

# Arrangement

between

the National Labour Inspectorate  
in the Republic of Poland

and

the Social Legislation Inspectorate, Federal Public Service  
Employment, Labour and Social Dialogue;

the Inspection of Well-being at Work,

Federal Public Service,

Employment, Labour and Social Dialogue and

the Social Inspection, Federal Public Service

Social Security in the Kingdom of Belgium

Warsaw, October 2007



Federale Overheidsdienst  
Sociale Zekerheid



Service public fédéral  
Sécurité sociale



Service public fédéral  
Emploi, Travail et  
Concertation sociale



Federale Overheidsdienst  
Werkgelegenheid, Arbeid  
en Sociaal Overleg



PAŃSTWOWA INSPEKCJA PRACY

# Arrangement

concluded on the 11<sup>th</sup> October 2007

between

**the National Labour Inspectorate in the Republic of Poland**

and

**the Social Legislation Inspectorate, Federal Public Service, Employment, Labour and Social Dialogue; the Inspection of Well-being at Work, Federal Public Service, Employment, Labour and Social Dialogue and the Social Inspection, Federal Public Service, Social Security in the Kingdom of Belgium**

The National Labour Inspectorate in the Republic of Poland and the Social Legislation Inspectorate, Federal Public Service Employment, Labour and Social Dialogue; the Inspection of Well-being at Work, Federal Public Service Employment, Labour and Social Dialogue and the Social Inspection, Federal Public Service Social Security in the Kingdom of Belgium, hereinafter referred to as the Parties, having regard to the need to ensure effective protection of employment, safety and hygienic conditions of work for workers posted to perform work in the territory of both countries being Parties to the Arrangement and to eliminate hazards causing accidents at work and occupational illnesses, complying with the Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services, resolve to conclude the following Arrangement

## Article 1

1. The Parties commit themselves to exchanging information on workers posted to perform work in the territory of both countries being Parties to the Arrangement in relation to:

a) terms of employment, i.e.:

- maximum work periods and minimum rest periods,
- minimum paid annual holidays,
- the minimum rates of pay, including overtime rates; this point does not apply to supplementary occupational retirement pension schemes,
- the conditions of hiring-out of workers, in particular the supply of workers by temporary employment undertakings,
- health, safety and hygiene at work and, in particular, work-related accidents and occupational illnesses of posted workers,
- protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people,
- equality of treatment between men and women and other provisions on non-discrimination;

b) irregularities identified during inspections which relate to employment;

c) identified infringements upon employee rights.

2. The Parties commit themselves to exchanging information on legal form and type of activity conducted by employers posting workers to perform work in the territory of both countries being Parties to the Arrangement.

## Article 2

1. The Parties commit themselves to providing information requested by the other Party by the deadline of no more than 4 weeks.

2. If meeting the deadline referred to in par. 1 proves impracticable, the Party obliged to provide information shall inform the other Party of this fact and shall indicate the causes of delay.

3. If the Party to the Arrangement is not competent to provide information requested by the other Party, it shall indicate the reasons of not being able to provide it and shall inform the requesting Party of the competent authority.

### Article 3

1. For the exchange of information the Parties may use a form developed by group of national experts on implementation of Directive 96/71/EC of the European Parliament and of the Council concerning the posting of workers in the framework of the provision of services.

2. Information shall be forwarded to addresses indicated by the Parties in the list attached to this Arrangement.

### Article 4

1. The forwarded information and documents shall be subject to a binding in each country system of personal data protection, in line with national, Community (particularly Directive 95/46/EC) and international regulations.

### Article 5

1. The Parties to the Arrangement shall meet on annual basis to discuss and evaluate this Arrangement. The meetings shall take place in the Kingdom of Belgium and in the Republic of Poland on a reciprocal basis.

2. The hosting Party shall be responsible for organizing the meeting. Notification of the date of the meeting and its proposed agenda should take place at least one month prior to the established date of the meeting.

3. The cost of travel and accommodation related to participation in the meeting shall be incurred by the Parties in their respective scope.

### Article 6

Any amendments to the Arrangement shall be made in writing.

### Article 7

1. This Arrangement was drawn up in two identical copies in the following languages: Polish, Dutch, French and English with all the texts being genuinely identical. In case of any discrepancies the English text shall be considered as prevailing.

2. The Arrangement shall enter into force on the date of its signing.

On behalf of the  
Social legislation Inspectorate, Federal Public Service,  
Employment, Labour and Social Dialogue in the Kingdom of Belgium

**Michel ASEGLIO**  
Director General

On behalf of the  
National Labour Inspectorate  
in the Republic of Poland

**Bożena BORYS-SZOPA**  
Chief Labour Inspector

On behalf of the  
Inspection of Well-being at Work, Federal Public Service,  
Employment, Labour and Social Dialogue in the Kingdom of Belgium

**Paul TOUSSEYN**  
Director General

On behalf of the  
Social Inspection, Federal Public Service,  
Social Security in the Kingdom of Belgium

**Jean-Claude HEIRMAN**  
Director General

## ANNEX I

# MAILING LIST

### IMPLEMENTATION OF ARTICLE 3.2 OF THE ARRANGEMENT

#### List of competent institutions designated for liaison between the Parties and the scope of responsibility:

- a) maximum work periods and minimum rest periods;  
BE : **the Social Legislation Inspectorate**  
PL : **the National Labour Inspectorate**
- b) minimum paid annual holidays;  
BE : **the Social Inspection**  
PL : **the National Labour Inspectorate**
- c) minimum rates of pay, including overtime rates; this point does not apply to supplementary occupational retirement pension scheme  
BE : **the Social Legislation Inspectorate**  
PL : **the National Labour Inspectorate**
- d) the conditions of hiring-out of workers, in particular the supply of workers by temporary employment undertakings;  
BE : **the Social Legislation Inspectorate**  
PL : **the National Labour Inspectorate**
- e) health, safety and hygiene at work and, in particular, work-related accident and occupational diseases of posted workers;  
BE : **the Inspection of Well-being at Work**  
PL : **the National Labour Inspectorate**
- f) protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people;  
BE : **the Social Legislation Inspectorate and the Inspection of Well-being at Work**  
PL : **the National Labour Inspectorate**
- g) equality of treatment between men and women and other provisions on non-discrimination  
BE : **the Social Legislation Inspectorate**  
PL : **the National Labour Inspectorate**

## **Addresses of services and contact persons:**

### **BELGIUM:**

**Contrôle des Lois Sociales**, SPF Travail, Emploi et Concertation Sociales, Rue Ernest Blerot 1, 1070 Bruxelles

Marie-Paule SMETS, Advisor

Tel. : 00 32 2 233.52.58

@ : marie-paule.smets@werk.belgie.be

**Contrôle du bien-être au travail**, SPF Travail, Emploi et Concertation Sociales, Rue Ernest Blerot 1, 1070 Bruxelles

Willy IMBRECHTS, General Advisor

Tel : 00 32 2 233 45 20

@ : willy.imbrechts@werk.belgie.be

**Inspection Sociale**, SPF Sécurité Sociale, Place Victor Horta 40, B20, 1060 Bruxelles

Gerrit VAN DE MOSSELAER, Attaché

Tel : 00 32 2 528.62.50

@ : Gerrit.Vandemosselaer@minsoc.fed.be

### **POLAND:**

**Państwowa Inspekcja Pracy**, 00-926 Warszawa, ul. Krucza 38/42

Anna BYDŁOŃ, specialist at Legal Department, CLI

Paweł ROZOWSKI, Head of International Relations Unit, CLI

Tel : 00 48 22 420 37 31, Fax : 00 48 22 625 47 70

@ : kancelaria@gip.pl