

Industrial relations and social dialogue Minimum wages: Non-compliance and enforcement across EU Member States

Annexes to Part 3

<u>Minimum wages: Non-compliance and enforcement</u> <u>across EU Member States – Comparative report</u>

Disclaimer: This working paper has not been subject to the full Eurofound evaluation, editorial and publication process.

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Annex 3.1 – Case study methodology

Introduction

Case study analysis is a particularly relevant methodology for the in-depth study of the characteristics of complex policies and for exploring and explaining complex causal linkages in real world interventions. As seen in the main text, according to Pawson and Tilley, realist studies start with, and are based on, program theories, which are initial hypotheses about how a program (component) may or may not work, in which contexts, leading to particular outcomes.

To design a realist impact evaluation the evaluator starts by designing an initial programme theory (IPT). The programme theory describes how the intervention is expected to lead to the desired effects and under which conditions it should do so. These IPTs are subsequently used to inform the next steps of the realist evaluation, the field study, and its design, with the aim that contextually relevant data can further inform and refine the IPTs. The IPT may be based on literature and document reviews, and key informant interviews with programme architects or implementers (Mukumbang et al., 2016; Pawson & Tilley, 1997, 2004).

Based on these initial program theories, a research design, for example, what data are needed and how it should be collected, is formed to enable the testing of the program theories. A requirement for realist evaluation research is that data analysis takes a "retroductive" approach. An advancement on the more common reasoning techniques of induction or deduction, retroduction refers to "the identification of hidden causal forces that lie behind identified patterns or changes in those patterns" (The RAMESES II Project, 2017). Retroduction therefore uses both inductive and deductive reasoning and includes researcher insights to understand generative causation, by exploring the underlying social and psychological drivers identified as influencing programme outcomes. For retroduction to occur, it is important to have multiple data sources and incorporate one's common sense to test and refine programme theories (The RAMESES II Project, 2017).

Realist evaluation defines specific research questions that support the evaluator in understanding what works, for whom, and under which circumstances. Such key evaluation questions for the realist approach reflect the principles as well as the purposes of it, having a descriptive and explanatory intention. Questions may include:

Questions related to beneficiaries of the intervention	Overarching questions
Within the beneficiaries, for which subgroups the intervention is more or less effective?	When the programme works, how (which mechanisms) does it work?
Which subgroups were reached by the programme?	Did the expected mechanisms operate and for whom? Were there unexpected mechanisms?
How many people from which subgroups actively participated?	When it doesn't work, why doesn't it work?

Table A3.1: Evaluation questions for realist evaluation approach

Questions related to beneficiaries of the intervention	Overarching questions
What influenced the participation of subgroups?	What features of context prevented anticipated mechanisms from triggering?
Which were the outcomes for the various subgroups?	What matters about how it is done, in order for it to work?
In what respects does it work and not work for different groups?	What were the critical aspects of implementation and organisational context that influenced how the programme operates?
	Which aspects influenced whether or which mechanisms operated?
	What matters about the contexts into which it is introduced, in order for it to work?
	What were the critical features of culture, belief systems, population group, history, and so on, that influenced whether or which mechanisms operated?

Source: Westhorp, 2014

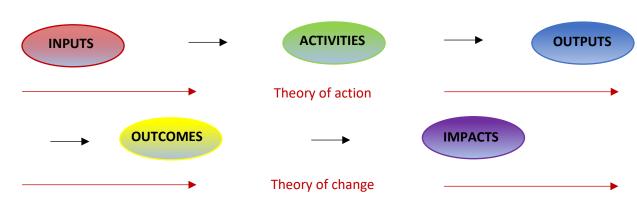
By answering such questions, the realist approach incorporates and expresses its theory in a formalised format as a **context-mechanism-outcome (CMO) configuration**, which is central to analysis and the theory building/refining process for realist studies (<u>Power et al., 2019</u>).

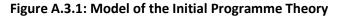
Applied Methodology

Step 1. Elicit Initial Programme Theories (IPTs): collection of primary information from secondary data (desk analysis) and theory gleaning interviews

The first step in conducting a realist evaluation is to elicit the initial program theory that explains how the intervention is expected to work within a certain context. The IPT provides a visual representation of both explicit and implicit descriptions and hypotheses of the case study through five components: the **context** in which the intervention is planned to be implemented, the starting conditions and/or the issues that the programme aims to overcome **(inputs)**, the key intervention **activities** and descriptions of how the programme is intended to interact, the intervention's casual **mechanisms**, and the intervention **outcomes**. **Assumptions** are identified under each component of the initial programme theory, which render explicit the logic through which each component allows the functioning of the programme and causal relationships between various elements. This logic model development is an essential step for identifying initial hypotheses for tentative relevant contexts, mechanisms, and outcomes and, therefore, to identify the CMO configurations of how programmes produce change. In particular, mechanisms cannot usually be directly observed, so they need to be hypothesised and tested. Hence, in realist evaluation the evaluator first makes hypotheses in advance about the contexts in which the programme operates, the mechanisms that

are likely to operate, and the outcomes that result from the interaction, developing an initial programme theory and then context-mechanism-outcome (CMO) hypotheses.





To design the IPT, researchers use different sources to obtain relevant information about preliminary understanding of how, why, and under which conditions a programme works. Researchers, therefore, conceptualise, categorise, and order (Andersen and Kragh, 2010) the experiences and assumptions of the programme designers and implementers through the collection and analysis of information and secondary data. Different documents and literature are reviewed in order to collect information on the case study. The type of data, that can be both qualitative and quantitative, determines the choice of the approaches to test the initial programme theory. When it is available, both types of data are collected, often with quantitative data focused on context and outcomes, while qualitative data on generative mechanisms (Van Belle et al., n.d.). Indeed, qualitative methods are useful for exploring and developing hypotheses, investigating mechanisms, and identifying further elements of context and outcomes. The logic of analysis in realist evaluation follows an intraprogramme, inter-group, and inter-context comparison. Indeed, within the programme, there may be different outcome patterns for different groups and contexts. As mentioned in section 2.1, the mechanisms of the intervention arise from how people manage the resources that the programme provides. Thus, people's decision-making is constrained at a micro level, through which choices are made according to beliefs, experiences, attitudes and expectations, while at a macro level decisions are shaped by social environments, culture, norms, and other social forces (Westhorp et al., 2011). When conducting policy evaluation, therefore, researchers indicate why the programme works differently for different social categories. To do so, researchers identify key features of context that are hypothesised to affect whether, how, and to what extent the intervention works.

After this preliminary collection and review of documents/secondary data, **theory gleaning interviews** are carried out first with Eurofound national correspondents about the organisation and the environment of the programme. Through them, potential context factors and further information on the case study are obtained. Therefore, the questions to be asked in this first interview phase are predominantly explanatory. The goal is to improve our understanding of the theories underpinning the functioning of the interventions under analysis, in order that the results from desk research and the analysis of these first semi-structured in-depth interviews are used to formulate the CMO configurations that explain which (aspects of) interventions work, for whom, under what circumstances, and to what extent (Wong *et al.*, 2016).

Table A.3.2: Some research questions for the development of the Initial Programme Theory

- 1. What is the specific nature of the problem that the intervention seeks to address?
- **2.** Which are the context features that are likely to be important in understanding the implementation and in choosing to proceed with this approach instead of another?
- **3.** Are there any contextual advantages or disadvantages for the effective implementation of the programme?
- 4. What are the key intervention activities concerning the compliance of minimum wages?
- 5. What are the key causal mechanisms that the intervention uses to affect its primary and secondary

Step 2. Test the theory through CMO configurations: collection of primary data from the fielwork through theory refinement interviews

Once the IPT is elicited, the next step is to formulate the CMO configurations that offer the most plausible explanations to the observed patterns of outcomes.

Figure A3.2: Model of CMO configurations



• Context

A public intervention always takes place in a reality characterised by "paths" not necessarily linked to the programme (Marchesi et al., 2011). In the realist approach, the context represents the structure of resources that are available to the recipient of the intervention. Such resources may be structural socioeconomic conditions, community setting, culture, politics, religion, organisational setting, and normative environment, while there are also some features of participants and organisation that make part of the context and that may trigger a specific response. Indeed, not all the resources available to the beneficiaries of the intervention and stakeholders are relevant to describe the context; it matters only those that influence their reasoning, choices, and behaviour, as well as those that create opportunities or create constraints. Therefore, context features, even if non-directly observable, adopt a significant role, since they influence the reasoning of actors and affect how they respond to programmes.

• Mechanisms

There is no theoretical, unique, and precise definition of mechanism (Dalkin et al., 2015; Lacouture et al., 2015; The RAMESES II Project, 2017). However, two general characteristics of mechanisms must be kept in mind: their nature linked to processes and their link with resources (Marchesi et al., 2011). The mechanisms, indeed, give rise to processes that lead individuals to develop specific ideas and adopt specific behaviours. In other words, the responses that are triggered are called mechanisms. The evaluator aims at understanding which are such ideas and behaviours and which is

the individual reasoning to which the beneficiary must arrive at to obtain or change them. The mechanisms are considered, then, as the root of causation, the underlying causal processes which are triggered depending on the context features and which lead to specific outcomes from the policy intervention (Westhorp, 2018; Schmitt, 2020; Lemire et al., 2020). In this sense, the policy strategy provides some kind of constraint that is intended to influence the target person's decision-making.

Outcomes

The outcomes represent the results obtained. Thus, it is the interaction between what the programme provides and the reasoning of its intended target population that causes the outcomes.

During this phase, **theory refinement interviews take place with stakeholders** and the IPT becomes the subject matter of the interview, in order to define the most plausible theories concerning the case study (Pawson, 1996). The interviewee, indeed, offers his/her opinions and experiences on how and why he/she thinks that the programme works or not. Specific actors are purposively selected on the basis of their knowledge and involvement of the intervention under analysis. During this stage the involvement of such stakeholders is one of the most important points. Indeed, actors directly involved in the creation, management, and experiences of the programme provide valuable knowledge about its functioning and effectiveness. This exchange of information between researchers and stakeholders generates new ideas and understanding about the functioning of the programme, its benefits, disadvantages, and perspectives. The idea is to confirm and/or deny and add knowledge to information already collected through desk research and other methodological research works. In this sense, **stakeholders involved help to develop the CMO configurations**. For this step, researchers carry out online/phone semi-structured interviews with the main identified actors also with the support of Eurofound national correspondents.

Dimension	Questions	What we search for
Intervention features	Which elements of the intervention triggered the mechanisms and favoured the achievement of results?	Elements of the intervention that triggered the mechanism (e.g., a training course)
Context features	What were the problems and opportunities of the institutional environment? Which resources were available?	Elements of the context (e.g., institutions, rules, historical events), usually not modifiable by the policy, explaining the framework of the action and its constraints
Mechanisms	Which mechanisms (if any) fostered the change in actors' behaviours?	Implicit or explicit motivations that turned into a change of behaviour
Outcomes	What specific changes (if any) were produced in the behaviour of which actors?	Modifications in actors' behaviour that would not have happened spontaneously.

Table A3.3: Guiding questions conducting the analysis

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Step 3. Theory consolidation through refining evaluation findings

The last phase consists of defining **which CMO configurations offer the most plausible explanations to the observed patterns of outcomes**. The CMO hypotheses are compared with the IPT, which is refined considering the evaluation findings. If the programme theory is correct there should not be changes in the outcomes identified in the CMOs, otherwise the findings are used to refine them. In doing so, there is the possibility of identifying new mechanisms and a better understanding of the patterns of outcomes resulting from the interaction of contexts and mechanisms. To this end, the material collected during the previous phases is organised and further analysed and confirmed in order to consolidate the theory and present the case study report. The case study, therefore, becomes an elaboration and critical analysis of the information collected in the previous research phases. The resulting CMO configurations offer plausible, evidence-based hypotheses of how the intervention fits with the case study background features when enforcing minimum wages and labour legislation.

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Annex 3.2 - CMO configuration resulting from the realist evaluation of the case studies

<u>Austria</u>

ISHAP in the construction sector

- 1) In a context characterised by a high share of posted workers and difficulties in enforcing compliance (C), through ISHAP contractors and sub-contractors are facilitated in tracking the supply chain (M), leading to a higher enforcement of regulatory compliance (O).
- In a context characterised by a holistic approach of compliance that combines deterrence and preventive measures (C), through ISHAP a collaboration among authorities and ISHAP develops (M), leading to more targeted and effective inspections on behalf of authorities (O).

GPLB audits

- **3)** In a context characterised by an organised relationship among the different enforcement institutions **(C)**, through GPLB audits automatic information exchange and a coordinated approach takes place **(M)**, increasing the quality of GPLB audits **(O)**.
- **4)** In a context characterised by a holistic approach carried out by authorities **(C)**, employers, being aware of the GPLB audits, behave correctly **(M)**, leading to a higher compliance of social security contributions and, therefore, of wages **(O)**.

BUAK in the construction sector

- 5) In a context characterised by a significant role of paritarian institutions in the political arena
 (C), BUAK adopts an important cooperative role with national authorities (M), increasing the quality of their inspections and ensuring fair competition (O).
- **6)** In a context characterised by a culture of partnership **(C)**, BUAK develops a soft approach in inspections **(M)**, leading to an increased cooperation with stakeholders (both employers and workers) involved **(O)**.
- **7)** In a context of high shares of posting **(C)**, posted workers feel trust and represented **(M)**, increasing the quality of inspections of foreign companies **(O)**.

<u>Belgium</u>

Dimona and Limosa

- 8) In a context where labour authorities follow a combination of preventive and deterrence approach (C), employers are careful with the compliance of Dimona and Limosa registrations (M), leading to a higher probability of Belgian authorities to identify non-compliance (O).
- **9)** In a context where digitalisation plays a key role for national authorities **(C)**, Dimona and Limosa digital registrations leave tracks of evidence **(M)**, leading to both employers and authorities to obtain advantages in terms of bureaucratic burden **(O)**.

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10) In a context characterised by culture of partnership (C), Dimona and Limosa registrations are automatically shared with social security institutions and other relevant authorities (M), leading to more efficient controls of documentation for inspections (O).

<u>Denmark</u>

3F-HILFR in platform work/cleaning sector

- **11)** In a context where the target working population is composed of students and immigrants **(C)**, the introduced flexibility in working hours **(M)**, allows complementarity and compatibility with other jobs and activities **(O)**.
- 12) In a context where the cleaning service is offered in private houses and where it is provided mainly by immigrants (C), the possibility of opting out from Super Hilfrs on a voluntary basis (M), could lead to an increased competition among platforms (O).
- **13)** In a non-regulated taxation environment that is based on self-reported taxes **(C)**, the adoption of collective agreements **(M)**, creates a sense of safety and leads to an easier administration of taxes, and increases transparency **(O)**.
- 14) In a job market with high coverage in terms of collective agreements such as the Danish one
 (C), the introduction of workers' protection and tax deduction by Hilfr (M), incentivizes service use (O).
- 15) The unregulated digital labour platform (C), with the stipulation of the collective agreement (M), signals to the market a new model of business (O).
- **16)** In a context where the absence of union organizing among platform workers is striking **(C)**, the intervention and the collaboration of many different authorities **(M)**, enforce the credibility of the agreement and increase its likelihood of success **(O)**.

State Control Unit for Labor Clauses

- **17)** In a very fragmented and heterogeneous production structure **(C)**, the implementation of a risk assessment indicator **(M)**, leads to higher efficiency in identifying irregular practices **(O)**.
- **18)** In a very fragmented and heterogeneous production structure **(C)**, random and unannounced control visits **(M)** encourage the firm to be more responsible in compliance but also risk generating a greater ability to conceal illegal behavior **(O)**.
- **19)** In a context in which is difficult to retrieve information of own working conditions rights **(C)**, the distribution of leaflets in different languages to workers **(M)**, increases awareness about own rights **(O)**.
- **20)** In a context characterized by mistrust and fear **(C)**, the anonymity of complaints encourages vulnerable workers **(M)**, leading to more supervision of undeclared work and non-compliance of labour legislation not easily identified by authorities **(O)**.

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Internal Response Team against Social Dumping

- **21)** In a context with complex chain responsibility such as the construction one **(C)**, the random and unannounced inspections **(M)**, encourage the firm to be more responsible in compliance **(O)**.
- 22) In a context characterized by a lack, or little workers' representation (C), the use of sanctions (M), leads to compliance with working conditions (O).
- 23) In a context with a high number of posted workers (immigrants) (C), the hiring of an interpreter (M), allows a better flow of information related to worker protection (O).
- **24)** In a context with a high number of posted workers (immigrants) **(C)**, the use of a personal ID card **(M)**, reduces the administrative burden **(O)**.
- **25)** In a context characterized by mistrust and fear **(C)**, the anonymity of complaints encourages vulnerable workers **(M)**, leading to more supervision of undeclared work and non-compliance of labour legislation not easily identified by authorities **(O)**.

Germany

SOKA-BAU in the construction sector

- **26)** In a context characterised by a high level of subcontracting **(C)**, employers are persuaded to comply with labour legislation **(M)**, increasing compliance of employment conditions **(O)**.
- 27) In a context characterised by willingness to cooperate (C), all stakeholders are prone to join forces (M), leading to more supervision of posted workers in the construction industry (O).
- 28) In a context of high dependence on posted workers (C), posted workers feel confident and represented (M), enabling a higher coverage of most vulnerable workers in the construction industry (O).
- 29) In a context of several bureaucratic flexibility for posting employers (C), they are, nevertheless, fearful of not complying (M), leading to less precarious conditions of posted workers in the construction industry (O).

Fair Mobility for foreign workers

- 30) In a context characterised by weak internal practices of integration of foreign workers in vulnerable sectors (C), Fair Mobility is able to reach them (M), leading to a higher efficiency in supporting potential cases of misinformation and most disadvantaged workers. In turn, workers feel trust and represented (O).
- **31)** In a context in which there is no unique labour authority and legislation is complex **(C)**, through Fair Mobility workers understand their possibilities for enforcement of rights **(M)**, leading to educed legal uncertainty. This, in turn, encourages foreign workers to enforce their labour rights when there is no compliance **(O)**.
- **32)** In a context of high level of coordination among institutions and culture of partnership **(C)**, Fair Mobility is able to develop a wide network of collaboration **(M)**, enabling more collaboration of employers and companies **(O)**.

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Occupational Safety and Health Inspection Act (Arbeitsschutzkontrollgesetz) in the meat industry

- 33) In a context characterised by a low level of trade union representation (C), companies are willing to begin cooperation with trade unions (M), increasing their role in the meat industry (O).
- **34)** In a context characterised by monopolisation by large meat companies **(C)**, the latter are afraid of possible public exposure **(M)**, leading to negotiations on specific topics for long time demanded by trade unions **(O)**.
- **35)** In a context with an advocacy coalition of different stakeholders **(C)**, trade unions are empowered in their bargaining capacity **(M)**, increasing national and international recognition of the criticalities in the meat industry **(O)**.

<u>Italy</u>

NCBAs identification code (Codice Unico dei Contratti)

- 36) In a context of abundance of trade unions and employers' associations, a very fragmented collective bargaining structure with several collective agreements covering same application areas. (C), CNEL Mailbox provides assistance and guidance (M), in this way workers can get information on how much they should earn according to the respective collective agreement (O).
- 37) The collective bargaining structure in the country is very fragmented by several collective agreements covering same application areas (C), the measure leads to the recognition of the correct applicable agreement and relative minima through the assignment of unique identification codes of collective agreements (M), leading to a transparent system of compensation in public procurement (O).
- 38) The collective bargaining structure in the country is very fragmented by several collective agreements covering same application areas (C), foreign employers can check and ask for assistance with regard the right Italian agreement to be applied. (M), improving compliance of collective agreement by foreign employers (O).
- **39)** The Italian labour inspectorate suffers limited human resources that are decreasing over time, and a significant challenge is the lack of documentary vigilance **(C)**. By leading to the recognition of the correct applicable agreement and relative minima through the assignment of unique identification codes of collective agreements **(M)**, the measure improves the fast-track procedures and transparency and thus easier vigilance. **(O)**.
- 40) In a context of fragmentation of the collective bargaining structure by several collective agreements covering same application areas (C), the measure leads to the recognition of the correct applicable agreement and relative minima through the assignment of unique identification codes of collective agreements (M), as a result, public administrations can easily trace the collective agreements applicable to employers and, therefore, identify potential irregularities (O).
- **41)** Because of the collective bargaining structure in the country is very fragmented by several collective agreements covering same application areas **(C)**, the creation of a unique database of applicable collective agreements indicating number of production units and workers wholly

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integrated in the Italian procurement system. (M)*, leads to an easier enforcement in courts.* (O).

Trade Unions initiative and Local Authorities' Cooperation Agreements in platform work/food delivery sector

- 42) In the Italian legal system context that does not regulate the employment status of digital platform workers (C), the introduction (trough charters and bargaining process) of a set of minimum protection measures allows the switch from self-employed to employee status (M). As a result, being entitled to the employee's regime protection, platform workers obtain the right of fair wages (O).
- 43) The collective agreement framework in Italy is characterised by a competition between collective agreements of the most representative trade unions and the so-called "pirate" ones, leading to uncertainty in the applicable minimum wage floor (C). Because of the fact that the national labour inspectorate (INL) is allowed to require the application of the employee status' protection on an easy burden of proof (M), platforms now apply existing collective agreements which are subject to legal reference in courts in case of litigations. (O).
- 44) In a context characterized by first attempts to introduce a legal framework to support the possibility of introducing of a minimum set of protections and to regulate the contractual position of food delivery workers (C), cooperation agreements local authorities are able to draw attention on the need to legally protect platform workers (M), fostering the national debate on the need of protection measures (including fair wages) for food delivery workers (O).

Trade Unions awareness raising initiatives in the agricultural sector

- 45) The National Labour Inspectorate reports rates of irregularity above 54% in agricultural firms and an increasing trend in the share of exploited workers (caporalato) (C). Through a set of Trade Unions activities, knowledge is provided to workers in the agriculture sector (M), to empower vulnerable workers and provide them with necessary information about their rights (O).
- 46) Already existing national networks aiming at compliance in the agricultural sector have a marginal effect (C). By using informative campaigns (app and dedicated number plus brochures and consultancy "on the field"), Trade Unions reach most fragile workers at workplaces, covering the whole national territory (M), leading to a better representation of the agricultural sector trough Trade Unions (O).
- 47) The Italian labour inspectorate suffers limited human resources that are decreasing over time
 (C), by providing useful information in foreign languages, foreign workers become aware of significant legislation (M). Hence, by knowing better their rights, vulnerable workers can better issue claims of irregularities in the agricultural sector. (O).

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<u>Lithuania</u>

Warned to Choose Campaign

- **48)** When employers exploit envelope wages and inadequate working time accounting **(C)**, authorities contact this companies and give them the opportunity to rectify their behaviour **(M)**, leading to changes in this companies towards compliance with MW **(O)**.
- **49)** In a scenario where employer-employee solidarity facilitates the presence of the shadow economy **(C)**, if authorities take action on the basis of data and statistics **(M)**, even without the collaboration with employees, violations and non-compliance are truly identified **(O)**.
- **50)** If a country is characterized by a shortage of public-sector employees and finances **(C)**, allowing compliance before taking more tangible action **(M)** helps the government to reduce hours worked and funds spent **(O)**.
- **51)** When there is a need of collaboration between different authorities **(C)**, the compatibility of the different databases provides for more effective communication and transparency **(M)**, and hence more successful interdepartmental work **(O)**.

Open sodra

- **52)** When there is myopia and disinformation among employees **(C)**, the divulgation of information about implications of undeclared work **(M)** lead to a reduction in the collaboration between employers and employees, pretending a legal contract **(O)**.
- **53)** Foreign workers are more often unware of their rights **(C)**, the divulgation of information about working conditions **(M)** spread awareness about working rights and therefore these workers may pretend a better treatment **(O)**.
- **54)** In cases in which there is a need of cooperation among different authorities **(C)**, the presence of a comprehensive database **(M)** allows for a good interdepartmental work **(O)**.
- **55)** When there is low interest in minimum wage compliance **(C)**, the disclosure of information about labour market **(M)** may tackle the interest of academics and journalist and, as a consequence, of citizens **(O)**.
- **56)** Especially before and during collective bargaining, trade unions need information about wages and other conditions **(C)**, having a complete and comprehensive database **(M)** allows them to provide the most homogenous conditions among groups of employees **(O)**.
- 57) There is shortage of human capital in Lithuanian Labour inspectorate (C), a database about industries allow authorities to concentrate their monitoring activities on at-risk companies and workers (M), in this way authorities can identify more easily potential irregularities and, focusing on specific industries, reduce the need of human capital (O).

<u>Slovakia</u>

Responsible employer programme

58) In an environment characterised by low incentives to comply with existing regulations and legal requirements **(C)**, the mechanism behind the Responsible Employer Programme encourages

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employers to improve their reputation (M), resulting in greater compliance with minimum wages and legal requirements and better working conditions for employees (O).

- 59) Since employers do not often possess expertise in the context of human resource management
 (C), the collaboration with competent labour inspectors triggered by the Responsible Employer programme improves their management skills (M), leading to the implementation of a more effective and economically efficient system of human resource management that includes compliance with the existing standards and regulations (O).
- **60)** Given the lack of awareness about the conditions of workers and the importance of minimum wage compliance (C), by involving more and more participants (M), the Responsible Employer programme raises societal awareness and increases the debate about this subject (O).

<u>Spain</u>

ITSS Mailbox

- 61) In a very fragmented production structure with several SMEs (C), vulnerable economic sectors are more prone to complaints (M), leading to higher efficiency in identifying irregular practices (O).
- **62)** In a context characterised by mistrust and fear **(C)**, the anonymity of the Mailbox encourages vulnerable workers **(M)**, leading to more supervision of undeclared work and non-compliance of labour legislation not easily identified by authorities **(O)**.
- **63)** In a context of structured gender discrimination **(C)**, women now feel represented **(M)**, enabling an efficient coverage of sectors mainly dominated by female workers **(O)**.
- **64)** The absence of workers' representation in SMEs **(C)** enables the Mailbox to play an informative and formative role **(M)**, counterbalancing the unions' absence **(O)**.
- **65)** Regional decentralisation **(C)** increases fast-track administrative and classification procedures **(M)**, simplifying the role of the National Inspectorate **(O)**.

Campaign to contrast non-compliance in the Domestic Work Sector

- 66) In a context characterised by precarious working conditions intensified by complex legislation
 (C), irregular practices of unwilling employers are easily detectable through the Campaign (M), leading the inspectorate to efficiently identify irregular practices concerning the domestic work sector (O).
- **67)** In a context characterised by difficult comprehension of legislation on behalf of employers **(C)**, the Campaign makes accessible valuable information concerning legislation **(M)**, leading to an increase of knowledge concerning changes of legislation **(O)**.
- **68)** In a context of steady increase of the minimum wage **(C)**, through the Campaign employers take into consideration such frequent increases of MW and changes in legislation **(M)**, leading to a higher number of regular domestic workers and increases of MW payments **(O)**.
- **69)** In a context of favourable civic attitude, aware of the precarious working conditions in the domestic work sector **(C)** the letters foreseen by the Campaign are able to raise further awareness and counselling **(M)**, leading domestic workers to regain trust in representation and

to be more covered through the enhancement of legislation that favours their working conditions **(O)**.

<u>Sweden</u>

Fair Play Bygg in the construction sector

- **70)** In sectors with a high number of posted workers **(C)**, the Fair Play Bygg initiative enables posted employees to ask for more in-depth oversight **(M)**, resulting in better supervision of posted worker-related sectors **(O)**.
- **71)** In a context characterised by mistrust and fear **(C)**, the anonymity of the online tip form of the Fair Play Bygg initiative encourages workers to denounce criminal activity **(M)**, leading to increased oversight and control regarding illegal employment practices **(O)**.
- **72)** Given the difficulties in reaching out to and organising posted workers **(C)**, the Fair Play Bygg initiative allows for effective communication with posted employees **(M)**, resulting in greater representation of posted workers **(O)**.
- **73)** The complex coordination among institutions **(C)** is facilitated and simplified thanks to the intermediary work of Fair Play **(M)**, which contributed to building a well-functioning and collaborative network **(O)**.

The Netherlands

Intervention Teams (Landelijke Stuurgroep Interventieteams)

- **74)** In a context where the Dutch Labour Authority carries out its work through risk analyses **(C)**, the team develops its work through a strategic planning **(M)**, obtaining a higher coverage of at-risk areas and industries **(O)**.
- **75)** In a context of cooperative promotion of compliance **(C)**, communication and exchange of data becomes relevant **(M)**, increasing the effectiveness of controls and sustainable solutions **(O)**.
- **76)** In a context of cooperative promotion of compliance **(C)**, the deployment of teams foreseen an exchange of powers **(M)**, allowing the team to efficiently inspect and conclude cases **(O)**.

Sham Constructions Law (Wet Aanpak Schijnconstructies - WAS)

- 77) In a context characterised by high levels of flexible workforce (C), through the chain liability the WAS Law employers are afraid of being held responsible for precarious working conditions (M), leading to compliance of labour legislation and the recovery of unpaid wages through settlements rather than legal solutions. (O).
- 78) In a context characterised by an excessive use of sham constructions (C), employers fear public attention due to the practice of naming and shaming (M), leading to a change of behaviour on behalf of employers and, therefore, to the correct payment of wages (O).
- **79)** In a context of several collective agreements **(C)**, through an exchange of information between authorities and social partners the latter are able to better enforce collective agreements **(M)**, leading to a higher compliance with collectively agreed wages **(O)**.

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80) In a context of low exchange of information among authorities and social partners **(C)**, interinstitutional collaboration and coordination is enhanced **(M)**, leading to an improved relationship between

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