities		X
Tax authorities	X	
Social Security Institutions	X	
Others	Swedish Migration Board Swedish Police The Swedish Economic Crime Authority	

The Work Environment Authority is Sweden's "liaison office", and as such tasked with supplying information about the terms and conditions of employment applying in connection with postings to Sweden.

Tax authorities supervise tax-free income for 183 days during one year for posted workers.

The Swedish Migration Board issues different kinds of residence permits required after three month. Also working permits requires for posted workers who comes from countries outside EU.

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
Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67	Yes	Yes	Posting of Workers Act (1999:678)
European Convention in Criminal Matters	Yes	No	Förordning (2000:704) om internationell rättslig i brottmål. In 2005, Sweden ratified the EU Convention of 29 May 2000 on mutual assistance in criminal matters and its supplementary Protocol of 2001 (government bill 2004/05:144)
Convention 094 Council of Europe	No		Sweden has not yet ratified the convention
Others			

3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

Sweden has not any specific bilateral agreement on Labour Inspection with other countries.

Multilateral agreements:

Agreement between Denmark, Finland, Iceland, Norway and Sweden concerning mutual legal assistance (service of documents and presentation of evidence).

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

	Yes	No
Use of IMI by the Labour Inspectorate	X	
In affirmative case, specify the liaison offices	IMI@av.se	

3.4.2. KSS (Knowledge Sharing System)

The Swedish Labour Inspectorate usually participates in KSS System
kss.coordinator@av.se

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

Figure N° 16: Nature of fines

	Yes	No
Penal or criminal fines		X

Administrative fines	X	
Others		

Figure N° 17: Execution time of fines

	Yes	No
After the first judgement of the courts		X
After the final judgement of the courts	X	
After the first administrative decision		X
After the binding administrative decision	X	
Others		

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

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

Figure N° 19: Authorities with competence to collect fines

	Yes	No
Labour Inspection Authorities		X
Labour/ Government Authorities	X	
Tax/Customs Authorities	X	
Courts	X	
Others		

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
Framework Decision 2005/214	X	No		

Directive 2014/67 on administrative fines	X	Yes		
International or Bilateral Conventions			X	
Other National Rules				

ANNEX E-HANDBOOK (UPDATING 2023)

SLIC MEMBER: Mr Håkan OLSSON / alternate: Mr Peter BURMAN

MEMBER STATE: SWEDEN

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	No	Utstationeringslag (1999:678)	15 June 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 Swedish Transport Agency is the competent authority
Regulation 561/06 on driving time		No	The Swedish Transport Agency is the competent authority
Directive 2006/22 on social legislation in road transport		No	The Swedish Transport Agency is the competent authority
Article 1 of Directive 2020/1057 on posting of workers on road transport	Yes		SWEA is competent authority regarding provision of information and receipt of declarations. Cooperates with other authorities.

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 Regulations Law, or Collective Agreements	Date
Yes		Utlänningslagen (2005:716). Lag om rätt till ersättning när ett tillstånd för säsongsarbete återkallas (2018:318)	1 June 2018

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

COMPETENCE	COMMENTS
No	Different authorities e.g. Swedish Migration Agency

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 Regulations Law or	Date
Yes		Lag (2013:644) om rätt till lön och annan ersättning för arbete utfört av en utlänning som inte har rätt att vistas i Sverige.	2013-08-01

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

COMPETENCE	COMMENTS
No	SWEA is not the competent authority

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	X
Yes, by bilateral agreements	
No	

5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS

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

SWEA has an updated webpage (av.se) with information about transport and the rules that apply, as well as the new notification portal that we link to. There is an ongoing collaboration with the Police, the Swedish Customs and the Swedish Transport Agency for coordination of transport issues. Information efforts towards Baltic companies through ELA.

6. COOPERATION WITH ELA

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

Yes.

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

Some examples from our co-operation with ELA:

We participate in a working group for information regarding different aspects where posting is one of them. Discussions are held to co-ordinate communication initiatives.

We participate in the platform for undeclared work within ELA. Another project that we are involved in is the Nordic Undeclared Work Project (the HUB).

SWEA participates in the WG Inspection at ELA.

We also co-operate with ELA regarding the IMI-system and the development of the usage and other questions regarding cross border co-operation around posting.