

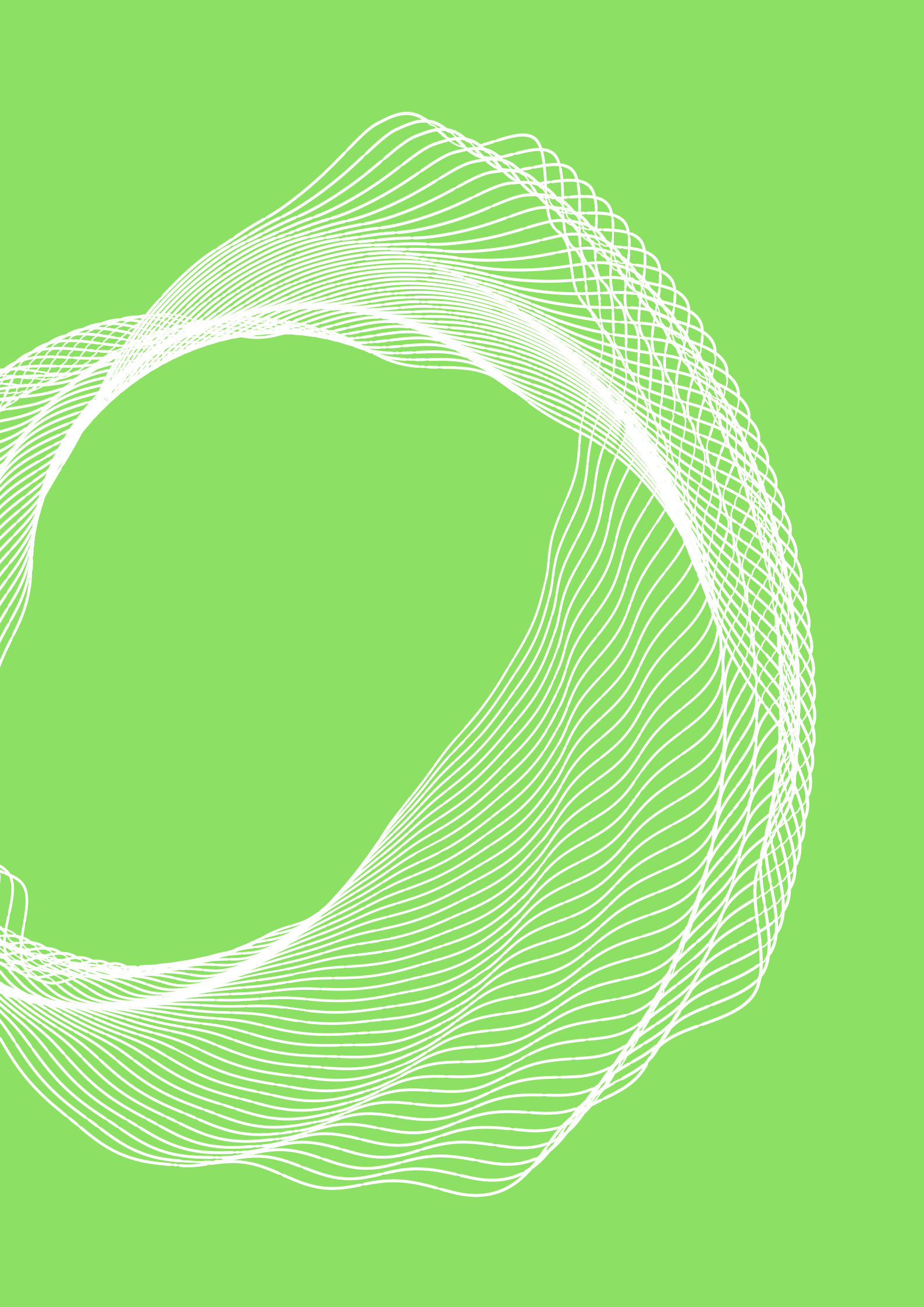


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Training Curriculum for Social Security Inspectors

Strengthening compliance with social security
in the Lao People's Democratic Republic



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Table of contents

▶ Acknowledgements	v
▶ About this document	vi
▶ Part 1. Introduction	1
General objectives	1
Who is this training curriculum for?	1
Training of trainers	1
Methodology	2
▶ Part 2. The curriculum	3
Introductory session	3
Module 1. Background on social security inspection: Foundational concepts and legal administrative framework	5
Module 2. Compliance strategies and powers of social security inspectors	8
Module 3. Planning and preparation for inspections	10
Module 4. Conducting an inspection visit	13
Module 5. Reporting, closing meeting and follow up	15
Module 6. Ethical code for social security inspectors	17
Module 7. Soft skills	19
▶ Part 3. Activities, resources and evaluations	21
Practical and interactive activities	21
Resources	22
Evaluation	22
▶ Annexes	23
Annex I. Country case studies	23
Annex II. Exercises	46
Annex III. Checklists	72
Annex IV. Q&A assessment questionnaires	74
Annex V. Post-evaluation final test	78



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About this document

This training curriculum is addressed to the social security inspectors of the Lao Social Security Office. The curriculum contains a training methodology as well as training contents. The training is structured into seven different modules, each with a summary of technical contents. The annexes include supporting documents containing practical and interactive activities for the training sessions, such as case studies, exercises, checklists, forms and flowchart, as well as the full set of PowerPoint presentations in order to provide the trainees with all the necessary tools to achieve a satisfactory learning experience. The curriculum also provides question and answer tests for each module and a final post-evaluation test in order to assess the achievement of the desired learning outcomes.

Part 1.

Introduction

General objectives

The main purpose of this training curriculum is to offer an effective learning package that can be used for training Lao Social Security Office (LSSO) social security inspectors in the inspection function of supervising and monitoring the compliance of labour units and employers with social security legislation.

In particular, the training will help:

- ▶ provide an adequate understanding of social security;
- ▶ provide clear understanding of the importance of the law and non-binding instruments;
- ▶ identify key challenges met by inspectors in their daily work;
- ▶ identify the powers and obligations of inspectors;
- ▶ improve the skills of inspectors on the basis of national legislation and international standards; and
- ▶ provide practical cases and examples of good practices that enable trained inspectors to effectively perform their functions.

Who is this training curriculum for?

The training activities are designed for LSSO social security inspectors, allowing them to master required inspection skills with a view to working in accordance with national legislation, the Guidelines for Social Security Inspections and the Standard Operating Procedure for Social Security Inspections.

The training is particularly addressed to:

- ▶ social security field inspectors;
- ▶ newly recruited social security inspectors; and
- ▶ officials and managers of the social security inspectorate.

Participants will benefit from a better understanding of their role, functions and inspection targets in relation to ensuring compliance with social security regulations.

Training of trainers

One important purpose of this training curriculum is to prepare anyone who goes through the training so that they can themselves train other inspectors and newly recruited inspectors, including by tailoring workshops and training modules to the needs of new participants. The objective is to ensure that LSSO inspection staff are equipped with the skills and methodology to train newly appointed inspectors, allowing the inspectorate to be complete self-sufficient in preparing new inspectors.

This training curriculum can be used by trainees as a manual to support their training of other inspectors in the future. The contents of the training have also been included in a PowerPoint presentation, which has been

translated into Lao language and that should be jointly used with this curriculum for training purposes. It should be noted that all of the contents in this curriculum have been designed so that they can be adapted to account for any legal or operational changes.

A training implementation plan will detail the schedule and time frames of subsequent training sessions to be delivered in different central and provincial offices.

Methodology

The training consists of face-to-face sessions (where possible), although it could be also adapted to be delivered online. The training requires the complement of PowerPoint presentations, case studies (Annex I), audio-visual tools, checklists (Annex III), flowcharts, forms, videos or images, which are to be used as a basis for discussion and/or analysis. Some of this material is included in the PowerPoint presentation. The training sessions also involve group discussions, exercises (Annex II) and question and answer (Q&A) assessment tests (Annex IV) to measure the results of the training and the learning benefits obtained.

The theoretical sessions must be combined with case studies and exercises in order to make the training easier to be followed by trainees. Most exercises have to be discussed and solved in small groups, and discussions may be organized as role-playing sessions. Annexes I and II include substantial numbers of practical cases and exercises, and the trainer may choose those that are most appropriate for the training session and subject. Post-support for future trainers to improve their understanding and use of these practical activities might be provided.

The PowerPoint presentation includes a set of flowcharts and inspection forms. These have been drawn from the Standard Operating Procedure and are essential to understanding the inspection procedure. Future trainers are encouraged to explain these forms and flowcharts in detail so the trainees and future inspectors obtain an appropriate knowledge of the different inspection steps and the information or data to be included in inspection forms, as well as the way to complete these forms during inspections.

Part 2.

The curriculum

The training is organized around seven modules that can be delivered in **approximately four or five training days, with six hours of training each day**. Future trainers may organize the training according to the needs of participants or the subjects to be dealt with. Future trainers should also be sure to adapt the modules to include contents related to new legislation or guidelines.

The training sessions could potentially be shortened – or some of them even skipped – depending on the degree of knowledge or experience of the participants. The time assigned to each specific subject in the module outlines below is merely indicative, and may be shortened or extended based on the questions of participants and/or the discussions being held. Spontaneous discussions may substantially extend the duration of each module or subject, **but trainers are encouraged to promote discussions as a good tool for consolidating learning**.

The PowerPoint presentation and other training material can be uploaded to an electronic platform so the trainers can access online if need be. Each module of the training programme encompasses theoretical presentations, study cases, exercises and an assessment questionnaire, trying to combine sessions and practical training in plenary or in groups. Trainers are in particular encouraged to follow the Guidelines of Social Security Inspections and the Standard Operating Procedure for Social Security Inspections.

Introductory session

Before the training gets into the contents of the seven modules, it is important to first hold a short introductory session to welcome the learners to the training. The main purpose of this introductory session is to establish a positive learning environment and for everyone to agree on common ground rules for the training. The introductory session provides indications on the contents of the workshop and how it can match with the expectations that the participants bring with them.

Before the training, the trainees should already have knowledge of and be reasonably acquainted with national legislation on social security inspection, the Guidelines for Social Security Inspections and the Standard Operating Procedure for Social Security Inspections.

The session starts with an introduction to the workshop in which the trainer provides an overview of the training, suggests the ground rules for the training sessions (time schedule, breaks and so on) and introduces himself/herself to the participants. This is followed by a roundtable for introductions by the participants, who should also share their level of awareness of the subject matter and their expectations for the training.

This introductory session is primarily for face-to-face training, although for online delivery a similar setup could be followed. The introductory session will be useful for raising concerns related to participants' general understanding and degree of knowledge of the subject matter. Other useful information such as work experience, terminology issues, training sources, skill gaps, strengths and weaknesses in the profession, and so on, may also be raised at this initial stage of the training.

By learning early on about the participants' strengths and weaknesses in relation to the topics that will be covered in the training, the trainer develop a more accurate idea of what subjects will require more time and attention. This can allow for the training to be tailored according to participants' needs, either by expanding or shortening the various subjects based on what was observed during the introductory session.

The outcomes of the introductory session should lead to the participants:

- ▶ knowing each other and the trainer;
- ▶ sharing expectations and needs; and
- ▶ understand the workshop structure and methodology and the expected outputs.

A scheme of the introductory session follows below:

Outline of the Introductory Session		
Topics	Activities	Duration
Welcome	Welcome by the trainer, who will briefly introduce himself/herself	5 minutes
Introductions	Roundtable for participants to briefly introduce themselves	10 minutes
Expectations from the participants	Participants will be asked by the trainer to talk about their expectations and training needs. The trainer will write down the responses (this may be done on a flipchart). The trainer may cluster participants' expectations and needs by theme and highlight those that are most relevant for the training	15 minutes
Structure and methodology of the training course	The trainer presents the agenda for the training, the expected learning outcomes and the methodology to be used. The trainer underlines the expectations that can be met and those that will not, and explains why.	15 minutes
Ground rules	The trainer indicates the ground rules that should be respected during the workshop.	5 minutes
Questions from participants	Participants may ask questions for clarification related to the training sessions.	5 minutes
All activities		Total duration of the session: 60 minutes

The trainer needs to measure the level of knowledge among the training participants and the participants' training needs by enquiring into these matters. The trainer has to check the degree to which the participants know the:

- ▶ legal framework and the content and meaning of the social security laws and applicable rules;
- ▶ Lao People's Democratic Republic's obligations concerning labour matters under international treaties (The country has been a member of the ILO since 1964 and has ratified a total of 12 ILO Conventions, including seven of the ILO's fundamental Conventions, covering forced labour, equal remuneration, discrimination, child labour and a safe and healthy working environment);
- ▶ general economic framework within which labour units – large, medium and small – operate;
- ▶ role and functions of the LSSO;
- ▶ The nature and purpose of the social security inspection system.

In particular, the trainer should attempt to ensure that the participants, by the time the training has concluded, have learned the following:

- ▶ How to prepare and conduct different types of social security inspections.
- ▶ How to check the compliance of inspection targets with social security law and regulations efficiently and effectively, especially in regard to subjects such as registration and payment of contributions to social security.
- ▶ How to check compliance in regard to social security benefits being paid to members and their dependents.
- ▶ How to prepare inspection report forms upon completion of inspection, and how to get feedback from your superior officer.
- ▶ How to handle complaints, especially from workers.
- ▶ How to interview employees and employers.
- ▶ How to conduct meetings.
- ▶ How to communicate with people with different levels of education and knowledge concerning social security matters.
- ▶ How to provide technical information and recommendations regarding compliance issues to targeted labour units, especially to the employers and employees, and how to disseminate social security benefits information.
- ▶ How to decide when to provide social security information and when to initiate other enforcement measures, such as warnings or fining procedures.
- ▶ How to effectively use the powers at their disposal as social security inspectors.

Module 1. Background on social security inspection: Foundational concepts and legal administrative framework

What is this module about?

This module aims to introduce the basic concepts and fundamentals of social protection, based on the Guidelines for Social Security Inspections and relevant international standards. It also explains the importance of social protection as a public good for society and for addressing people's life-cycle needs in relation to income security and access to essential healthcare.

The module starts by providing an overview of the social protection system in the Lao People's Democratic Republic. In this part of the training, the national and international legal sources are reviewed in detail, highlighting the essential role that legislation plays in respect to social security inspection and its importance as a reference framework for inspectors in their daily work and in the exercise of their powers.

The module also deals with the general objectives of social security inspection and the role of social security inspectors in the achievement and development of social policies. It also tackles the challenges and opportunities that social security inspectors may meet in the performance of their duties.

Finally, the module addresses the issue of the administrative framework, and outlines the administrative organization and the inspector's position within it, reviewing the involved institutions and authorities and exploring potential collaboration channels for efficient and effective social security inspection.

Specific objectives

- ✓ Appreciate the importance of social protection as a public good and as a fundamental human right.
- ✓ Be knowledgeable about the legislative framework of social security and the role of inspectors in the implementation of social protection policies.
- ✓ Know who the key players in social security are, as well as the roles and responsibilities of inspectors.

Outline of Module 1		
Topics	Methodology	Duration (minutes)
Social security; Conceptual framework; The Lao social protection system; Social security inspection systems: social security and work accidents and occupational diseases.	<ul style="list-style-type: none"> ▶ Lecture ▶ Video ▶ Discussion 	30
Social security policies and objectives of social security inspection	<ul style="list-style-type: none"> ▶ Lecture ▶ Video ▶ Discussion 	30
National law and international standards	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	40
Administrative framework; Structure and functions of competent institutions	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	40
Where do you fit in as a social security inspector within the labour administration system? Relationship between social security and other subjects	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Cooperation, partnership; sharing information; international cooperation; cooperation with research institutions/universities	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Flowchart 	90
Case studies and exercises (combined with theory)	<ul style="list-style-type: none"> ▶ Reading ▶ Roundtable/ discussion in groups 	90
Final Q&A assessment test	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires.</p>	10

Technical contents

- ▶ Conceptual framework
- ▶ Social protection floors – ILO Social Protection Floors Recommendation, 2012 (No. 202)
- ▶ Social security systems in the world
- ▶ Milestones of social security in the Lao People's Democratic Republic
- ▶ Legal framework
- ▶ Administrative framework: What is labour administration and how does it relate to social security inspection?
- ▶ Position of social security inspectors within the administration system
- ▶ Role of social security inspection
- ▶ Cooperation and partnership between the social security inspectorate and other bodies

Resources and references

Guidelines on Social Security Inspection in the Lao People's Democratic Republic;

Standard Operating Procedure for Social Security Inspection in the Lao People's Democratic Republic

Law on Social Security (amended version) No. 54, 27 June 2018

Ministry of Labour and Social Welfare Ministerial Decision No. 4139, 2 November 2021

Ministry of Labour and Social Welfare Ministerial Decision No. 0897, 18 March 2022

[ILO Labour Administration Convention, 1978 \(No. 150\)](#)

[ILO Labour Administration Recommendation, 1978 \(No. 158\)](#)

[ILO Labour Inspection Convention, 1947 \(No. 81\)](#)

Javier Barbero, Arsenio Fernández Rodríguez and Changyou Zhu, *Guide on Labour Inspection and Social Security* (ILO, 2020).

ILO, *Labour Administration and Inspection: Challenges and Perspectives*, GB.309/ESP/3, 2010.

ILO, *ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 2 – An Introduction to Labour Inspection*, 2018.

ILO, *Guidelines on General Principles of Labour Inspection*, 2022.

ILO, *ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 5 – Cooperation and Partnership*, 2018.

Module 2. Compliance strategies and powers of social security inspectors

What is this module about?

This module seeks to mark out the playing field of social security inspection, to examine the scope of competencies of social security inspectors and to set out a clear differentiation of roles and competencies between social security inspectors and other public officers, such as labour inspectors or occupational safety and health (OSH) inspectors. At the same time, the module addresses the linkages between social security inspection functions and other inspection bodies, in particular those belonging to the area of labour relations and OSH at work.

The module also weighs up the state of affairs regarding compliance against the backdrop of legislation and the powers of social security inspectors, and provides a detailed description of the different compliance approaches. This allows for the reviewing of different compliance strategies and policies, in particular preventive and education strategies compared to enforcement policies that require injunction and sanctioning powers.

Once the compliance framework is clearly defined, the following step is to address the powers and possibilities of social security inspectors and the principles of an effective inspection system.

Specific objectives

- ✓ Gain a clear vision of competencies of social security inspectors and their scope of action in relation to other subjects.
- ✓ Discuss gaps and solutions related to compliance and/or enforcement strategies, as well as the main trends and challenges.
- ✓ Achieve a clear picture of the powers and principles of an effective inspection function.

Outline of Module 2		
Topics	Methodology	Duration (minutes)
Marking out the playing field: Scoping the competencies of social security inspection and the competencies of other inspection bodies	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	60
State of affairs regarding compliance; Preliminary assessment of compliance against the backdrop of legislation and the powers of inspectors (information on this subject might be gathered from LSSO and inspectors by means of a short questionnaire)	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	60
Compliance strategies; Linkages between social security and OSH or labour relations; Inspectors as “educators”; Enforcement: Consistency, proportionality, accountability and fairness	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	60

Principles for effective inspection; Powers and duties of social security inspectors	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	60
Case studies and exercises (combined with theory)	<ul style="list-style-type: none"> ▶ Reading ▶ Roundtable/ discussion in groups 	80
Final questions and Q&A assessment test	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires.</p>	10

Technical contents

- ▶ Relevant legislation
- ▶ Powers and duties of social security inspectors
- ▶ Reference to the ILO Labour Inspection Convention, 1947 (No. 81), Article 12
- ▶ Reference to national legislation
- ▶ Ministerial Decision No. 4139: How to understand the relationship between article 18(2) – which requires prior announcement of inspections – and article 17(1) – which allows for inspection without prior notice.
- ▶ The role of inspectors as “educators”
- ▶ Compliance approach

Resources and references

Guidelines on Social Security Inspection in the Lao People's Democratic Republic;

Standard Operating Procedure for Social Security Inspection in the Lao People's Democratic Republic

ILO, *ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 2 – An Introduction to Labour Inspection*, 2018.

ILO Labour Inspection Convention, 1947 (No. 81)

ILO Labour Inspection Recommendation, 1947 (No. 81)

Javier Barbero, Arsenio Fernández Rodríguez and Changyou Zhu, *Guide on Labour Inspection and Social Security* (ILO, 2020).

Module 3. Planning and preparation for inspections

What is this module about?

This module is the trainees' entry point into the details of the inspection action, starting with a description and examination of the steps for planning and preparing for an inspection visit. It deals with how to gather necessary information for the inspection; how to decide on the type of inspection; what documents/forms are necessary before starting either an indirect or a direct inspection; and how to target labour units for inspection.

The module describes the administrative steps to be taken for an inspection action, depending on the type of inspection and the source of information leading to the inspection, whether it is an administrative report, an individual complaint or an employer or workers' report, among others.

The module also examines how to use supporting documentation and materials, checklists, transport facilities, equipment and protective clothing, as well as when to carry out individual or team inspections.

Specific objectives

- ✓ Study the legal procedural steps before the inspection action.
- ✓ Take stock of problems related to preparing and planning for an inspection.

Outline of Module 3		
Topics	Methodology	Duration (minutes)
General view of the steps of an inspection action (collecting information, preparation)	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Flow-charts ▶ Forms 	60
Planning the inspection visits; Direct and indirect inspections; Approval and execution of inspections	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Flow-charts ▶ Forms 	60
Targeting labour units; Monthly work plans; Frequency of inspection visits	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Flow-charts ▶ Forms 	60

Supporting documentation and materials, checklists, transport facilities, equipment and protective clothing; Team versus individual inspections	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Flow-charts ▶ Forms ▶ Checklists 	60
Case studies and exercises (combined with theory)	<ul style="list-style-type: none"> ▶ Reading ▶ Roundtable/discussion in groups 	60
Q&A assessment test	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires.</p>	10

Summarized checklist before the inspection visit

Is the visit to be announced or unannounced? Do I need an appointment?

Have I checked the file for the establishment to be inspected or the record of complaints in course?

Do I have:

- ▶ my credentials
- ▶ my inspection service order
- ▶ relevant legislation
- ▶ leaflets, posters and so on to give to establishments (where appropriate)
- ▶ uniform and necessary protective clothing and equipment
- ▶ calculator and digital camera/mobile phone?

Has transport been organized?

Is this a team inspection?

Do I have my mobile phone and is it charged?

Do I have the template checklist and regular forms to record information?

Technical contents

- ▶ Planning of inspections
- ▶ Indirect inspections and direct inspection visits
- ▶ Preparing for the inspection visit
- ▶ Approval of inspection

Resources and references

Guidelines on Social Security Inspection in the Lao People's Democratic Republic;

Standard Operating Procedure for Social Security Inspection in the Lao People's Democratic Republic

Law on Social Security (amended version) No. 54, 27 June 2018

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ILO, *ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 10 – The Inspection Visit*, 2018.

ILO, *ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 3 – Policy and Planning of Labour Inspection*, 2018.

ILO, “*ILO Approach to Strategic Compliance Planning for Labour Inspectorates*”, ILO LABADMIN/OSH Brief No. 2, 2017.

ILO, *Guidelines on General Principles of Labour Inspection*, 2022.

Javier Barbero, Arsenio Fernández Rodríguez and Changyou Zhu, *Guide on Labour Inspection and Social Security* (ILO, 2020).

Anne Rice (ed.), *A Tool Kit for Labour Inspectors: A Model Enforcement Policy, a Training and Operations Manual, a Code of Ethical Behaviour* (ILO, 2006).

Wolfgang Von Richthoven, *Labour Inspection: A Guide to the Profession* (ILO, 2002).

Module 4. Conducting an inspection visit

What is this module about?

This module introduces trainees to the steps involved in an inspection, such as how to arrange initial contact with the employers; what resources, legal or technical, inspectors may make use of in order to successfully conduct an inspection; or what should be an adequate balance in the use of inspection enforcement powers and persuasion.

The module also reviews practical matters, such as how best to approach the employer and workers while conducting an inspection visit; how to behave during an inspection visit; how to request documents from and conduct interviews with the employer and workers; and what information and data must be collected in order to perform and report on the inspection.

The module also deals with cases of uncooperative employers or workers, and provides guidelines on how the inspector should react and what procedural steps should be taken if this lack of cooperation persists.

Specific objectives

- ✓ Know the legal and personal resources that may be utilized during an inspection visit.
- ✓ Discuss the main problems or difficulties that may arise during an inspection.
- ✓ Provide advice and technical support for inspectors in the event of uncooperative employers.

Outline of Module 4		
Topics	Methodology	Duration (minutes)
Steps involved in a labour inspection visit; Outreach to employers regarding benefits of social security compliance; Resources during the inspection (legal power, technical knowledge, experience, communication power)	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Checklists 	60
Credentials; Initial contact; Requests for documents; Interviews	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Checklists 	60
Uncooperative employers	<ul style="list-style-type: none"> ▶ Case study ▶ Discussion 	60
Measures to take; Balance between powers and persuasion	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	60
Case studies and exercises (combined with theory)	<ul style="list-style-type: none"> ▶ Reading ▶ Roundtable/ discussions in groups 	30

Final Q&A assessment test	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires</p>	10
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Technical contents

- ▶ Inspection approach
- ▶ Powers
- ▶ Resources of inspectors while conducting an inspection
- ▶ Conducting the inspection visit
- ▶ Preliminary contacts and formalities
- ▶ Initial contact
- ▶ Deciding on accompaniment
- ▶ Deciding on the type of inspection
- ▶ Requirements and contents of an indirect inspection
- ▶ Requirements and contents of a direct inspection visit

Resources and references

Guidelines on Social Security Inspection in the Lao People's Democratic Republic;

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ILO, *Labour Administration and Inspection: Challenges and Perspectives*, GB.309/ESP/3, 2010.

Robert Heron, Henrik Vistisen and Kazuo Yamazaki, *Conducting Labour Inspection Visits: A Practical Guide* (ILO, 1998).

Module 5. Reporting, closing meeting and follow up

What is this module about?

This module prepares trainees about closing inspection visits and how to report on inspection visits. It introduces the importance of using checklists and forms that will be necessary for the inspection system and for an adequate recording of the information gathered.

The reporting system is crucial for ensuring a reliable information system and for developing inspection policies and setting up performance indicators and strategic inspection objectives.

The module also focuses on the results of the inspection and the appropriate measures or solutions to take on board after assessing the strengths, weaknesses and offences found in during the inspection.

The module also details the procedural steps to submit the inspection findings to the inspection management system and the steps that lead to a follow-up inspection or to taking legal measures.

Specific objectives

- ✓ Help inspectors complete and close inspections successfully.
- ✓ Raise awareness of the importance of the quality of recording and reporting system for use in annual reports and developing the inspection action strategy, objectives and performance indicators.
- ✓ Discuss the problems linked to recording and reporting on an inspection action.

Outline of Module 5		
Topics	Methodology	Duration (minutes)
Recording with acceptable standards; Inspection checklists	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Checklists ▶ Forms 	60
Closing meeting (purpose of inspection)	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	60
Reporting/recommendations; Measures against violators; Offenses and enforcement measures	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Checklists ▶ Forms ▶ Flowcharts 	60
Monitoring and evaluation of inspection findings (performance indicators)	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion ▶ Checklist 	60

Case studies and exercises (combined with theory)	<ul style="list-style-type: none"> ▶ Reading ▶ Discussion in groups 	60
Q&A assessment test	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires</p>	10

Technical contents

- ▶ Closing meeting after completing inspection
- ▶ Special occurrences that may undermine the inspection
- ▶ Preparation of inspection findings
- ▶ Report on the inspection findings
- ▶ Consideration of inspection findings
- ▶ Monitoring and supervision of compliance with the inspection findings
- ▶ Procedures for applying measures against offenders (articles 24 and 25 of the Ministerial Decision No. 4139):
 - Step 1: Warning and educating measures;
 - Step 2: Fining and suspension of benefits; and
 - Step 3: Prosecution procedure
- ▶ Fines (article 26 of Ministerial Decision No. 4139 and article 119 of the Social Security Law)
- ▶ If a labour unit does not follow warning procedure and does not participate the social security scheme, it will be fined (article 26 of Ministerial Decision No. 4139)
- ▶ Legal proceeding measures (article 27 of Ministerial Decision No. 4139)
- ▶ Measures against social security inspectors (article 28 of Ministerial Decision No. 4139)
- ▶ Income from the fines (article 29 of Ministerial Decision No. 4139)

Resources and references

Guidelines on Social Security Inspection in the Lao People's Democratic Republic;

Standard Operating Procedure for Social Security Inspection in the Lao People's Democratic Republic

Law on Social Security (amended version) No. 54, 27 June 2018

Ministry of Labour and Social Welfare Ministerial Decision No. 4139, 2 November 2021

Javier Barbero, Arsenio Fernández Rodríguez and Changyou Zhu, *Guide on Labour Inspection and Social Security* (ILO, 2020).

ILO, *ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 11 – Tools for Labour Inspectorates*, 2018.

ILO, *ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 10 – The Inspection Visit*, 2018.

Wolfgang Von Richthoven, *Labour Inspection: A Guide to the Profession* (ILO, 2002).

Module 6. Ethical code for social security inspectors

What is this module about?

This module is related to the ethical framework in which social security inspectors work. It seeks to raise awareness of the importance of respecting the ethical and professional rules to ensure the credibility and prestige of social security inspection.

The module provides the general professional and ethical obligations and principles for social security inspectors, such as the obligation of confidentiality, prohibition of conflicts of interest, personal behaviour rules, and so on, as set out in national legislation and international standards.

Specific objectives

- ✓ Appreciate the importance of ethical and professional rules.
- ✓ Know what the international standards provide for in this regard.
- ✓ Present examples of improper behaviour.

Outline of Module 6		
Topics	Methodology	Duration (minutes)
Ethical framework, code of behaviour: Integrity, professionalism, neutrality	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	30
Prohibitions	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	30
General obligations; Performance of duties; Respect for others	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	30
Confidentiality; Conflicts of interest; Personal behaviour; Professional career	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	30
Case studies and exercises (combined with theory)	<ul style="list-style-type: none"> ▶ Reading ▶ Roundtable/discussion in groups 	30

Q&A assessment test	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires</p>	10
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Technical contents

- ▶ General principles of effective inspection (ILO Convention and ILO Guidelines on Principles of Labour Inspection)
- ▶ Ministerial Decision No. 4139, article 3 on Principles
- ▶ General obligations of social security inspectors
- ▶ Performance of duties

Resources and references

Guidelines on Social Security Inspection in the Lao People's Democratic Republic;

Standard Operating Procedure for Social Security Inspection in the Lao People's Democratic Republic

International Association of Labour Inspection, *The Global Code of Integrity for Labour Inspection*, 2011.

Javier Barbero, Arsenio Fernández Rodríguez and Changyou Zhu, *Guide on Labour Inspection and Social Security* (ILO, 2020).

ILO, *Guidelines on General Principles of Labour Inspection*, 2022.

India, Government of Maharashtra, *Inspection Manual*, September 2010.

Canada, Ontario Ministry of Labour, “Regulator’s Code of Practice: Integrity in Pursuit of Compliance”.

Anne Rice (ed.), *A Tool Kit for Labour Inspectors: A Model Enforcement Policy, a Training and Operations Manual, a Code of Ethical Behaviour* (ILO, 2006).

Module 7. Soft skills

What is this module about?

This module is related those additional skills that social security inspectors should have in order to perform inspection duties in an effective and efficient way. These are not technical skills nor do they require technical knowledge, but instead are concerned with personal capabilities such as communication and listening abilities, interview strategy, report writing capacity, aptitude to face anger and hostile situations, and so on.

These abilities, while being important in every facet of life, are particularly required for the work of inspectors, as they must deal with very heterogeneous situations and persons with different education levels and dissimilar personal and professional backgrounds.

Specific objectives

- ✓ Present a general view of different soft skills and necessary abilities for a social security inspector.
- ✓ Provide practical advice and tips in order to handle specific situations.

Outline of Module 7		
Topics	Methodology	Duration (minutes)
Verbal communication	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Non-verbal communication	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Listening	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Interviewing	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Report-writing	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Conflict management	<ul style="list-style-type: none"> ▶ Lecture ▶ Discussion 	20
Exercises	<ul style="list-style-type: none"> ▶ Reading ▶ Roundtable/discussion in groups 	20
Q&A self-assessment	<p>Participants will fill in a Q&A handout to measure the level of knowledge acquired at the end of the module.</p> <p>The trainer evaluates any shortcomings or weaknesses emerging from the questionnaires</p>	10

Technical contents

- ▶ Introduction
- ▶ Verbal communication
- ▶ Non-verbal communication
- ▶ Personal space
- ▶ Listening
- ▶ Interviewing
- ▶ How to ask the questions during an interview
- ▶ Report writing
- ▶ Dealing with anger
- ▶ Hostile situations

Resources and references

ILO, *ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 17: Use of Soft Skills in Labour Inspectors' Work*, 2018.

Part 3. Activities, resources and evaluations

Practical and interactive activities

Videos

The PowerPoint presentation includes some videos in Lao language presenting general views of social security and the challenges that many countries, particularly the Lao People's Democratic Republic, face in order to implement successful social protection programmes. They are mostly ILO videos.

Case studies

This curriculum includes a set of case studies presenting real-world examples from different countries that help illustrate key concepts, initiatives and experiences, and demonstrate how legislation and policies are applied in practice. Not all of modules include case studies. For instance, there are no case studies for Module 7 on soft skills due to the specific personal nature of its contents. The case studies are included in Annex I. This training curriculum includes a large set of case studies, and it might not be possible to go through all of them because of time constraints. So the trainer should select the case studies that they believe to best illustrate or explain the theoretical components being taught.

Exercises

The training sessions include several real and invented inspection scenarios for each module (Annex II). These exercises are to be presented either after the PowerPoint presentation or by alternating theory and practice during each module's presentation. The exercises pose several questions to the trainees, who will be separated in groups to discuss each case and provide solutions. The set of exercises is large, and it might not be possible to go through all of them given the time constraints. So the trainer should select those that they believe to best illustrate or explain the theoretical components being taught.

The groups are expected to discuss each case with a view to reinforcing the learning. As far as possible, the exercises will be dealt with by means of team work and role-playing interventions. The general structure of these exercises is presented below:

Topics	Methodology
Task	<ul style="list-style-type: none">✓ Individually read the list/text contained in the exercise.✓ In small groups, discuss the subject.✓ Presentation of conclusions by a speaker selected to represent the group.✓ Where appropriate, play the role as inspector speaking with employer.✓ In plenary, discuss the solutions or conclusions suggested by the groups.
Rough time estimation	<p>15–20 minutes for group work</p> <p>15–20 minutes for groups' presentations and plenary discussion</p>

Visit to labour units

If it agreed to ahead of time, one or several real visits to selected labour units could be carried out by a small group of inspectors and the trainer/ILO team. This experience could serve as the basis for a discussion in the classroom on the different aspects, situations or details that occurred during the visit. This training practice, if agreed upon, should be organized by LSSO inspection management.

Resources

The following resources should be used, particularly if available in Lao language:

- ▶ Laws and regulations
- ▶ Studies
- ▶ Presentations, case studies and exercises
- ▶ Checklists
- ▶ Q&A tests
- ▶ Evaluation final tests
- ▶ SOP forms and flowcharts
- ▶ Readings
- ▶ Videos
- ▶ Online materials, where appropriate

Evaluation

Feedback from participants about the training content, delivery and overall effectiveness is necessary in order to inform future iterations of the curriculum, particularly for training of trainers purposes.

To this end, a final evaluation test of each module will be carried out to assess participants' understanding and proficiency by means of tests and a practical exercise. **The tests could also be taken during the last training session, depending on preferences of the trainer and the trainees.**

The trainer will also deliver a final checklist (Annex V) in order to find out the skills learned by the trainees. By the same token, the participants will report through a written questionnaire how well their learning experience has been provided and achieved.

A summary of key takeaways will be drafted after this evaluation, including using the feedback provided by the participants about the training content, delivery and overall effectiveness, so that everything can be considered when preparing future interactions of the training curriculum, particularly for training of trainers purposes.

Annexes

Annex I. Country case studies

Module 1. Background on social security inspection: Foundational concepts and legal administrative framework

Case study 1

Fraud in 24/7 security

A fraudulent practice seen in the private security sector consists of using “ghost” workers for premises requiring permanent surveillance (24 hours per day, 7 days per week). The maximum number of working hours is limited by legal ceilings. As a result, a certain minimum number of guards is required to keep uninterrupted 24/7 security without exceeding the maximum working hours for each worker.

However, to reduce social security costs, some private security enterprises make an agreement with their workers to extend their working period and to pay them overtime under the counter, instead of hiring the actual number of workers needed. Because they are using a smaller staff and their overtime is not being declared, the employer saves on direct and indirect labour costs. The worker, in return, receives a bigger sum of money each month.

To cover up the fact that they are not actually employing the minimum number of workers required, the private security enterprise might attribute shifts to a fictitious worker or to a worker that is actually placed with a different client. They will then use this fake list of workers in the event that labour inspectors pay a visit. Security workers are also constantly rotated from one workplace to another to elude detection by the authorities.

Source: ILO, “Labour Inspection and Undeclared Work in the EU”, ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

Is working overtime frequent here in the Lao People's Democratic Republic?

Are companies required to have clock-in and clock-out records?

How can inspectors check overtime?

Is overtime related to social security contributions?

Case study 2

Outsourced truck-drivers: The case of Portugal

A transport company decides to outsource its core business to self-employed drivers rather than employing drivers directly. They achieve this by simultaneously terminating the labour contracts of all their employee drivers and having these same drivers sign an exclusive commercial contract to render transportation services to their (now) former employer. Under the commercial contract with each driver, a company truck is sold or leased to the driver, who pays off the equipment in instalments, often directly deducted from the price paid by user (the transport company) for the services rendered by the driver.

The drivers are now apparently self-employed, but they only provide their services to the transport company, receive daily instructions from the transport company on deliveries and deadlines for accomplishing the work, and are rewarded or penalized based on their timeliness. In some cases, a fixed fee is paid to the drivers on a periodic basis (much like a salary).

The transport company can, through this scheme, claim that the drivers are not employed by them, and consequently elude the application of labour law (such as the maximum duration of working periods and social security contributions) as well as responsibility for the road safety performance of the drivers.

However, under the law, if an inspection action determines there is enough evidence that a worker is subordinate to the employer, the worker is entitled to reintegration into the company.

Source: ILO, "Labour Inspection and Undeclared Work in the EU", ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

Is there bogus self-employment in the Lao People's Democratic Republic?

If, yes, how do you handle these cases?

Is the transport sector characterized by informality in the Lao People's Democratic Republic?

Does the inspectorate plan inspections in the transport sector?

Case study 3

The “Thunder” Operation in Spain

In 2010, the Spanish labour and social security inspectorate launched the Trueno Operation, involving ten officers of the tax authority, six labour inspectors and employment inspectors, two anti-corruption Public Prosecutors and local police, to address transnational fraud being committed by a hospitality consortium managing more than 70 hotels on the islands of Ibiza and Mallorca.

The consortium created a ghost company that hired workers in Brno, Czechia. These workers were posted in Ibiza during the summer to work as waiters, receiving salaries inferior to the minimum wage and being declared to Czech social security for less than the Spanish minimum wage. The consortium had around 100 puppet enterprises, most of them without workers and domiciled in Ibiza, Palma and Barcelona.

At the request of the Spanish inspectorate, the Czech labour inspectorate visited the office of the ghost company and confirmed that this office was closed without any signal of activity. In parallel, the Spanish Tax Administration Agency had initiated an investigation for presumed tax fraud. During visits to the private domicile of the entrepreneur, inspectors found evidence of contracts with female foreign workers with indicators of labour and sexual exploitation. At the headquarters of the consortium, files showing paid wages that had not been declared to the tax and social security administration were found, covering around 300 workers. As result of the joint action, the commission of several offenses against workers' rights were detected, as well as many offences concerning the posting of workers, discrimination against foreign workers, precarious working conditions, abusive working hours and 80 bogus independent workers.

Source: ILO, “Labour Inspection and Undeclared Work in the EU”, ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

Are joint inspection visits organized with public prosecutors/judges or the police in the Lao People's Democratic Republic?

Are there joint inspections with the labour inspectorate or tax inspectorate?

Are there any collaboration agreements or memoranda of understanding between the social security inspectorate and other stakeholders?

Are joint inspections organized with trade unions?

Case study 4

The codes of practice of Ireland's National Employment Rights Authority (NERA)

NERA has developed a Code of Practice and a Guide to Inspections for employers, both available on their website. In addition, a code of practice for determining the employment or self-employment status of individuals intends to eliminate misconceptions on who is a self-employed worker and who is to be considered a dependant worker. The code defines criteria for whether an individual is an employee or self-employed, alerts parties to the consequences arising from the determination of an individual's status, and provides contact information for organizations that can offer advice and assistance in case a worker's status may be in doubt.

Source: ILO, "Labour Inspection and Undeclared Work in the EU", ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

Are there specific guidelines or codes of practice for specific matters related to social security in the Lao People's Democratic Republic?

Case study 5

Deadline for registration with social security

Overall, the quality of legislation is a relevant factor influencing the capacities of inspectorates to tackle undeclared work. One particular problem for inspectors is the deadline for registration of workers in social security. For example, in **Romania** the deadlines for registration make it difficult for inspectors to prove the duration of an employment relationship. As reported by labour inspectorates, when the deadline is too flexible, the outcomes of inspection visits are quite narrow, as non-compliant employers are able to register the worker after inspection without incurring any kind of penalty.

However, the simplification of registration procedures can help labour inspectors. When there is, for instance, the option to declare a worker online, by text message or by fax, businesses are offered better public services, and consequently there will be no justifiable reason not to register workers.

Source: ILO, "Labour Inspection and Undeclared Work in the EU", ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

What do you think about this case?

Do you think that flexible deadlines are necessary in the Lao People's Democratic Republic?

If you answered yes, explain why?

Case study 6**Effects of undeclared work on national revenues: The case of Belgium**

Undeclared work still represents serious problem in some European countries, standing at the equivalent of around 19 per cent of GDP across all of Europe, albeit with large regional differences, ranging from around 30 per cent in some countries to 7 per cent in others. The financial resources lost by the State as a result of this undeclared work are huge. As an example, let us consider a construction worker in Belgium working 40 hours per week and receiving the minimum wage. If you calculate the taxes and social security contributions paid by both the employer and the worker, the State receives for each month of work approximately double the amount paid to the worker. But if the worker is undeclared, the State ceases to receive these payments every month. And if the undeclared worker is receiving any kind of additional allowances, the loss to the State will be even higher.

Source: ILO, "Labour Inspection and Undeclared Work in the EU", ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

What do you think about this case, is it applicable to the Lao People's Democratic Republic?

What implications can poor collection of social security contributions and taxes have on the national economy?

What do you think the Lao People's Democratic Republic should do in order to optimize revenues from social security contributions?

Case study 7

Indicators in the code of practice for determining the employment or self-employment status of individuals: The case of Ireland

An individual would normally be an employee if he or she:

- ▶ Is under the control of another person who directs as to how, when and where the work is to be carried out.
- ▶ Is not exposed to personal financial risk in carrying out the work.
- ▶ Supplies labour only, and does not supply materials for the job in hand.
- ▶ Receives a fixed hourly, weekly or monthly wage; works set hours or a given number of hours per week or month.
- ▶ Cannot subcontract the work. If the work can be subcontracted and paid by the person subcontracting the work, the employer/employee relationship may simply be transferred on.
- ▶ Does not assume responsibility for investment and management in the enterprise.
- ▶ Does not have the opportunity to profit from sound management in the scheduling of engagements or in the performance of tasks arising from the engagements.

An individual would normally be self-employed if he or she:

- ▶ Owns his or her own business.
- ▶ Is exposed to financial risk by having to bear the cost of making good faulty or substandard work carried out under the contract.
- ▶ Provides equipment and machinery necessary for the job, other than the small tools of the trade or equipment which in an overall context would not be an indicator of a person in business on their own account.
- ▶ Has control over what is done, when and where the job is done and whether he or she does it personally.
- ▶ Is free to hire other people, on his or her terms, to do the work which has been agreed to be undertaken.
- ▶ Assumes responsibility for investment and management in the enterprise.
- ▶ Has opportunity to profit from sound management in the scheduling and performance of engagements and tasks.

Source: ILO, "Labour Inspection and Undeclared Work in the EU", ILO LAB/ADMIN Working Document No. 29, 2013.

Areas for discussion

Do you think these criteria could be useful for your daily work?

Case study 8

Need for cooperation in some Balkan countries

Employers often have a legal obligation to report accidents at work or cases of occupational disease to the labour inspectorate, but sometimes this obligation is not complied with. The worker involved in the accident, however, might make a social insurance benefit claim for injury compensation. As a result, sometimes the only government body that receives any notification of the workplace accident or occupational disease is the social insurance agency.

It would be desirable that specific legal provisions be put in place in order to ensure that all relevant information on accidents and occupational diseases be communicated systematically both to the social security inspectorate and to the labour inspectorate.

The lack of such a legal requirement is the cause behind some Balkan countries not having reliable statistics on occupational accidents and diseases. Accurate statistics and data on accidents at work and occupational disease help workers receive social security benefits and enable inspectorates to identify high-risk establishments and activities and to decide on measures for eliminating risk factors.

Areas for discussion

Are accidents at work and occupational diseases in the Lao People's Democratic Republic always notified to authorities?

Do you know whether the labour inspectorate or social security inspectorate are notified?

Is the Ministry or the LSSO always notified?

Case study 9

Sharing information and assessing insurance premiums

Inspectorates may inform the social security and social insurance agencies of situations that pose a threat to workers' safety and health, as well as breaches of occupational safety and health (OSH) laws that they encounter during inspection visits. This information about OSH performance is useful for insurance agencies to assess insurance premiums based on work injury rates. The relationship between occupational accident and disease insurance and workers' compensation is important.

Cooperation between labour inspectorate and health insurance funds

In France, for instance, cooperation between the French labour inspectorate and the regional health insurance funds is time-honoured and effective. Similar arrangements exist in Austria and Luxembourg.

Areas for discussion

Is there any similar arrangement in the Lao People's Democratic Republic?

Case study 10

Occupational safety and health (OSH) and social security contributions (premiums) for accidents at work or occupational diseases: The case of Italy

There are several ways to address the impact of occupational risk prevention on insurance systems. One is by assessing whether there is a reduction or increase in the accident rate (as a result of investment in prevention measures), and then increasing or decreasing insurance premiums accordingly. Another way is to consider the investments that a company makes independently of the results in terms of number of accidents (claims). There are also mixed forms.

In Italy, the premium for occupational accident insurance is managed by INAIL (*Istituto Nazionale Assicurazione contro gli Infortuni sul Lavoro*). Under INAIL, there are two types of premium fluctuation:

1. **Fluctuation by accident rate:** the average rate is, each year, susceptible to a reduction or increase depending on the accident rate trend of the company and its comparison with the average in the corresponding rate classification.
2. **Fluctuation for risk prevention:** INAIL awards a "discount" to those companies that make investments and demonstrate that they have made improvements in health and safety conditions beyond those required by law and that they are up to date in the regular payment of contributions.

Areas for discussion

Is there a system in the Lao People's Democratic Republic for linking accidents at work or risk prevention measures with social security contributions or premiums?

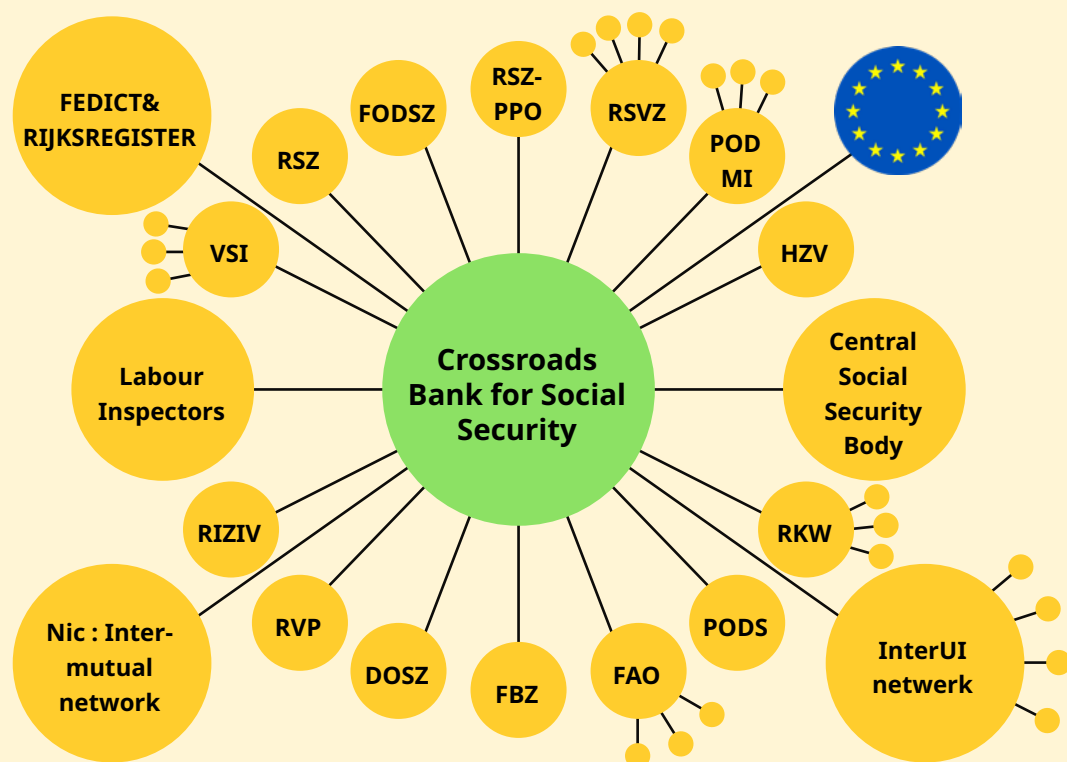
Do you think it would be a good practice?

Case study 11

Sharing of databases: The case of Belgium

The sharing of information and databases is another important tool for social security inspection. Under such arrangements, information filed by other public authorities (for example, tax authorities or departments responsible for issuing operating licenses) is made available to the social security inspectorate, in order to identify establishments in need of inspection.

The Crossroads Bank for Social Security (CBSS) in Belgium is a good example. The image below represents how the CBSS shares data with a wide variety of different bodies and institutions.



Areas for discussion

Do you think this cooperation set up is interesting?

Case study 12

Ministry of Commerce, Lao People's Democratic Republic

Having access to the register of existing labour units, the number of workers, the real salaries paid, and other information held by the Registration Department of the Ministry of Commerce, in the Labour Inspection Unit, or in Tax Authorities allows LSSO to crosscheck the data available in its own systems. This is useful in planning inspections of establishments generally, and particularly for focusing inspection activity.

Areas for discussion

Do you think that access to the Ministry of Commerce's database register is a valuable tool for social security inspectors?

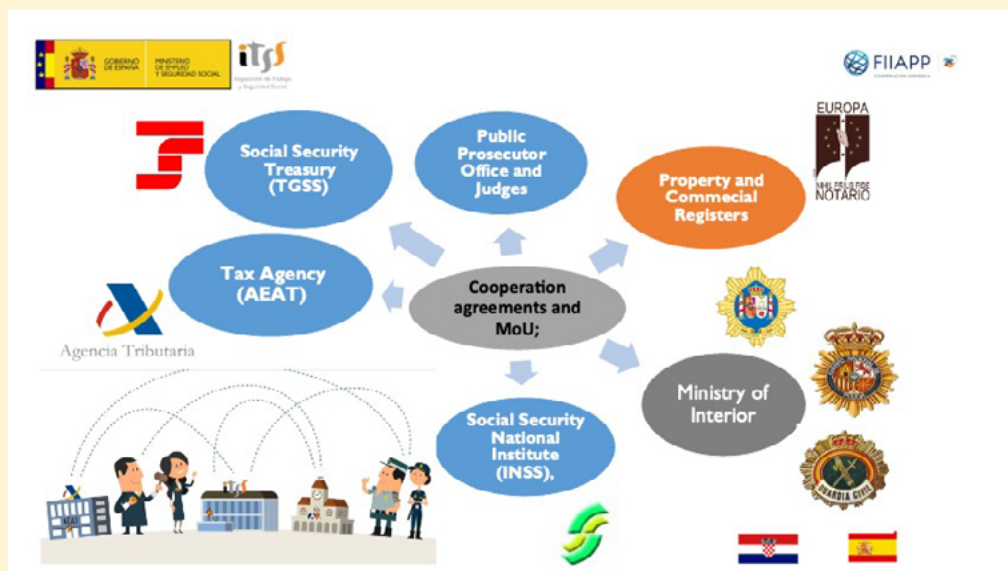
How does the social security inspectorate crosscheck data with the Ministry of Commerce?

Would you be in favour of extending this practice to other stakeholders such as the Tax Authority?

Case study 13

Spain's interagency cooperation scheme

Very much like Belgium, Spain also has strong interconnected systems between authorities, involving employment services, social security institutions, the tax agency, and property and commercial registers. Below you can find a diagram of how the system works.



Areas for discussion

What are your thoughts on this cooperation scheme?

Do you think this would be a feasible and good practice in the Lao People's Democratic Republic?

Module 2. Compliance strategies and powers of social security inspectors

Case study 1

Preventive campaigns in Spain

In order to estimate undeclared work on orange plantations and vineyards, Spain uses a technique to disclose seasonal undeclared work during harvest seasons. Labour inspectors collect information on the size of the undertaking by consulting land registries, along with the production levels declared for the harvest. They then estimate the number of workers and working days needed to obtain such production levels. If the number of workers registered in the social security data base does not match with the calculation, the employer is summoned to explain the reason for the mismatch. If the employer does not reply or fail to convince the inspectors, visits are made to the plantation to check and identify undeclared workers, and severe penalties are issued if such workers are found. As many farms are in isolated areas, visits are prepared using Google Maps. The method has produced good results, with a 217 per cent increase in the registration of farm workers with social security authorities seen in 2009.

Areas for discussion

- What do you think about this inspection technique?
- Would this type of inspection approach fit into your national legislation and practice?
- Would it be useful for reducing undeclared work?

Case study 2*

Workers and employers assume a greater role in promoting compliance through social dialogue in the Philippines

The Philippines workplace compliance system was designed to provide the opportunity for workers and employers to engage with the inspection process, thus making inspections more transparent. According to national inspection rules, representatives of workers and employers in an enterprise must participate in pre-inspection conferences conducted by inspectors, who are expected to explain the inspection process, the inspector's independence and scope of authority, and the documents to be reviewed.

The procedures set forth the criteria for selecting workers' representatives so as to ensure legitimacy and independence. Once the inspection report is available, labour inspectors are expected to share their findings with both parties. There are several inspection approaches:

- ▶ Self-assessment inspection procedures (the firm carries out a self-assessment, with the knowledge of public authorities);
- ▶ Joint assessment inspection procedures (trade unions/workers' representatives, employers and LLCOs (Labour Law Compliance Officers) join efforts for assessing workplaces regarding compliance).

Areas for discussion

- Do you think that trade union representatives should participate in inspection visits?
- What do you think joint inspection procedures with trade unions would involve?

Case study 3

Self-assessment in Viet Nam

Viet Nam has implemented a self-assessment system in which ten forms have been developed for ten sectors. Companies fill out the form online, and recommendations will be automatically sent back to the business based on their responses. There are currently 10,113 businesses with registered accounts that have filled out forms on the system. In time, the competent ministry will apply the online self-assessment forms for all businesses.

Results:

- ▶ Strengthen control of labour laws at enterprises without having to directly inspect at the enterprise locations.
- ▶ Reduced resources both in terms of financing and manpower for inspection activities.
- ▶ Each time the form is filled out, the regulations of the labour law are disseminated to the employers and the employees.

1.2. Self-assessment form online software

Tên phiếu	Ngày tạo	Trạng thái	Công cụ
THỰC HIỆN PHIẾU LUẬT LAO ĐỘNG TẠI DOANH NGHIỆP	23/06/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN PHIẾU LUẬT LAO ĐỘNG TẠI CÁC DOANH NGHIỆP SẢN XUẤT VẬT LIỆU XÂY DỰNG	09/09/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN PHIẾU LUẬT LAO ĐỘNG TẠI DOANH NGHIỆP	02/05/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN CÁC QUY ĐỊNH CỦA PHÁP LUẬT VỀ NGƯỜI LAO ĐỘNG VIỆT NAM ĐI LÀM VIỆC Ở NƯỚC NGOÀI THEO HỢP ĐỒNG	16/05/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN CÁC QUY ĐỊNH CỦA PHÁP LUẬT VỀ NGƯỜI LAO ĐỘNG VIỆT NAM ĐI LÀM VIỆC Ở NƯỚC NGOÀI THEO HỢP ĐỒNG	17/02/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN CÁC QUY ĐỊNH CỦA PHÁP LUẬT VỀ NGƯỜI LAO ĐỘNG VIỆT NAM ĐI LÀM VIỆC Ở NƯỚC NGOÀI THEO HỢP ĐỒNG	17/02/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN PHIẾU LUẬT LAO ĐỘNG TẠI CÁC DOANH NGHIỆP DỊCH VỤ	26/01/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN CÁC QUY ĐỊNH CỦA PHÁP LUẬT VỀ NGƯỜI LAO ĐỘNG VIỆT NAM ĐI LÀM VIỆC Ở NƯỚC NGOÀI THEO HỢP ĐỒNG	26/01/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN CÁC QUY ĐỊNH CỦA PHÁP LUẬT VỀ NGƯỜI LAO ĐỘNG VIỆT NAM ĐI LÀM VIỆC Ở NƯỚC NGOÀI THEO HỢP ĐỒNG	05/01/2022	Khởi tạo	Hoàn thành phiếu Xóa
THỰC HIỆN CÁC QUY ĐỊNH CỦA PHÁP LUẬT VỀ NGƯỜI LAO ĐỘNG VIỆT NAM ĐI LÀM VIỆC Ở NƯỚC NGOÀI THEO HỢP ĐỒNG	03/01/2022	Khởi tạo	Hoàn thành phiếu Xóa

Hiện thị từ trang 1 đến 10 của 10 bản ghi | 15 | bản ghi mỗi trang

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Self-assessment form

MANAGEMENT AUTHORITY: **SOCIALIST REPUBLIC OF VIETNAM**
Independence - Freedom - Happiness

ENTERPRISE'S NAME: **IN TEXTILE AND GARMENT ENTERPRISE**
 date: **month** year

Form No. 1/2008
 Only for data entry

SELF-ASSESSMENT FORM
THE IMPLEMENTATION OF LABOR LAWS
 IN TEXTILE AND GARMENT ENTERPRISE
 (Reporting period from 01st January of the previous year to the time of this report)

I. General information:

1. Enterprise's name:

2. Type of enterprise:

1. ☐ Private 2. ☐ One-member limited liability
 3. ☐ Partnership 4. ☐ Two or more members limited liability
 5. ☐ Joint stock 6. ☐ Other, detail:

3. Headquarter of enterprise (in Vietnam):

Tel number: Fax:

4. Business license (Investment Certificate) No. granted by: for the first time on:
 amended for: time (the last time) on

5. Name of authority in charge:

6. Trade union organization:

1. ☐ Established 2. ☐ Has not been established
 Year of establishment:

7. Total of employees:

7.1. By type of employees:

Type of employees	Quantity
Female employees	
Juvenile employees	
Aged employees	
Foreign employees	

SELF-ASSESSMENT FORM ABOUT LABOR LAWS IMPLEMENTATION

Type of employees	Quantity
Employees with disability	
Total	

7.2. By work:

Work	Quantity
Extremely heavy, harmful and dangerous works	
Heavy, harmful and dangerous works	
Working in normal labour condition	
Total	

8. Number of contractors or relevant middlemen	
9. Total number of employees work for contractors or relevant middlemen	

II. THE IMPLEMENTATION OF LABOR LAW, SOCIAL INSURANCE LAW

1. Prepare and send periodical reports to local labor authority:

Type of report		The latest report
1.1. Periodical report on recruitment status and labour usage status (first 6 months and annual)	1. <input type="checkbox"/> Yes, months time 2. <input type="checkbox"/> No	Date year month
1.2. Periodical report on occupational accidents (first 6 months and annual)	1. <input type="checkbox"/> Yes, months time 2. <input type="checkbox"/> No	Date year month
1.3. Report on outcomes of training, retaining to improve profession, skills to state labor management authority at provincial level	1. <input type="checkbox"/> Yes, months time 2. <input type="checkbox"/> No	Date year month

Areas for discussion

What is your opinion of this self-assessment compliance strategy?

Do you think it would be in line with the compliance culture in the Lao People's Democratic Republic?

What would be the pros and cons of using a self-assessment strategy like this?

Case study 4

Labour inspection compliance policy in South Africa**PREVENTATIVE**

Advocacy

Encouraging self-regulation

Incentivizing compliance (Letter of good standing, ability to do business with the State)

Effective systems

Competent and capacitated inspectorate

Effective legal framework

Efficient law enforcement agencies

Quality inspections

DETERRENT

Name and shame noncompliant workplaces

Effective enforcement of notices

Follow-up inspections to be carried out

Hefty fines and penalties

Inability to do business with the State

Areas for discussion

What is your preferred side of this table, the right or the left?

Or perhaps the left side for some subjects and right for others?

Case study 5*

Using drone technology for monitoring worksites: The case of the United Arab Emirates

The United Arab Emirates some years ago prepared an initiative to use drones to fly over construction sites and other workplaces to monitor compliance with labour standards. The drones would be remote-controlled and would be equipped with a built-in camera.



The device would be used to ensure that companies are complying with occupational safety and health (OSH) standards, as well as to check whether the midday break was being respected. The first prototype drone was produced in cooperation with the Dubai College of Technology, and further examples were expected to be produced. The drone's camera would record everything in range and, in the event that a company denied committing a violation, the facts could be verified by viewing the video recorded by the drone, which could be used as evidence.

The route of the device could be organized by means of predefined coordinates. The high-definition camera could capture the inspected places with a high degree of clarity, and the images could be monitored from a screen. Viewing the video recorded by the drone, where it showed irregularities, the system would allow for the use of an electronic link between the recorded videos and the monitoring systems and enable the issuing of fines to non-compliant companies.

The drone was presented as an innovative mechanism that could increase the efficiency of labour inspection and save inspectors time and effort. In the meantime, the Inspectorate and the IT Department have worked together to train inspectors in the use of drones to monitor workplaces.

Source: ILO, Utilización de tecnologías de la información y de la comunicación en las inspecciones del trabajo. Una visión comparada en torno a países seleccionados, 2017.

Areas for discussion

Would this IT innovative labour inspection system have any usefulness for social security inspection?

Module 3. Planning and preparation for inspections

Case study 1*

Inspection planning in Belgium and Portugal

The defining of inspection priorities is based in some countries on the use of accurate intelligence. In Belgium, the Social Inspection Services uses warning indicators for selecting individual inspection targets, such as: an increase in turnover while there is also a decrease in the number of employees; reductions of registered staff above a certain threshold; and large differences in total wage sums and numbers of employees compared to previous employment declarations.

In Portugal, priorities are set based on indicators produced by the information system, which are cross-checked with information provided by social security and social partners. As a result of this, the action plan for 2008–2010 focused on cases of partially undeclared work, irregular use of fixed-term employment contracts, temporary work and the posting of workers in sectors such as the construction industry or seasonal work in agriculture and tourism. The multiyear plan established that 60 per cent of the 12,000 establishments to be inspected should be selected on the basis of the risk of social fraud. A national, coordinated inspection campaign was developed every three months using all or a majority of labour inspectors. A central department prepared the interventions, developed guidelines, monitored execution and ensured coherence of approach, and, for more complex or demanding actions, intervened with the teams of inspectors in the field.

Areas for discussion

Do you think that big data management is important for social security inspection?

What about artificial intelligence?

Do you think that taking a sectoral approach is important in the planning of inspections?

Case study 2*

Blitz inspection on unregistered workers in resorts, restaurants and bars: The case of Spain

A massive inspection intervention was conducted on the island of Mallorca in the summer of 2010, where mobile teams of inspectors covered the whole national coastline in a week looking for unregistered workers in beach resorts, restaurants and bars. The same approach was used for other sectors, such as construction and commerce, where teams of 20 to 60 inspectors covered selected neighbourhood in few hours, visiting all establishments while in permanent contact by mobile-phone with coordinators at headquarters.

The sector and area to be inspected was announced to inspectors during a brief just before the intervention to guarantee the surprise effect. Labour inspectors were required to gather all information immediately during the visit, including having workers sign interview forms, to be used as evidence in court. A car of police officers patrolled the area so that they could assist labour inspectors immediately in case of obstruction or refusal by any worker to be identified. These planned initiatives led to good results. In 2009, 5,622 employment relationships were regularized; more than €2.5 billion were secured for social security and at least €5.5 billion in fines were collected; and more than €15 million were retrieved for workers as in-debt payments (for wages under the minimum set by collective agreements, unpaid vacation, overtime and so on).

Areas for discussion

Do you think blitz inspections on specific economic sectors are useful?

Would they be useful for raising awareness among labour units that are not in the social security scheme?

Module 4. Conducting an inspection visit

Case study 1

Mobile phones as a compliance tool: The case of Uruguay

In Uruguay, smartphones have been used to carry out awareness campaigns, in parallel with inspection campaigns, on the registration of domestic workers. Uruguay reached an agreement with phone companies whereby mass text messages were sent to all clients, sensitizing the public on the convenience of declaring domestic workers and raising awareness of the benefits of declaring domestic workers.

Many workers in the domestic work sector, whether declared or not, were able to receive the message, since it is estimated that 75 per cent of them have a mobile phone. This awareness-raising campaign was carried out at the same time as an inspection campaign by teams of inspectors going to homes employing domestic workers. The combination of both awareness-raising and inspection significantly increased the number of domestic workers declared.

Source: ILO, Utilización de tecnologías de la información y de la comunicación en las inspecciones del trabajo. Una visión comparada en torno a países seleccionados, 2017.

Areas for discussion

This is a different inspection approach; how do you see it working in the Lao People's Democratic Republic?

Would it work in domestic of work, or in any other sectors?

Case study 2

Inspection visits by Ireland's National Employment Rights Authority

The following was an extract from the website of the National Employment Rights Authority (NERA), Ireland, about inspection visits by its staff. At the start of any inspection, the inspector identifies themselves, shows their authorization, which includes photographic identification, and explains to the employer the purpose of the inspection. In some situations, more than one inspector may be required to carry out the inspection. In carrying out an inspection, the inspector:

- ▶ Ascertains the name(s) of the person(s) who keeps and updates the records.
- ▶ Examines the records to establish that they are in compliance with the relevant employment rights legislation.
- ▶ Determines the rates of pay in respect of each employee from the rosters and the wages records presented.
- ▶ Informs the employer during the course of the inspection of any breaches of the legislation identified.
- ▶ May interview employees.

An inspection will typically last two to three hours. The duration depends on a number of factors, including the size of the business and the volume and quality of the records.

Source: ILO, ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 10 – The Inspection Visit, 2018.

Areas for discussion

Do you think that this inspection visit approach is similar to the one used by the LSSO?

Is there any difference or point that is not applicable to inspections in the Lao People's Democratic Republic, but would be useful to incorporate?

Case study 3

Using technology in inspection visits: The case of Sri Lanka

The Sri Lankan labour inspectorate, in collaboration with the ILO and the US Department of Labor, developed the Labour Inspection System Application (LISA) over five years. The system was introduced in 2013 and became one of the first automated inspection systems in South Asia.

Previously, Sri Lankan inspectors had to fill out forms by hand at the workplace and take written notes on the results of their inspection. They then had to go to their offices or work at home to complete the visit reports. With LISA, the everything is now paperless and the work is completed at the inspected workplace, so inspectors take their notes and write the report on the tablet, backing it up in the system from the visited workplace and completing the work on the spot.

But LISA is not just a system for inspectors, as workers and employers can also file complaints through LISA. When they file their complaints in the system, they are forwarded to the relevant officials, who start investigating them.

LISA also allows that when a worker or employer's name is entered into the system, all details or complaints related to that worker or employer are retrieved.

Source: ILO, Utilización de tecnologías de la información y de la comunicación en las inspecciones del trabajo. Una visión comparada en torno a países seleccionados, 2017.

Areas for discussion

Would this system be adaptable to your inspection system?

Would it be time saving?

Module 5. Reporting, closing meeting and follow up

Case study 1*

The aim of the closing meeting: An example

The aim of the closing meeting is for inspectors to:

- ▶ Summarize the general findings of the inspection, emphasizing what is satisfactory, but clearly pointing out what needs improvement to ensure compliance with the law.
- ▶ Discuss any unfair or unlawful conditions observed, outlining all apparent violations and possible legal consequences.
- ▶ Propose priorities for compliance by identifying specific subjects.
- ▶ State those measures that must be implemented without delay or by a certain deadline.
- ▶ Inform those present of the role and purpose of inspection, indicating the services it can provide to the employer and to workers.
- ▶ Present all findings in a balanced, impartial manner, highlighting also the good points.

Source: ILO, ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 10 – The Inspection Visit, 2018.

Areas for discussion

Do you agree with these statements drawn from the ILO labour inspection curriculum?

Do you think that this approach is compatible with your Standard Operating Procedure?

Case study 2***Guidelines for effective written communication**

1. Know your reader. Who will be reading the report? What do they know about the problem?
2. What do they need to know? How can the information best be provided so that they can make an informed decision?
3. Use simple language. Using fancy words or technical jargon will only blur your message.
4. Keep the report short, while still providing the necessary information. The value of the report does not depend on its length. The wordier the report is, the more likely the message will not be received or will be clouded.
5. Do not use long rambling sentences. If a sentence has more than 17 words, see if you can express it in a different way.
6. Present only the facts. Do not use emotive language. State the source of your facts.
7. Make sure your recommendations and the actions required of the reader are clearly stated.
8. Do not leave the reader guessing as to what you want them to do.

Source: ILO, ITC-ILO Curriculum on Building Modern and Effective Labour Inspection Systems: Module 10 – The Inspection Visit, 2018.

Module 6. Ethical code for social security inspectors

Case study 1*

"Sick Society Syndrome": A case study from Serbia, 2000–02

In the first half of March 2000, 1,619 people in Serbia were interviewed by the Center for Studying Alternatives on the issue of corruption. It was found that one out of five interviewees (21 per cent) had been in a situation where he or she had been asked for a bribe for a certain service.

In one instance of such corruption, it was discovered that an inspector in Serbia was accepting small gifts or taking items from shops, and criminal charges were filed against this inspector. The inspector was suspended until the end of the court proceedings, and when a guilty verdict was handed down by the court, the inspector was fired. In fact, in Serbia, in 2003–05 there were a dozen such complaints against inspectors. These complaints were directed at individual inspectors and against the heads of five district offices of the Labour Inspection Sector. The complaints, above all, underlined the poor treatment of inspection targets, mainly employers and trade unions, which was described as "imposing, rude and arrogant".

Inspection targets claimed that these inspectors did not deserve authority and respect because they abused the powers of their position. Every claim was individually investigated and the reasons for such behaviour among these inspectors – and potentially affecting all inspectors – could be found above all in the challenges related to their job, such as poor working conditions, stress and physical assaults during inspection visits. These circumstances led the reported inspectors to seek personal "compensation" and improvement of their financial situation.

However, it must be pointed out that considering the fact that in Serbia 380 labour inspectors carried out 226,161 inspection visits in 2003–05, the number of complaints against the work of inspectors was actually very small, affecting around 3 per cent of the total number of labour inspectors in the country. However, that is still 3 per cent too much.

Source: Anne Rice (ed.), A Tool Kit for Labour Inspectors: A Model Enforcement Policy, a Training and Operations Manual, a Code of Ethical Behaviour (ILO, 2006).

Areas for discussion

Do you think that the law in the Lao People's Democratic Republic prevents inspectors from behaving this way?

Annex II. Exercises

Module 1. Background on social security inspection: Foundational concepts and legal administrative framework

Exercise 1

Work in groups to answer the following questions:

Are international standards binding for employers?

Answer: It depends on whether the standard has been ratified by the Lao People's Democratic Republic. They are binding if the standard has been ratified.

Are social security inspection guidelines binding for employers?

No, only for inspectors, although they have an indirect effect on labour units (as labour units have to adapt to inspection procedures).

Indicate at least two cases where social security is related to health and safety at work?

Sample answers: (1) Benefits after an accident at work, and (2) reduction/increase of insurance premiums depending on health and safety measures taken.

Indicate at least three cases where social security is related to labour relations?

Sample answers: (1) Salary below the minimum wage; (2) contributions paid for overtime work or night work; and (3) employment relationship versus self-employment

Exercise 2

Work in groups to consider the following list of stakeholders for possible cooperation with the social security inspectorate. Using this list, answer the questions below.

1. Social partners (tripartism; national level, regional level, enterprise level)
2. Employers
3. Workers
4. Labour inspectorate
5. Other inspectorates
6. International Association of Labour Inspection (IALI)
7. Other social security and social insurance institutions
8. Police
9. Judicial bodies
10. Tax authorities
11. Ministry of Health
12. Other ministries responsible for the sectors covered by inspection
13. National human rights institutions/mechanisms
14. Immigration authorities
15. Social research institutions and universities
16. Professional bodies and NGOs
17. The media
18. Corporate social responsibility institutions
19. Public-private partnership approach
20. Private compliance initiatives (PCIs)
21. Multinational enterprises

<p>Select the four stakeholders with whom you think a collaboration would be more useful/fruitful for social security inspection and explain why.</p>
<p>Select the four stakeholders with whom you think a collaboration would be least useful/fruitful for social security inspection and explain why.</p>

Module 2. Compliance strategies and powers of social security inspectors

Exercise 1

Causes of non-compliance in the view of inspection subjects

Work in groups to consider the following reasons for non-compliance with social security regulations. Assess the importance of each of these reasons by giving each of them a score between 1 and 3, where: 1 = Very important; 2 = Somewhat important; 3 = Less important. Also provide at least one reason for your score.

Reason	Assess importance (score of 1–3) and give one reason for the score
Failure to understand the law	
Lack of faith in the law	
Procedural injustice and bureaucracy	
Compliance is expensive	
Deterrence failure	
Incapacity of regulators	
Failure of persuasion by public authorities	
Lack of incentives for compliance	
Failure of civil society	

Exercise 2

Which of the following violations do you think you are going to find frequently?

Work in groups to consider the following list of violations. Write “Yes” in the righthand column if you think you will frequently find this violation during your inspection work, and “No” if you do not think it will be commonly found. Provide an explanation of your reasoning.

1. Not registering workers to social security	
2. Not paying contributions	
3. Not declaring/calculating additional wages for overtime	
4. Not declaring/calculating additional wages for shift work	
5. Not declaring/calculating additional wages for night work	
6. Declaring lower wages than the real ones	
7. Bogus self-employment	
8. Worker receiving a social security benefit (sickness, unemployment) but actually still working	
9. Employer deducting workers' social security contribution without paying it to the LSSO	

Exercise 3

Working in groups, consider the relevance of each of the criteria below that you would take into account in your report or in the measures taken. Then rank these criteria from 1 to 9 (most relevant to least relevant)

Seriousness of the breach and the consequences	
Culpability of the duty-holder	
It is a repeated offence or there is a likelihood of the offence being repeated	
Efforts undertaken by duty-holder	
to avoid situation	
Openness of the duty-holder to rectify or remedy	
The breach records of the duty-holder	
Culpability of workers	
Total amount of contributions not paid	
Number of workers not registered	

Exercise 4

Work in small groups to consider the following example, and then answer the questions below. After you have completed the exercise, select a speaker to share your group's responses.

An inspector receives an ad hoc order to visit a coffee plantation. A team of two inspectors is set up and they use one of the small cars available at office. They drive to the plantation, but the road is in a very bad condition and the car gets stuck in a muddy pothole. Fortunately, a jeep passes by, which happens to belong to the company they are visiting.

The inspectors get into the jeep, which drops them off at the plantation and, after introducing themselves and explaining the reason for the inspection to the manager, they decide to identify the workers who are currently working. They go through the process of identifying and interviewing a total of 20 workers, but then they see that there are at least 300 workers in total, so they give up interviewing more workers and return to the company's office to check if the 20 identified workers are registered with social security.

They verify that none of these 20 workers are registered and that only the office staff are registered with social security.

When the inspectors tell the manager that they must register the workers with social security, the manager replies that they cannot afford to do so and that they would rather pay a fine than bear the social security costs.

The inspectors remind the manager that they have to comply with the law and that workers are entitled to social security and benefits (if circumstances make them eligible).

The manager gets upset and tells the inspectors to go back to where they came from and that he does not want to see them there ever again.

What SOP forms you should have with you before visiting the company?

How should inspectors react in this case?

How can they calm the manager down?

Practice your powers of persuasion by pointing out that social security might have more advantages than disadvantages. The situation with the manager is indeed delicate, but as inspector, you can use a tactful approach to address his concerns and emphasize the importance of social security.

Find below a number of different strategies for facing the situation. Explain in the righthand column what would you say in order to convince the employer while using each of the different approaches referred to in the lefthand column.

Empathize and acknowledge concerns	You can say something like:
Highlight legal obligations	You can say something like:

Explain the advantages and benefits of Social Security, such as in relation to: <ul style="list-style-type: none"> ▶ Healthcare coverage ▶ Retirement security ▶ Disability and survivors' benefits ▶ Employee loyalty ▶ Legal protection 	You can say something like:
Cost-Effective solutions: Suggest cost-effective ways to implement social security, such as: <ul style="list-style-type: none"> ▶ Gradual implementation ▶ Government subsidies ▶ Employee contributions 	You can say something like:
Address fines and penalties:	You can say something like:
Assure cooperation and support:	You can say something like:
Stay professional and calm	You can say something like:
Relationship between lack of registration with social security and health and safety at work	You can say something like:

Exercise 5

Deciding on the appropriate enforcement action	
Questions	<ul style="list-style-type: none"> ✓ Identify what you consider to be the most appropriate forms of enforcement action to be taken in the two cases summarized below. ✓ Discuss the possible different approaches used by enforcement officers in other countries (or in the Lao People's Democratic Republic). ✓ Where different inspectors would act in a different way, what would you give more value to: discretion (independence) or consistency (uniformity)? Explain your position
Tasks	Working in groups, discuss the subject by taking account of national legislation and/or internal inspection procedures. Report your conclusions to the plenary.
Time	45 minutes

Case 1

You visit a garment factory because you have received a formal complaint that they are employing under-age girls. During your visit, you find three 13-year-old girls (legal minimum working age is 14) working with sewing machines. They work full time and have been there for a year and, consequently, are not insured in social security.

The enterprise has 76 workers in total and has been operating for six years. The employer has received four previous inspection visits and has been given written and oral advice about not employing under-age workers. The company has never been prosecuted. The employer argues that he did not know that the girls were younger than 14.

Case 2

You visit a restaurant in response to a complaint about working time. There are 15 employees. You interview five employees and find out that they work shifts, including nights, but they take the chance to tell you that the employer does not pay them an additional wage for working at nights and they have remained in this situation for half a year.

This is not in compliance with the legal provisions regulating the higher rate of pay to be granted to employees for night shift work. The employer pays the workers' social security contributions without including these additional wages in the calculation base. The employer says that it is not the restaurant's policy to grant these income supplements to employees with less than one year's service. He says that employees are informed of this policy before signing their contract.

Module 3. Planning and preparation for inspections

Exercise 1

Targeting enterprises for inspection	
Aim	The aim of this exercise is to help participants reflect on the importance of planning and how it might best be undertaken.
Tasks	<ul style="list-style-type: none"> ✓ Participants should discuss the criteria in the table below to determine how important each one is to inspection planning. ✓ Assign a priority level to each of the criteria in the table (1 = high priority; 2 = average priority; 3 = low priority) ✓ Explain the reasons or logic for including such labour units in an inspection plan. ✓ Each group should elect a spokesperson to report its views.
Time	✓ The groups have 20 minutes for their deliberations. After that, each spokesperson will have 5 minutes to report back.

Criteria	Priority (1-3)	Reasons
Labour units with previous violations		
Labour units with a higher number of employees		
Labour units with a higher number of work accidents and diseases		
Small labour units (one to nine workers)		
Labour units in certain sectors (select sector and explain why)		

Criteria	Priority (1-3)	Reasons
New workplaces at the planning stage		
Labour units that are the subject of complaints		
Labour units with child labour records		
Labour units with high volumes of contributions		
Labour units where substantial time has elapsed since last inspection visit		
Other criteria (list criteria that you think should be a priority)		

Exercise 2

Working in groups, examine the differences between urgent visits and ad hoc visits. Present examples of when an ad hoc visit is necessary and when an emergency visit is necessary.

Exercise 3

Working in groups, consider the following questions concerning announcing inspection visits:

If the inspection is regular, do it have to be announced?

Who has to announce it?

How long in advance?

How do you know if the labour unit has previously been inspected?

If it has been previously inspected, how can you access to the results of these previous inspections?

Before the visit, what documents or forms you should take with you?

Module 4. Conducting an inspection visit

Exercise 1

Working in groups, consider the example below and answer the questions that follow.

An inspector goes to a ready-made garment workshop and asks for the employer. The manager comes and the inspector shows their identification and states that they are carrying out a direct inspection.

The employer nods and asks the inspector to wait just a minute. The manager returns after 15 minutes, just before the inspector loses their temper. Upon the employer's return the inspector starts the visit and finds out that there is only one employee in the office. The inspector continues looking around the premise and finds out that there is a big room with tables and sewing machines, but nobody is working there. They go on looking around and arrive at the changing room, where they find around 30 women's dresses on the hangers and shoes on the floor of each locker. The inspector asks the manager why there are clothes and shoes but no workers, but the manager shrugs their shoulders

What would you do? What action would you take?

What documents could you request from the employer?

What SOP forms should you take with you?

May the employer insist that you to show them the SOP forms?

What SOP form should you fill in after the inspection?

What would you write in observations?

Write/tell your findings and recommendations based on the description above.

Exercise 2

Working in groups, consider the example below and answer the questions that follow.

An inspector goes to a construction worksite on a direct inspection. Before leaving the car, the inspector realizes that they have forgotten their helmet. Proceeding without the helmet, the inspector approaches the worksite and upon arriving sees at least nine workers start running away. The inspector enters the construction site and finds out that there are five more workers who have stayed at work despite the inspector's arrival. Three of them are plastering a wall on a 5-meter high scaffold platform without ladders. One of the workers is a middle-aged man and the other two appear to be teenagers. When the inspector asks the middle-aged worker about the boys, he says he is the father of both boys, who are 12 and 13 years old.

The other two workers are foreign workers, and when the inspector asks for identification and work permits, the workers say they have none. None of the workers on the site wears helmet. While the inspector is interviewing the foreign workers, the foreman comes and the inspector asks them why the other workers have gone and that the foreman must identify them. The foreman claims not know the other workers all that well, and only knows the first name of some of them.

Write/tell what measures you would take/propose.

Write/tell findings and recommendations.

Exercise 3

Working in groups, consider the example below and answer the questions that follow.

An inspector goes to carry out direct inspection visits according to the inspection plan and the inspection orders approved by the Director. The inspector has to visit several commercial establishments that are located on the same street. They enter a shop that sells clothes (Labour Unit A) and identify three workers, all of whom have been correctly registered with social security.

The inspector leaves the premise and spends two more hours visiting other workplaces. The last one, also on the same street, is a gift shop (Labour Unit B), where the inspector finds one of the workers previously identified in their visit to Labour Unit A, who is working in the gift shop stacking up boxes. When the inspector asks the manager about the worker, the manager answers that this worker comes and goes to and from Labour Unit A, bringing stock, and that they belongs to the other shop, which is owned by a relative. The inspector asks whether the worker is registered with social security in Labour Unit B and the employer answers that the worker is not registered.

Would you take any measures in this case?

Write/tell what measures you would take.

Exercise 4

Working in groups, consider the example below and answer the questions that follow.

An inspector receives an inspection order following a complaint. The inspector goes to the premises on a Sunday morning and finds a worker named Dumyk. The situation around Dumyk's working hours and registration appears to be quite intricate. Let's break it down:

1. Dumyk's employment period:

- ▶ Dumyk has been working at the labour unit since approximately **January 2022**.
- ▶ His work schedule is from **Monday to Sunday**, with working hours from **07.00 a.m. to 3.00 p.m.** (according to Dumyk and several other workers interviewed).
- ▶ He earns a **salary** of 1,050,000 kip.

2. The inspector's findings:

- ▶ During the inspection visit on **11 June 2022**, the premises were open to the public, and several workers were on duty.
- ▶ The **daily working hours register** was **not available** at the workplace.

3. Company's response:

- ▶ The company's manager claims that Dumyk started working on the day he was registered with social security, which was **7 June**.
- ▶ According to the manager, Dumyk worked **nine hours a day from Monday to Friday (45 hours a week)**, and asserts that the Dumyk being at work that Sunday **was exceptional**.
- ▶ Regarding the date of employment with the company, the manager suggests that perhaps Dumyk "did not understand" or "expressed himself badly" regarding the start of his services and working hours.

4. Social security registration:

- ▶ The inspector believes that Dumyk had been working since January 2022 but was **not registered with the social security** until **7 June 2022**.

In light of this situation, the inspector must consider the daily working hours register and ensure compliance with social security regulations. It is crucial for companies to maintain transparency and adhere to legal requirements to avoid any discrepancies or misunderstandings.

What measures should the inspector take/propose?

What subjects should the inspector should take on board?

What are the consequences for the company if infringements are confirmed?

What legal provisions are applicable in this case?

In this case, the company rejects the testimony of the worker. What could the company do to properly refute the worker's testimony?

Is there a legal deadline for registering employees with social security?

What fields of Form 9 should the inspector fill in?

Module 5. Reporting, closing meeting and follow up

Exercise 1

Working in groups, consider the example below and answer the questions that follow.

The inspector arrives back at their office after an inspection. They are very happy for being successful at identifying a total of 49 workers that were working overtime with the employer having not registered these overtime hours and additional wages. The employer, consequently, had not included these additional wages for calculating social security contributions. These overtime wages were also not referred to in the list of workers. Through the interviews that the inspector made with all of the workers, they received oral evidence that the workers worked an additional two hours per day.

After a week, the employer is summoned to continue the inspection procedure and so that a request can be made for the employer to pay the additional contributions corresponding to those two hours of daily overtime work performed by the workers.

The inspector is very surprised when the employer comes in with written testimony from all of the workers declaring that they do not do any overtime work.

Who has to prepare the list of workers?

What data must the list of workers contain?

Should the inspector go on with the procedure or should they now consider there to be no evidence?

Is there any solution or way forward?

Explain what evidence an inspector could use in this case.

Describe the most common types of evidences that an inspector may use in their daily work.

Exercise 2

Working in groups, consider the example below and answer the questions that follow.

An inspector receives an order to carry out an indirect inspection of a company named Anela Fruits, Ltd, which is engaged in the packaging and sale of desserts made out from fresh fruits. The inspection is ordered following a complaint from two workers who allege that they have been dismissed and are unable to receive benefits because the company has not insured them nor paid contributions for them despite them having worked for three years on the packing line. One of the workers seeks to claim unemployment benefits and the other is a woman who seeks to claim maternity benefits.

According to the commercial register, the company has been in operation for three years, and according to LSSO data, the company has never paid social security contributions and has never participated in the social security scheme. The company had previously been inspected for not registering workers with the social security system and for non-payment of contributions. During the previous inspection, the inspector had proposed in Forms 9 and 10 a series of measures, initially giving the company 90 days to register its workers and pay the contributions. At the end of this period, a further 90-day deadline had been given, but the company had still not registered the workers with social security nor paid the contributions.

The company is summoned to the inspectorate office on 7 July 2024 for an indirect inspection. On that date, the company does not appear. The inspector receives a second order to carry out a direct inspection and on 20 July they go to the workplace, a large plant in a town near Vientiane.

The inspector is received at reception and asks to speak to the manager, who a few minutes later meets with the inspector. The inspector explains that they have a warrant to inspect Anela Fruits, Ltd, as the labour unit was summoned for an indirect inspection and did not appear. The manager replies that they had not replied to the inspections and summons because Anela Fruit, Ltd. no longer exists – it closed down and now the new company in this location is named Fruits and Desserts, Ltd, which has no connection with the old company.

The inspector hesitates for a few seconds, but notices that in the company's product display in the office, all the products bear the Anela brand name. Likewise, the inspector looks at the packaging plant from the office window, and sees that the packing boxes of the products are all marked with the Anela brand name.

The inspector therefore decides to carry out the inspection directly. The manager tells him that, according to the law, the inspection should have been announced, and that the only communication they have received was concerned with the company Anela Fruits, which is no longer affiliated with the plant, and that the inspector should therefore bring a new inspection order and notify the company in advance.

Notwithstanding the manager's request, the inspector decides to carry out the inspection and interviews the 27 workers who are in the plant, as the inspector believes that the workers could spontaneously tell what they know about the relationship between the old and the new company.

The manager wants to accompany the inspector, but the inspector instead asks if a foreman could instead accompany them on the inspection. The manager calls a foreman, who accompanies the inspector.

The inspector identifies all the workers, but when the inspector starts asking questions to the workers in front of the foreman, the employees are reluctant to answer the questions, although they admit to having worked at the site for several months, some for more than a year.

The inspector asks if they previously worked for Anela Fruits, but most of the workers reply that they do not know, and to ask the manager. The inspector takes photos of the boxes and the office window displaying the Anela brand.

When the company submits the requested documentation to the social security inspectorate office, the inspector finds that the new company (Fruits and Desserts, Ltd.) was established five months ago and that it has never registered workers with social security or paid social security contributions. The inspector also checks that many of the workers identified were also working for Anela Fruits, according to the list of workers contained in the file of the first inspection.

The manager insists that the inspection should have been announced, that they intend to lodge a complaint against the inspector and that they know nothing about the previous company.

Express your opinion on the inspection visit and explain what would you have done or not have done?

Should the inspector have to stopped the visit and sought another inspection order for a new company?

Is there any relationship between Anela Fruits, Ltd, and Fruits and Desserts, Ltd?

How you could you find out whether the two companies have a relationship between them or are actually the same company?

What measures you would propose in relation to workers not being registered with social security and contributions not being paid?

What measures you would propose in relation to the complainant workers regarding their right (or lack of right) to unemployment benefits and maternity benefits?

If the company has violated social security law, would its infringement constitute a criminal offence?

Was there any damage caused?

Would you propose to fine the company?

What would be the fine and for what breach?

What legal provisions would be applicable in this case?

Exercise 3

Working in groups, consider the example below and answer the questions that follow.

The inspector visits a car workshop (unannounced visit) and interviews some workers, and one of them, with grease on their hands, denies working there. This persons insists that they are just helping a friend and, besides, they are receiving a sickness benefit, so they are not allowed to work.

What should the inspector do, and how could the inspector confirm that the worker is entitled to and effectively receiving the benefit?

Write/tell what would be the measures should be taken.

What legal provisions apply to this scenario?

Exercise 4

Working in groups, consider the example below and answer the questions that follow.

The Tax Authority informed the social security inspectorate that company XXX had paid additional salaries to certain workers without including them in the salary receipts or declaring them as such for tax purposes for the periods of 2022 and 2023.

The inspection plan requires an inspection visit to the workplace. The visit is carried out and a meeting is held with the manager, who indeed recognizes that some supplemental wages were paid to workers, but that these have stopped being paid since the action of the tax inspectorate.

The manager asks the inspector if it is necessary for a member of the trade union to be present. The inspector replies that it is not necessary, as he is only going to check the workers' pay slips. The manager says that the additional wages were negotiated with each worker individually and were not included in the tax base.

A summons is issued to the company to appear at the offices of the inspectorate and to provide documentation (payslips), but these receipts do not show the supplementary amounts. In addition, the inspector verifies that the company has not paid social security contributions for three months and has not paid the part of the contribution deducted from the workers' pay.

According to the Tax Authority information, the following workers were paid more than the amounts shown on their pay slips.

Identity number	Worker	Start date (month/year)	Additional salaries	Salary in payslip	DIFFERENCE
043125028M	ZZZ	01/2020	110,700.00	1,000,285.94	
043125028M	BBB	04/2021	110,700.00	1,000,278.97	
043125028M	YYY	05/2021	110,700.00	1,000,315.08	
043125028M	HHH	06/2021	110,700.00	1,000,278.97	
043125028M	JJJ	07/2021	110,700.00	1,000,315.08	
043125028M	LLL	08/2021	110,700.00	1,000,315.08	

What documents you would request from the company to prepare for the inspection visit?

Do you have any comments or thoughts regarding the way the inspection visit was carried out?

What legal provisions would be applicable in this case?

Should the labour unit subject to a fine?

What would the fine be and for what reason?

How should you fill in the Form 9 in relation to the insurable monthly salary, the employee's social security withholding and the employer's social security contribution?

Write a short report on this example using appropriate language.

Exercise 5

Working in groups, consider the example below and answer the questions that follow.

During a June 2024 inspection at the restaurant Chao Praya in Vientiane, the social security inspector team (2 inspectors) uncovered several concerning issues related to overtime and social security contributions. Let's break down the key findings:

Workers interviewed:

- ▶ Samya: A server who has been working for two and a half weeks, working 20 hours per week.
- ▶ Alejandra: A server with approximately three months of service, also working 20 hours a week.
- ▶ Patsuwat: A cook employed since December 2023. Says he works five days per week and 56 hours per week. He receives 1,500,000 kip and extra wages for working on Sundays.
- ▶ Sangkhaphan: A cook; he claims to have been working since December 2023, five days per week and 56 hours per week. He earns 1,500,000 kip and extra wages for working on Sundays.
- ▶ Supaporn: Cook's assistant. Says she has worked at the restaurant since June 2023 and works five days and 48 hours per week. She receives the minimum salary (1,300,000 kip).
- ▶ Sanhay: Cook's assistant. Declares having been employed since March 2024. Works five days and 48 hours per week, and receives salary of 1,300,000 kip.

Facts:

- ▶ Samya and Alejandra lack identity documents.
- ▶ The inspectors observed Samya and Alejandra leaving the workplace through the back door during the inspection.
- ▶ One of the inspectors runs after them and takes a photo of both, despite their grumbles.
- ▶ The other inspector sees some shelves in a room close to the kitchen holding some folders with the label "Wages B".
- ▶ The inspector asks the employer what the folders contain; the employer says, "Nothing important."
- ▶ The inspectors orders the employer to turn over the folders and takes photos of their contents, but there are so many sheets inside that, after a while, the inspector gives up taking photos.

Clock-in and clock-out records:

- ▶ The workers' clock-in and clock-out sheets are roughly examined during the visit by one of the inspectors.
- ▶ No records were found for Samya and Alejandra.
- ▶ Night work and overtime were confirmed for other workers.

Summons of the company to the inspectorate office:

- ▶ The inspectors summon the company to the inspectorate office and request the workers' clock-in and clock-out sheets for further examination as well as the folders marked with "Wages B".

Manager’s admission

- ▶ The manager admits that Samya and Alejandra were not registered with social security; that they work 20 hours a week (Thursday to Sunday) and are paid 50,000 kip in cash per day worked.
- ▶ The manager also admitted that the two cooks received extra salary for work outside normal hours.
- ▶ Situation of the workers
- ▶ In order to verify the social security status of the other workers, the clock-in and clock-out records are checked by the inspectors, confirming the testimony of the cooks and the cook’s assistants regarding overtime. There are no records for Samya and Alexandra. The employer is requested to provide information on the extra salary payments made to the cooks, and the employer ultimately provided the list below. The employer also said that the additional wages are contained in the Wage B files. Below is a sample of what the inspectors found:

WORKER	MONTH/YEAR	OVERTIME
Patsuwan	12/2023	237,000
	01/2024	240,000
	02/2024	255,000
	03/2024	255,000
	04/2024	312,000
	05/2024	290,000
Sangkhaphan	12/2023	312,000
	01/2024	250,000
	02/2024	248,000
	03/2024	270,000
	04/2024	290,000
	05/2024	312,000
	TOTAL	

Situation of the two workers who left the workplace.

- ▶ The inspector also verified that the two workers who left the workplace during the inspection (Samya and Alejandra) were receiving unemployment benefits.

Next Steps:

- ▶ The social security status of workers must be verified.
- ▶ This situation raises serious concerns about compliance with labour laws and social security regulations.

Questions:

Express your opinion on how this inspection has been carried out.

How should the inspectors have filled in Form 9, including in relation to the workers receiving extra salary?

How might you report the inspection findings if instead of just two workers receiving extra wages, the company were a big one and you found "Wages B" folders for 200 workers covering three years?

What are the potential consequences for the company?

What should be the consequences for Samya and Alejandra?

How can the company rectify this situation?

Are there any legal penalties for non-compliance?

What legal provisions are applicable?

Module 6. Ethical code for social security inspectors

Exercise 1

Working in groups, consider the example below and answer the questions that follow.

An inspection visit is carried out to the company PAPM on 1 June 2024, and the following circumstances were verified:

1. The company is dedicated to logistics activity.
2. The inspector was required to present credentials at the security reception by a security officer.
3. After entering the workplace, the inspector was received by a director and the workplace was visited. The company works in the storage of different types of products for a single customer.

The company, at the workplace, has a staff of five workers:

- ▶ One director who performs office-based tasks. Occasionally she has to go outside the workplace to hold meetings with the customer. Her basic salary is \$1,500 per month, plus \$650 per month for special dedication and a transport bonus of \$150 per month. The director also receives a travel allowance when she attends meetings with the customer company, at a distance of at least 60 km and at a rate of \$0.27 per kilometre and \$32 to cover the cost of meals for each day of the meeting. The director enjoys a company car and a special card for gas. Last month she received a mileage travel allowance of \$348.60 and a meal expenditure allowance of \$96. The gross income subject to contribution in her payslip is \$2,150 and an average of \$350 in mileage allowances per month.
- ▶ Two warehouse officers who perform tasks of storage, preparation of orders, and reception of material. Basic salary: \$1,000 per month, plus a special dedication of \$300 per month and a transport bonus of \$85 per month. The gross income subject to contribution is \$1,300\$ per month.
- ▶ One warehouse labourer who performs unskilled cleaning and tidying of the workplace. Basic salary is \$600 per month, with a special dedication of \$100 per month and a transport bonus of \$70 per month. Gross income subject to contribution is \$700 per month;
- ▶ One security officer, who belongs to a subcontracting company.

While identifying themselves to the security officer, the inspector paid attention to a manual register of vehicles on the table of the security stand and saw that each day a total of six vehicles enter the workplace. The inspector asks the security officer about who each car belongs to. The security officer identified the five workers who each day come by their own car, but claims to know nothing about who the sixth car belongs to. The inspector checks and sees that the sixth private vehicle has accessed the workplace an average of three days per week since 1 January 2024.

The inspector writes down the license plate number and returns to the office. There he calls a friend who is working in the Traffic Department, who provides the inspector with the name and identification of the owner of the car. Based on this information, the inspector learns that the vehicle does not belong to any of the identified employees of the centre, but to a person who has been receiving unemployment benefit since 1 March..

When the employer is called to a meeting at the inspection office, she acknowledges that the owner of the car carries out minor maintenance work, with more visits of late in relation to a compressed air unit that is not working well. When the inspector revises the contributions of all workers, they see that this person, the owner of the sixth vehicle, had terminated their employment with the company in December 2023.

The employer acknowledges that the said person receives \$100 for each day of work, and that all the utensils, equipment and tools necessary for the work are provided by the company.

After the inspection, the employer (who is the director of the logistic company) invites the inspector for a coffee. When the inspector gets back to office, they find an envelope on the table with an invitation inside to a music concert.

Express your opinion on how the inspection has been carried out

Write/tell what measures should be taken.

Are there any ethical implications in this case?

Exercise 2

Working in groups, consider the example below and answer the questions that follow.

A team of two inspectors make a visit at 3 p.m. to a restaurant that usually organizes weddings and other celebrations. The inspectors have received an order for an emergency inspection after a complaint by multiple workers stating that they and their colleagues are not registered with social security. The inspectors do not find anybody at the office, so they proceed to go to the main lounge, where they meet the manager.

At that moment, a wedding celebration is going on and all waiters and staff of the labour unit are working and serving food and drinks to the guests.

The inspectors order the suspension of the celebration until they can identify all workers working at the premise.

The inspectors determine the following facts concerning the labour unit:

- ▶ Four waiters do not have a labour contract, and they work five hours per day from 9 a.m. to 2 p.m.
- ▶ There are two foreign workers in the kitchen as well as a foreign singer, and none of them have work permits.
- ▶ The singer says he just arrived in the Lao People's Democratic Republic and is self-employed, but he often works for the restaurant on Sundays, when wedding celebrations take place.
- ▶ The inspectors find out that the foreign workers do not have payslips. The four waiters do have payslips, and these payslips show a deduction for social security calculated based on wages for five hours of work per day. However, none of the waiters are registered with social security, and as such the deduction made to their pay is not going towards social security contributions.

Express your opinion on how this inspection was carried out

Write/tell what measures should be taken.

Are there any ethical implications in this case?

Module 7. Soft skills

Exercise 1

Working in groups, consider the example below and answer the questions that follow.

An inspector goes on a direct emergency inspection of a big liquor store. The inspector has information from the employment public body that there is a reasonable suspicion that a worker (AAA) who is currently receiving unemployment benefits is working or has been working at the liquor store. The inspector identifies three workers, all correctly registered with social security and at the same time asks if they know where AAA is. The inspector makes direct questions such as: I am looking for AAA? I need to talk to AAA. Do you know if AAA has not come in to work today?

Two of the interviewed employees answer that they have never heard of AAA, but they have only been working at the store for a few days. However, the last interviewee answers that they definitely remember AAA. They say that AAA was working for around ten months but had left the company a month ago (AAA had been paid unemployment benefits for more than six months).

The inspector takes some time to conclude the visit, and while they are filling in the form/checklist, they see how the employer talks with the last worker interviewed. Before the inspector leaves, that worker turns again to the inspector and says that they are very sorry but that they mixed things up, and in fact they do not know AAA and never saw them.

The inspector is very surprised by this sudden change in the worker's story.

Write/tell what would be the measures to take.

Write/tell how you would have put the questions to workers who were interviewed.

Write/tell if there is any other way of getting an evidence in order to ascertain that AAA really worked while receiving unemployment benefits.

Exercise 2

Working in groups, perform a role play of the following scenario:

Two trainees represent the management at the labour unit and two trainees represent inspectors. In this role play scenario, the managers will be a bit rude, and the inspectors should respond by making use of their soft skills to engage with the managers to the best of their ability.

Exercise 3

Working in groups, participants will read the following questions (made in the course of an inspection to employer) and decide whether they are well phrased or whether the questions can be improved. Even if you think a question is well phrased, can you think of improvements? If participants can think of ways to improve the question, then they should redraft them to make them better.

Do you think that the relationship between management and the workers in your factory is good?

Do you discuss factory-level issues with workers and ask their opinions about things?

Do you think that social security is an expensive cost?

What do you think about the level of your wages?

You don't pay full maternity benefits to all entitled workers, do you?

What are some of the key areas that need to be improved in your factory?

Does your factory have overtime? If yes, how many overtime hours a week do workers accumulate on average at the moment?

Do workers have good relationships with their supervisors at your factory?

A general discussion should follow the small group discussions, giving the participants the chance to share their alternative formulations (and the reasons they chose them).

Exercise 4

Match each of example of body language with its likely meaning	
Body language	Meaning (mark with the corresponding number)
1. Direct eye contact (when speaking)	Relaxed
2. Direct eye contact (when listening)	Nervous, cooperative
3. Raising an eyebrow (eyebrow "flash")	Negative, disinterested
4. Laughter	Superior, fearless, arrogant
5. Forced laughter	Attentive, interested, attracted
6. Biting nails	Slowly listening attentively
7. Nodding head	Frustrated, suppressing feelings, anxious
8. Nodding head fast	In disagreement
9. Holding head high	Impatient
10. Tilting head downward	Not confident, submissive, respectful
11. Shaking head	Honest (or faking honesty)
12. Pronounced head shaking	In strong disagreement
13. Head down (in response to a speaker or proposition)	Greeting, recognizing, acknowledging

Annex III. Checklists

1. Checklist (Form 7): Issues to check before the inspection

Issue	Recommendation	Y	N	Notes
Is the visit to be announced or unannounced?	If announced, advice has to be sent five days in advance.			
Have I checked the file for the establishment to be inspected?	You should check the date of last inspection and the establishment's compliance history, as well as other information.			
Do you have your identification card?	In accordance with article 30 of the Ministerial Decision N° 4139, the card indicates that you hold the position of an inspector.			
Do you have a copy of the inspection approval and the inspection plan?	You may not be asked to show this but you should always carry it.			
Do you have a copy of relevant laws and regulations?	Always have these with you.			
Do you have copies of any promotional material (pamphlets, leaflets, posters, etc.) to give to establishments?	Carry these with you for free distribution.			
Do you have the uniform and necessary protective clothing and equipment?	Uniform and good shoes are important for all inspectors. Check the necessary personal protective equipment.			
Do you have a charged mobile phone, digital camera and a computer or calculator?	The camera may be important to take pictures of documents.			
Has transport been organized?	Do not use transport provided by the employer.			
Is this a team inspection?	If a team inspection is planned it is necessary to decide in advance who will do what.			
Do you have the template checklist to record information?	You should always carry several copies of this template			

Basic checklist for a social security inspection (Form 9)

- ✓ Is the Labour unit registered in social security?
- ✓ Is the registration in social security up to date?
- ✓ Are all workers registered in social security? Were they registered within 30 days following recruitment?
- ✓ Do the workers receive at least the minimum wage for ordinary hours of work for the assigned period?
- ✓ Are piece-rate workers being paid at least a monthly wage that is not lower than the minimum wage?
- ✓ Are regular workers and piece-rate workers paid correctly for overtime (on weekdays, weekly rest days, official holidays)?
- ✓ Does the employer pay correctly for night work and shift work?
- ✓ Did the employer regularly pay the social security contribution for the assigned period?
- ✓ Does the labour unit report monthly to the Lao social security organisation on payment of contributions?
- ✓ Employers or labour units contribute six per cent (6%) of employees' monthly insurable earnings, comprising:
 - basic salary
 - In-kind benefits
 - overtime
 - other wages (night work, shift work, additional wages declared for income taxes – taking the minimum wages to the ceiling for insurable earnings as the reference range for the calculation)

Annex IV. Q&A assessment questionnaires

Q&A assessment questionnaire – Module 1		
Statement	True	False
Social security barely has any relationship with labour issues.		X
The most important issue involved in an accident at work is social security.		X
The lack of social protection is the result of poor regulation on labour law.		X
The social security inspectorate only inspects formal enterprises.		X
ILO Conventions Nos 81 and 129 are directly applicable in the Lao People's Democratic Republic.		X
The principle of “one inspector, one enterprises” requires an integrated inspection system or joint inspections.	X	
A one-stop inspection visit is an inspection that does not need a follow-up inspection.		X
Q&A assessment questionnaire – Module 2		
Statement	True	False
The seriousness of a violation determines the legal measure or sanction.	X	
Sanction is the preferred action in case of labour units that participated in the social security scheme but stopped paying contributions.		x
Inspectors acting as educators may be a better performance action than using a deterrent action.	X	
Depending on the circumstances, deterrent measures are more effective than a warning.	X	
The determination of the compliance strategy is a task of the regulators.	X	
In the Lao People's Democratic Republic, inspectors may inspect an enterprise without prior notification to the employer, as far as ILO Convention No. 81 applies.		x

Q&A assessment questionnaire – Module 3		
Statement	True	False
A direct inspection always requires a previous indirect inspection.		x
The amount of debt of a labour unit is a criterion to determine the frequency of inspection of that unit.	X	
A dual inspection is an inspection carried out by two different inspection bodies.	X	
Direct inspection visits can be carried out to registered labour units that have significantly reduced the contribution amount they are collecting.	X	
The first step of an inspection is to obtain approval of conducting an inspection.	X	
An emergency inspection at the provincial/municipal level needs the approval of the director of the LSSO.		X
An ad hoc inspection does not require prior announcement to the labour unit.		X
Q&A assessment questionnaire – Module 4		
Statement	True	False
If an indirect inspection coincides with a complaint, the director informs the complainant and the alleged facts, and requests the necessary information from the labour unit to address the complaint		X
If false information is provided during an indirect inspection, a subsequent on-site verification is necessary.	X	
The inspector always must explain the purpose of the visit, except in an emergency inspection.	X	
In some cases, it may be preferable for the visit to proceed without a representative of management (and possibly even of the workers), for example, if the inspector wishes to ask questions to workers.	X	
The inspector may conduct the visit immediately without previously requesting any documents, collecting information directly from the workers in case of a strong suspicion of non-compliance.	X	
If the inspector visits a labour unit that has 60 workers, the inspectors must interview at least 10 workers.	X	
If faced with a very hostile employer, the inspector should drop the case immediately.		x

Q&A assessment questionnaire – Module 5		
Statement	True	False
The deadline for compliance with measures applied to a labour unit can never be negotiated.	X	
The signing of the report by the labour unit managers means that the labour unit managers are in agreement with the contents of the report.		X
In the Lao People's Democratic Republic, there is a system in which adequate penalties are available for obstruction.		X
The director of the LSSO, after the inspection is concluded, gives inspected targets a deadline of seven days for the implementation of measures. If the labour unit does not complain, an additional 5 days may be given.	X	
The maximum deadline for registering workers after an inspection is 180 days.	X	
The closing meeting should stick to the findings of the inspection and not deal with other issues (for example, general social security matters).		x
Q&A assessment questionnaire – Module 6		
Statement	True	False
Social security inspectors in the Lao People's Democratic Republic have a code of ethics in force.		X
Consistency in the inspection action means to stick to what one believes is correct.		X
Inspectors must assist and protect employees who violate social security regulations.		X
Proportionality means to take into account the size of the enterprise or its offences.	X	
Only inspectorate managers are accountable for the inspection action.		X
ILO Convention No. 81 contains a full code of ethics for labour inspectors, and it serves as professional orientation.		X

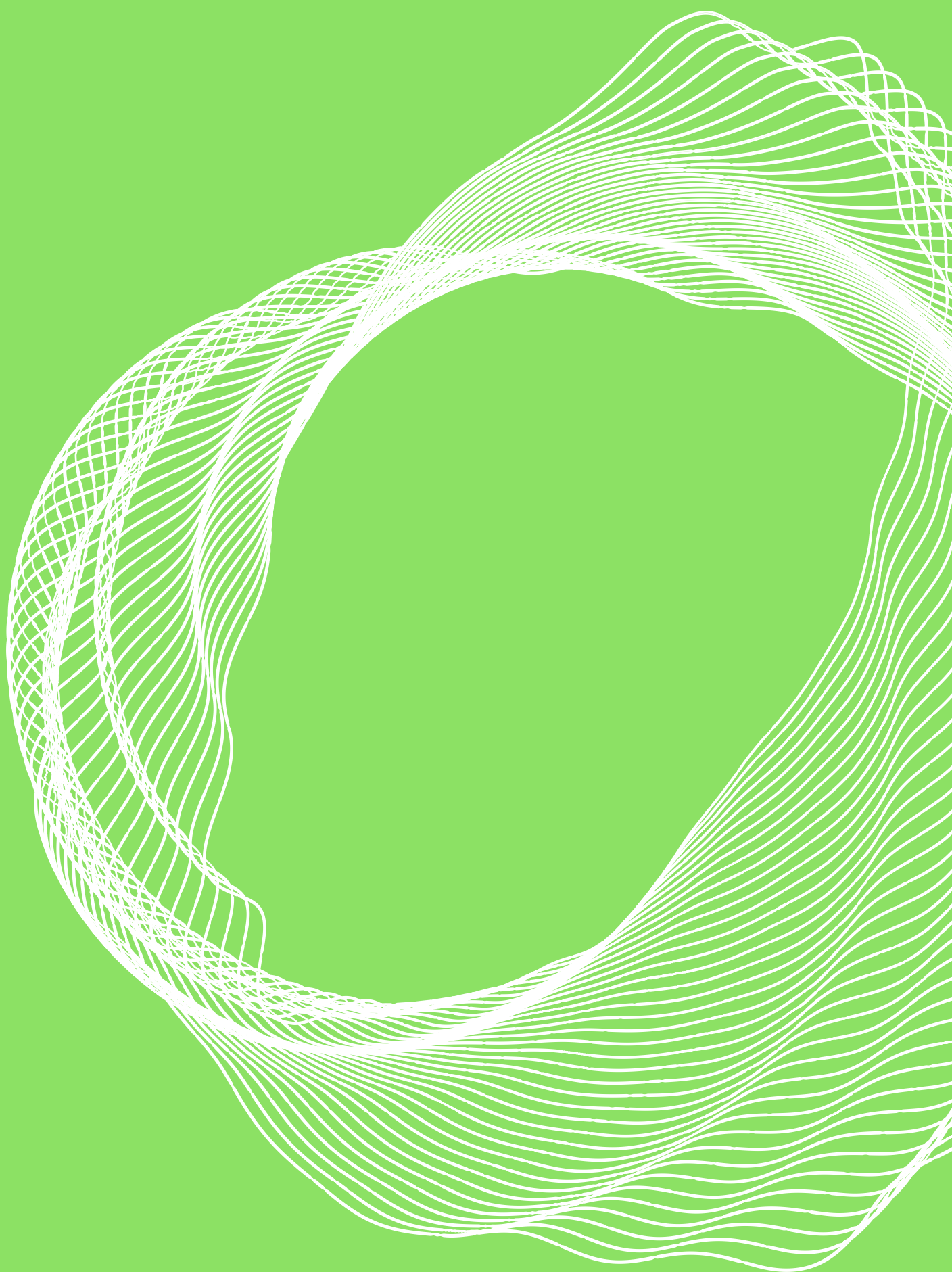
Q&A assessment questionnaire – Module 7		
Statement	True	False
Soft skills are more important than technical knowledge.		X
The more physical distance from the manager, the better.		X
Reports should be concise instead of lengthy.	X	
Gesturing with hands helps the inspector better explain what they mean.	X	
The last minutes/seconds of an interview with a worker are the most important.		X
If the inspector faces a hostile situation, it is better to react calmly	X	
An inspector never must allow an employer to yell.	X	

Annex V. Post-evaluation final test

QUESTIONS (place an X in the corresponding column)	I strongly disagree	I disagree	I agree	I strongly agree
I was able to relate to each of the learning objectives				
I will be able to apply what I learned				
My learning was enhanced by the experiences shared by the trainer				
I was well engaged during the session				
It was easy for me to get actively involved during the session				
I was comfortable with the pace of the programme				
I was comfortable with the duration of the session				
I was given ample opportunity to get answers to my questions				
I was given ample opportunity to practice the skills I was asked to learn				
I felt refreshed after the breaks				
I found the room atmosphere to be comfortable				
I was pleased with the room setup				
I understood the objectives that were outlined during the course				
I think that the objectives of the session/training have been achieved				

Subjects	Rate from 1 = Very Bad to 5 = Very Good (add comments, if any)
My own learning	
Logistics (training room, equipment, materials, breaks, timing and so on)	
Training structure	
Training content	
Training methods	
Group of participants	
The training team	

What were the three most important things you learned from this session/training?
Which were the most relevant training sessions/moments for you? Please tell us why
What would you change in the training to make it more useful?



Training Curriculum for Social Security Inspectors

Strengthening compliance with social security
in the Lao People's Democratic Republic