



## **Labour Inspection in a Globalised World**

A Position presented by  
the German Commission for Justice and Peace and  
the German Confederation of Trade Unions (DGB)





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# Outline

<b>Foreword</b>	5
<b>I. Introduction</b>	7
<b>II. Presentation and analysis of the legal bases</b>	8
<b>III. Labour inspection in Germany</b>	11
<b>IV. Challenges in countries of the global South</b>	13
<b>V. Perspectives</b>	14
V.1 Requirements in the international context	14
V.2 Requirements to the European and German employment policies	17
<b>VI. Conclusion</b>	18
<b>VII. Additional literature</b>	21



## Foreword

The continuing scandals concerning the working conditions of migrant workers in the meat-processing industry or on construction sites in Germany do not only provide material for crime fiction or thrillers. These scandals on our doorstep can be compared to the fires and building collapses in the textile industry, the unhealthy working conditions in the flower and leather industry and to other dramatic violations of the right to health, housing, work and food, which are again and again detected in a globalised economy. They draw the attention to the enforcement of the right to decent work and to the question of the effectiveness of governmental instruments and sanctions. The discussion group of trade unions and the German Commission for Justice and Peace has taken up this additional aspect of the right to decent work.

The accidents and disasters are often caused by the violation of current legislation and are thus criminal acts. Labour inspection is an important governmental instrument to punish these violations of the law and to shape employment and economic policy in accordance with human rights and social principles.

This instrument, however, receives too little attention in the public debate on corporate human rights responsibility. Not without reason it is a task of the state to examine whether companies and enterprises comply with the law. As an independent advocate for the rights of the working people and for the common good, being responsible to the sovereign and being able to impose sanctions, the democratic state must constantly monitor and improve its instruments in view of the challenges of globalisation.

This is why the discussion group has not only dealt with labour inspection in Germany but has also consulted experts from neighbouring countries and on an international level to discuss possibilities to improve and strengthen this instrument. The discussion group wants to explicitly thank the courageous advocates of the rights of migrant workers in Germany and world-wide, who do not want to release the state from the obligations it assumed because of the ratification of agreements under international law.

The requests made in this position are primarily addressed to the German Government, especially in this year 2017, as Germany has assumed the G20 presidency and the chairmanship of the Global Forum on Migration and Development. Global value chains will be on the agenda of the meetings of the economically most important states. That is reason enough to remind the governments that they have to assume their responsibilities for fair labour conditions on the global markets themselves and to protect working people from exploitation by effectively equipping and using the respective instruments and institutions.

The present position "Labour Inspection in a Globalised World" ranks among the joint positions of the DGB and Justice and Peace on "Decent Work in the Globalised World" of 2007 and "Decent Income in the Globalised World" of 2011. We wish that also this position will attract wide interest and will be perceived in Germany and on an international level as a means to strengthen labour inspection oriented towards human rights.

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Bonn and Berlin, March 2017

## **I. INTRODUCTION**

With the 2030 Agenda for Sustainable Development adopted in September 2015, the United Nations set the direction all states of the world have to follow to enable all people to live in dignity and prosperity by 2030. For the Federal Republic this means that it has to assume its responsibility for the people in Germany but also for the people who are affected by its economic, political and financial performance in the globalised world.

This responsibility becomes especially obvious in the context of the internationalised world of economy and labour. With its wealthy and globally networked economy Germany employs foreign labour nationally and also at the production plants of the global value chains. Due to this economic power Germany is influential with respect to the world-wide division of labour and to the quality of working conditions. The 2030 Agenda underlines this connection with goal 8 'sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all'.

The 2030 Agenda does not answer the question on which instruments are necessary in order to attain the objective of decent work. Answers are given by the International Labour Organisation (ILO), where since 1919 questions of international labour law are debated and resolved by tripartite negotiations (by governments, trade unions and employers). At present, the ILO is discussing the "future of work" and observes, when taking into account the shaping of the world of work, that the existing institutions monitoring working conditions have to be adjusted and repositioned. An action plan to strengthen labour inspection is currently being developed as an appropriate instrument.

Given the importance of the problem for Germany as an economic power and its claim to a foreign policy oriented towards human rights, Germany's commitment to protect by means of labour inspection the labour laws of people working under precarious conditions in informal jobs, as for example migrant workers or home workers in Germany and in the world, has been incomplete and weak so far. The German sustainability strategy representing the reference document for the

implementation of the 2030 Agenda in, by and with Germany, does not mention labour inspection.

Labour inspection in Germany is not equipped and structured adequately compared to other countries. So it is necessary to promote the issue in Germany and to highlight the relevance of the international debate on the improvement of the instruments of labour inspection. In this context a look at other countries can show helpful possibilities for the improvement of labour inspection.

The Federal Government is aware of the topicality and urgency to improve labour conditions on a national and international level. The "Textilbündnis" (Partnership for Sustainable Textiles), for example, intends to protect human rights in the context of work from the complete value chain to the consumer. Nevertheless this multi stakeholder initiative is stagnating, because NGOs, government and enterprises are not able to agree on concrete common objectives. Also the "Nationaler Aktionsplan Wirtschaft und Menschenrechte" (NAP) (National Action Plan on Business and Human Rights) adopted in December 2016, shows the discrepancy between aspirations and reality as far as securing the rights of workers is concerned: Although the Federal Government expresses the expectation that German enterprises assume their human rights due diligence obligations, it avoids for the time being to lay down binding conditions, even for the beneficiaries of governmental foreign trade promotion, public contracts and subsidies.

## **II. Presentation and analysis of the legal bases**

The issue of labour inspection is not a new one. First approaches to a state supervision of private companies also under occupational health and safety aspects, can be found in the early industrialised countries as, for example, Great Britain, France, Prussia already at the end of the 18<sup>th</sup> and the beginning of the 19<sup>th</sup> century. Immediately after the foundation of the International Labour Organization (ILO) in 1919 one of the first recommendations (No. 5) on an international level stated that "each Member of the International Labour Organisation which has not already done so should establish as soon as possible, not only a system of efficient factory

inspection, but also in addition thereto a Government service especially charged with the duty of safeguarding the health of the workers”.

Since then the issue of labour inspection has again and again been included in conventions. Finally it has been related to occupational safety and health in Convention no. 187, precisely in article 4, paragraph 1, on the promotional framework for occupational safety which states that each member state shall establish, maintain, progressively develop and periodically review a national system for occupational safety and health. Further supervisory duties of the member states concerning other working conditions and circumstances and going beyond the strict framework of occupational safety and health arise from a number of other ILO conventions and recommendations. However, as a rule they do not comprise statements as to what the supervisory authorities can enforce in whose favour.

The fact that in many countries (also in Germany) the enforcement of minimum labour and health standards is left to a considerable extent to the private and autonomous enforcement of rights presents a challenge when it comes to implement international obligations. Contrary to this, international and national legislators in many regulations recognize that employed workers often do not have the power to really enforce the provisions in their favour applicable to their employment as they are at risk to be dismissed by the employer and thus to lose their livelihood. Even membership in a trade union offers only limited protection, especially as trade unions cannot on their own assert employees' claims without individual assignment (right of collective action), but solely with their express authorisation.

Given this structural lack of power of employees, a number of ILO and/or EU member states have decided to entrust one competent authority with the monitoring and enforcement of all applicable labour and social law as well as occupational safety and health requirements in favour of workers. This authority is given comprehensive powers to control and to enforce even individual statutory claims and rights as well as other generally binding rules related to working life. The labour inspection systems in France and Spain, for example, can give companies direct instructions to fulfil such employers' obligations without referring employees to private legal action. In Poland, for example, governmental labour inspection advises workers (also workers posted to Poland) on their rights laid down in the Labour Code which is more comprehensive than its German equivalent, and it receives complaints which it investigates. So it can remedy viola-

tions of employment law found this way or during general inspections not only by imposing penalties but also by different other means, e.g. by orders with immediate effect such as the immediate payment of wages owed (Art. 11, No. 7 of the Law on the national inspection of labour) or the support of complaints submitted to court by employees (ibid. Art. 10, No. 11). In the labour inspection systems of the above mentioned countries, all competences rest with one authority that can resort to the compulsory assistance of quite a number of other authorities and institutions.

European Union law in several documents includes the obligation to designate specific enforcement authorities responsible for verifying compliance with applicable minimum labour standards in favour of workers, as for example the posting of workers Directive (96/71 EC) and the corresponding enforcement Directive (67/2014 EU).

This law, however, is not applied uniformly across the EU. Germany, for example, confines itself to imposing fines whereas the actual enforcement of rights as a rule is left up to the workers.

The European Directive concerning the posting of workers is the foundation for the posting of workers providing a service in other European countries. Posting of workers means that the worker keeps his/her job in his/her home country and that he/she works abroad only on a temporary basis. In view of the wide pay gap in Europe and the partly difficult enforcement of workers' rights in the EU member countries this construction is open to abuse and leads to wage dumping or even to exploitation.

At present the EU Commission is revising the Directive concerning the posting of workers. The trade unions welcome the Commission's initiative to introduce the principle of equal treatment of posted workers. Nevertheless the draft revision needs improvement in some respects. In addition, the Commission suggested in the context of a service package the introduction of a so-called Services Passport in which the authorities of the country of origin shall attest that the legal regulations of the posted workers' target country are complied with. So far a revision of the documents (employment contracts, recording of working time, etc.) is planned to be carried out by the authorities in the target country.

### **III. Labour inspection in Germany**

As far as law enforcement is concerned, Germany follows another way: It continues to assume the fiction of equality of employees and employers before the courts as regards labour law and considers statutory and generally binding collective bargaining to be a matter of private assertion of rights. At best, a fine to be paid to the treasury is imposed, if workers are paid less than minimum wage rates, whereas the concrete enforcement of claims again is up to the employees. In this context the monitoring possibilities of works councils and the legal protection provided by trade unions are often referred to, although both cover only part of the employment relationships.

Experience shows that many employees do not assert in court labour law entitlements denied to them during employment be it for fear of losing their jobs or cost fears. If at all, this step is taken after the termination of the employment. Then, however, short time limits considerably curtail claims even in cases of fraud. Particularly mobile employees, e.g. posted and seasonal workers, are left on their own and are hardly able to pursue their claims during their employment here or after its termination. So for many employees labour law is rather a fiction that does not mark their reality.

While the enforcement of labour law as for the rest fakes rules of civil law and equality of parties, employers are privileged as regards unfair profits made by violations of labour legislation or of the liability to pay social security contributions (for which the limitation period is four years). This situation cannot be found for other kinds of proprietary claims (e.g. investment fraud or the return of stolen and robbed goods): No-one would think that an investment fraudster or a thief would be allowed to keep the illegally acquired goods simply because he had them in his possession for some time.

Even in the case of evaded social security contributions the employees in Germany themselves as a rule have to take legal action against the employer to ensure that old age insurance contributions and unemployment insurance contributions due are credited to their individual contribution accounts. Social security litigation to their benefit does not exist. On the contrary the enforced contributions paid later in the case of fictitious la-

bour dispatch, fictitious self-employment or non-registration of employees by the companies (organized illegal employment) are usually not credited to the individual contribution accounts of the employees, but end up in general coffers regardless of whether the employees are partly responsible.

In addition, compared with other countries, there is a strong fragmentation of supervisory and control authorities in Germany (e.g. Finanzkontrolle Schwarzarbeit –FKS/financial control of illicit employment, labour inspectorates, employers' liability insurance associations, occupational health and safety authorities, social insurance inspection services, etc.). Moreover, some obligatory provisions can be violated without any sanctions due to a lack of legal precautions and in the absence of clearly defined competences they cannot be controlled by government authorities. Data protection provisions hinder the exchange between different authorities, and federalism with its different competences contributes to the fact that law enforcement is only rudimentary in the field of labour law.

Trade unions use legal protection and law enforcement as arguments for winning new members, but this must not hide the fact that in Germany their considerable activities – and financial commitment – cannot or should not replace the public law enforcement of the mandatory labour and social law as well as binding collective agreements. Usually they have no legal option to legally enforce the rights of the workforce in their own right and in their own name. As far as collective rights are concerned this option does only exist in the case of company-related collective agreements and not in the case of association-related collective agreements. In this case the employers' association can be sued to influence its member to take the current tariff into account. Not even these options do apply to the area of the statutory labour law.

If the factory inspectorate or the employers' liability insurance association discover serious violations of occupational safety they are mostly restricted to the imposition of a fine; provisions interfering immediately in the company's operation are comparatively rare.

## **IV. Challenges in countries of the global South**

What is already very problematic in a constitutional state as the Federal Republic of Germany with currently powerful trade unions, i.e. the lack of an effective public enforcement of the existing labour and social law without local interests, leads in many economically weak countries in Asia, Africa and Latin America with often desolate social dialogue structures to a *de facto* legal vacuum used by companies acting in a very unscrupulous way. Provisions meant to be minimum rights for the employees are reduced to non-binding benchmarks or at best become the maximum of what can be achieved.

In the present Global Governance Architecture transnational and supranational standards are usually not equipped with the corresponding enforcement mechanisms. Whereas these mechanisms are slowly beginning to develop in the financial sector, in bilateral trade relations as well as in international Criminal Law, no legal enforcement mechanisms seem to emerge for the international enforcement of labour and social standards, if national law is less demanding and unable to enforce them. Promising international approaches, as for example the establishment of a working group on transnational corporations and other business enterprises with respect to human rights by the United Nations Human Rights Council have been boycotted completely (by the USA) or observed only half-heartedly or suspiciously (EU). On the other hand new trade and investment protection agreements are constantly being concluded on the basis of which foreign investors can sue governments for damages if their profit expectations are diminished by regulations.

In the last decades the discussion on decent work and transparency in global value chains focussed on the responsibility and voluntary commitment of transnational corporations (TNCs), international buyers and consumers. Seals, certifications and audits by the TNCs or the buyers themselves or by mostly independent certification organisations are to replace labour inspection. No international agreement or agreements within the trade have led to considerable improvements of working and payment conditions in countries with weak governance and law enforcement. This means that the principle of voluntariness is too broadly defined which results in damage to health and in severe or fatal accidents.

These, however, are only perceived by the European public, if suppliers of well-known brands are involved. The hidden and continuing exploitation of human labour along the value chains in seasonal and informal labour, e.g. migrant labour, is especially dramatic.

## **V. Perspectives**

What we need is a change of mind. The assumption that individual employees are strong enough to enforce their rights against their employers is not correct for the majority of the employees, but at best for senior staff and sought-after specialists. Even the trade unions reach their limits, if employees for fear of losing their jobs, forego their collectively agreed and legal minimum rights. For this reason it is necessary to establish an effective independent public labour inspection everywhere, which can enforce such rights for those affected ex officio. The corresponding institutions (ILO, EU, etc.) should expand their already existing regulations in this sense; they should be equipped with sufficient resources and should be entitled to enforcement. In addition, they have to take the new developments in the world of labour into account, especially the digitalisation of work and its effects on the labour relationships (among other things pool working, crowd working, crowd sourcing).

### **V.1. Requirements in the international context**

In order to improve working conditions in economically weak countries the large number of existing non-binding standards on an international level must gradually undergo juridification and the enforcement of the law has to be promoted. For this purpose national and international stakeholders have to become active simultaneously.

First of all the numerous directives and letters of intent have to be harmonised on an international level and bodies have to be established which control and promote the compliance with and the enforcement of these standards. The OECD guidelines for multinational enterprises, for example, offer by their system of national contact points a first approach which

may be developed further congruently on an OECD level by obliging and authorizing all embassies to accept respective complaints procedures. The future dispute settlement bodies shall be composed of representatives of employers' associations, of trade unions, of the state and of civil society. The results of the settlement have to be binding and enforceable. Enterprises having violated their human rights duty of due diligence have to be excluded for some time from governmental funding instruments in the context of foreign trade promotion as well as from public procurement and subsidies. Moreover, foreign trade promotion may only be granted for projects the harmlessness of which has to be ascertained in advance by human rights risk and impact assessment. Management plans issued with provisions on human rights, labour rights and environmental protection agreed upon, have to be published and undergo independent and transparent monitoring basing on robust and precise criteria.

The different United Nations initiatives have to be examined in a timely fashion in view of their contribution to achieving the objectives of the 2030 Agenda and have to be revised, if necessary. On the one hand the instrument of labour inspection has to be perceived as a means to achieve decent work and on the other hand as an indicator of the efforts as regards the comprehensive observance of labour standards and it has to be included in the UN reporting system. In the context of the annual reporting system on the implementation of the 2030 Agenda indicators on the nature and the scope of labour inspection have to become firmly established. In addition, it is necessary to concretely formulate national action plans on the implementation of the UN guiding principles on business and human rights and to take the system of labour inspection explicitly into account in the national implementation plans.

In the work of the ILO national and international efforts are connected by the instrument of technical assistance. The ILO considers labour inspections to be a task of the individual states. This opinion is shared by most of the member states. The Convention no. 81 of 1947 on Labour Inspection is very important as it has been ratified by 145 countries. But also the Labour Inspection (Agriculture) Convention no. 129 of 1969, the Employment Policy Convention no. 122 of 1964 and finally the Tripartite Consultation Convention no. 144 consider the ILO to provide decisive orientation for shaping labour inspection.

Nevertheless the challenges for labour inspection within a changing world of work are often not adequately addressed by the member states. The

ILO's current work focusses on the promotion of labour inspection partnerships between the social partners, on the improvement of national labour inspection structures and the strengthening of labour inspectors' networks. It stresses the necessity of effective labour inspection especially along the global value chains and regards it as an essential part of shaping a responsible and sustainable employment policy as it is currently discussed in the context of the initiative "the future of work" and the 2030 Agenda.

The ILO as well as all stakeholders of bilateral and multilateral development cooperation have to provide more support than before for measures suitable for strengthening the systems of labour inspection in the partner countries. Foreign trade promotion always needs to comply with the normative components of safe working conditions and to respect human rights completely. Whenever the development and improvement of sustainable economic structures in the countries of the global South have become the objective of development partnerships, goal 8 of the 2030 Agenda has always to be considered and identified entirely, i.e. by taking into account the creation of decent working conditions in the context of macroeconomic development goals.

Moreover, it should be borne in mind whether the establishment of an International Labour Tribunal similar to the existing international courts could be a prominent signal for the willingness to implement international labour standards in the long term. Then, the tripartite partners of the ILO would be entitled to file a lawsuit, after national legal procedures have been exhausted, and the member state concerned would be obliged to implement the Tribunal's decision.

On a national level private monitoring systems based on a voluntary participation as for example the FSC label can only complement but not replace public labour inspection. They do not have real competences to conduct investigations. In addition, there is the risk that they might overlook certain violations in order to promote market penetration. In the end, private certifiers entrusted with the inspection on the spot are economically dependent on the companies they have to inspect, because at any time the latter can replace certifiers, who work too thoroughly, with other certifiers. Moreover, certifiers can only make observations and grant or deny certificates, but they cannot enforce payments to the employees or put an end to bad working conditions.

National governments in the global South must not attract national or foreign investments at any cost. In order to credibly advocate labour rights budget plans have to include fixed target figures for labour inspections. Multi-Stakeholder Advisory Boards can help to shape these authorities in a way that they are capable to act transparently and efficiently. Civil society, trade unions and employers' associations should be enabled to participate.

## **V.2. Requirements to the European and German employment policies**

One of the aims of a socially just employment policy is to strengthen employees' rights effectively. In Europe the principle of equal pay for equal work in the same place has to be binding. This principle must not remain abstract but it has to be enforced. Exceptions must be of short duration only and changing places of work must not lead to the fact that people can be employed at low wages permanently. It is important to effectively counter chains of postings, unlawful wage or salaries deductions and an avoidance of labour and social-security standards. In addition, social security has to be fully guaranteed. This refers especially to accident prevention and insurance in the event of illness in the host country. People also need reliable legal protection to enforce their rights and advisory services free of charge.

To make abuse in the context of the posting of employees more difficult the working assignments abroad have to be entered into a European Register. This Register can be accessed by the supervisory authorities in all countries and the real working assignments abroad are thus documented. Most of all it is possible to verify whether employees are posted only temporarily or whether they are working abroad permanently. In the case of a permanent assignment the customary local wages have to be paid and social security has to be guaranteed in the host country. The evasion of social security contributions and governmental social security discounts for posting enterprises at the expense of the employees' entitlements to benefits can be prevented by this.

In Germany the large number of authorities entrusted only with parts of the labour market and the labour inspectorate has to be transformed into

one labour inspectorate following the example of other EU member states. Insufficient sanctioning and enforcement opportunities in national labour law have to be improved and the privileges as regards the statute of limitations for illegal earnings gained from the violation of binding labour and social standards have to be abolished. The right of associations to initiate proceedings is needed in order to enforce existing employees' rights.

In the context of the law on the posting of workers legal minimum wages and different contractual minimum wages are again and again bypassed, because the actual working time is remunerated only partially or because employees are forced to work longer hours without being paid. For this reason tamper-proof time recording should be regulated by law in the industries with a high percentage of illicit employment to better monitor minimum standards. So the working time could be recorded electronically, if the employees enter and leave their place of work. The data are then transmitted to a trust agency or to the customs authorities so that the employer can no longer access them and subsequent alterations are no longer possible. This system, which is already used in Sweden, would help people to enforce their rights and wage claims more efficiently or could help to clarify facts in the case of controls.

## **VI. Conclusion**

The United Nations and their ambitious project "Transforming our world: The 2030 Agenda for Sustainable Development" call upon all states of the International Community to become active and implement the goals within their countries, in cooperation with their countries and by their activities directed outwards. This also concerns Germany. Hereafter, suggestions for improvement and demands are compiled, which show Germany's responsibility according to this classification to implement goal 8 – decent work for all- until 2030 in Germany itself (e.g. by improving the legal situation and the equipment of authorities), by German foreign policy activities (e.g. by membership in international organisations) and by Germany acting as a cooperation partner (e.g. in development cooperation).

## **Responsible action in Germany**

- Bringing together or coordinating the different stakeholders within a higher authority with increased competences, in order to effectively implement the law regulating employment conditions following the example of other countries;
- Better equipment of the authorities responsible (among other things language competence);
- Improved data exchange to pursue infringements of employees' rights;
- Implementation of the principle "equal pay for equal work": Payment of posted workers on the basis of all representative collective agreements;
- Determination of target figures for the frequency and quality of labour inspections in the companies;
- Establishment of Stakeholder Advisory Boards to support labour inspection;
- Promotion of the cooperation with trade unions and civil society organisations;

## **Responsible action by Germany**

- Revision of the National Action Plan on Business and Human Rights regarding the strengthening of labour inspection;
- Adoption of a law on human rights due diligence of German enterprises engaged in foreign transactions, including the preparation of a fines catalogue and the guaranteed access of affected persons to German civil courts;
- Introduction of binding human rights clauses for the foreign trade promotion, public procurement and subsidies;
- Strengthening of the National Contact Point for the OECD Guidelines for Multinational Enterprises;
- Inclusion of human and labour rights into general exception clauses of EU trade and investment clauses;
- Revision of the German sustainability strategy;

- Inclusion of an indicator to monitor the implementation of labour inspection, e.g. percentage of cases reported to labour inspection being resolved to the satisfaction of employees;
- Support the establishment of an International Labour Tribunal;
- Constructive participation in the current negotiations on a human rights convention on transnational corporations and other business enterprises with respect to human rights under the umbrella of the United Nations Human Rights Council;

### **Responsible action with Germany**

- Support of the partner countries of development cooperation as regards the establishment and the strengthening of transparent labour inspection structures by taking into account technical and consulting cooperation with the ILO country offices;
- Promotion of the political dialogue on the institutionalisation of the social dialogue to prevent exploitative employment relationships;
- Support concept of establishing Stakeholder Advisory Boards;
- Support of partner countries as regards the ratification and implementation processes of the respective ILO conventions (C81, C122, C129, C144);
- Support of partner countries for the establishment of complaints mechanisms.

## **VII. Additional literature**

### **2030 Agenda:**

[http://www.un.org/ga/search/viewm\\_doc.asp?symbol=A/70/L.1](http://www.un.org/ga/search/viewm_doc.asp?symbol=A/70/L.1)

[http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/69/315](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/315)

[http://www.bmz.de/en/ministry/principles/2030\\_agenda/index.html](http://www.bmz.de/en/ministry/principles/2030_agenda/index.html)

### **2030 Agenda Goal 8 'Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.'**

<http://www.globalgoals.org/>

<https://sustainabledevelopment.un.org/sdg8>

### **German Sustainability Strategy**

[https://www.bundesregierung.de/Content/DE/\\_Anlagen/2017/02/2017-02-27-nachhaltigkeit-neuaufgabe-engl.pdf;jsessionid=73B09AC3D8E7641F3D5FC7BE80104260.s1t1?\\_\\_blob=publicationFile&v=1](https://www.bundesregierung.de/Content/DE/_Anlagen/2017/02/2017-02-27-nachhaltigkeit-neuaufgabe-engl.pdf;jsessionid=73B09AC3D8E7641F3D5FC7BE80104260.s1t1?__blob=publicationFile&v=1)

<https://sustainabledevelopment.un.org/hlpf/2016/germany>

### **ILO Recommendation No. 5**

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312343:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312343:NO)

### **ILO Convention No. 187**

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C187](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C187)

### **EU Posting of Workers Directive (96/71 EG)**

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996L0071:en:HTML>  
**EU Enforcement Directive (67/2014 EU)**

[http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/581381/EPRS\\_BRI\(2016\)581381\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/581381/EPRS_BRI(2016)581381_EN.pdf)

**EU Posting of Workers Directive (currently being revised by the EU Commission)**

[http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/581381/EPRS\\_BRI\(2016\)581381\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/581381/EPRS_BRI(2016)581381_EN.pdf)

**Financial Control of Illicit Employment – FKS**

[http://www.zoll.de/EN/Businesses/Work/Foreign-domiciled-employers-posting/Temporary-work-temporary-worker-assignment/Consequences-of-illegal-supply-and-use-of-workers/consequences-of-illegal-supply-and-use-of-workers\\_node.html](http://www.zoll.de/EN/Businesses/Work/Foreign-domiciled-employers-posting/Temporary-work-temporary-worker-assignment/Consequences-of-illegal-supply-and-use-of-workers/consequences-of-illegal-supply-and-use-of-workers_node.html)

**FSC-Label**

<https://ic.fsc.org/en/choosing-fsc/fsc-labels>

**National Action Plan on Business and Human Rights**

Complete Action Plan as PDF-file (German):

<http://www.auswaertiges-amt.de/cae/servlet/contentblob/754690/publicationFile/222786/161221-NAP-DL.pdf>

**National Labour Inspection in Poland (English)**

<https://www.pip.gov.pl/pl/f/v/35971/act%20nlis.pdf>

**National Labour Inspection in the Czech Republic (German)**

[http://www.suip.cz/\\_files/suip-55537bb8a31494079b4fdcc45cb63dca/gesetzgebung\\_11.pdf](http://www.suip.cz/_files/suip-55537bb8a31494079b4fdcc45cb63dca/gesetzgebung_11.pdf)

### **National Labour Inspection in Slovenia (English)**

<http://www.id.gov.si/en/>

### **ILO Labour Inspection Convention, 1947 (No.81)**

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C081](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C081)

### **ILO Labour Inspection (Agriculture) Convention, 1969 (No. 129)**

[http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312274](http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO:12100:P12100_INSTRUMENT_ID:312274)

### **ILO Employment Policy Convention, 1964 (No. 122)**

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312267](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312267)

### **ILO Tripartite Consultation Convention, 1976 (No. 144)**

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C144](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C144)

### **OECD Guidelines for Multinational Enterprises**

<https://www.oecd.org/corporate/mne/48004323.pdf>

### **UN Guiding Principles on Business and Human Rights**

[www.ohchr.org/.../GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/.../GuidingPrinciplesBusinessHR_EN.pdf)

# NOTES