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**POOSH – Occupational Safety and Health of Posted Workers: Depicting
the existing and future challenges in assuring decent working conditions
and wellbeing of workers in hazardous sectors (Project number
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**Work Package 4
COMPARATIVE RESEARCH STUDY**

POOSH COUNTRY Report in CROATIA

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Executive Summary

The main findings regarding OSH and workers posted to or from Croatia are comparable to those in Slovenia. Serious infringements in matters concerning OSH go hand in hand with factors such as undeclared work, underpayment, excessive working time, lack of rest periods, and non-compliance with regulations concerning social security and health insurance. Work-related accidents and ill health can therefore also be attributed to stress-related conditions which may occur as a result of irregularities in posting procedures, fatigue due to long working hours, the failure to provide OSH training, the failure to provide translations of health and safety rules, and lack of necessary working equipment (cf. Vah Jevšnik, Cukut Krilić 2016). This leads to a higher rate of work-related accidents, especially in high-risk, hazardous sectors (e.g. construction). Since workers posted to or from Croatia predominantly provide services in hazardous sectors such as agriculture, construction and mining, and/or are exposed to hazardous agents such as chemical substances or radiation, they are particularly vulnerable to accidents and occupational diseases.

The occupational health and safety system in the Republic of Croatia, in particular the national policy and activities, general principles of prevention and occupational health, safety regulations, employers' obligations, rights and obligations of employees and of employees' commissioner for occupational health and safety, activities in relation to occupational health and safety, as well as supervision and misdemeanour liability are regulated by the Occupational Health and Safety Act (Official Gazette Nos. 71/14, 118/14 and 154/14, hereinafter: the Act). By this Act, the EU Directives 89/391/EEC, 2007/30/EC, 91/383/EEC, 92/85/EEC, and 94/33/EC are transposed into the national legislation of the Republic of Croatia (Babić 2017).

The relevant stakeholders in the field of OSH and posting stakeholders in Croatia are: the Ministry of Labour and Pension System of the Republic of Croatia, the Croatian Labour Inspectorate, the Institute for Occupational Safety Improvement, the Croatian Institute for Health Protection and Safety at Work, the Croatian Health Insurance Fund, the Croatian Institute for Health Protection and Safety at Work, the Institute for the Advancement of Safety at Work, the Croatian Employers Association (CEA), the Union of Autonomous Trade Unions of Croatia (UATUC), the Independent Croatian Trade Unions, the Croatian Health Insurance Institute Fund, the Croatian Pension Insurance Institute, the Croatian Society of Occupational Health, the Croatian Chamber of Economy, and the Croatian Chamber of Trades and Crafts.

The OSH-related vulnerabilities of migrants and posted workers were analysed in this report by taking into account several factors or layers of vulnerabilities, as proposed by Sargeant and Tucker (2009). They divide these factors into three groups. Regarding migration factors, the main problem is

that of undocumented foreign workers in Croatia. Lack of documentation such as work contracts and/or A1 forms created a situation in which employment standards were eroded and OSH measures were not followed. Subcontracting also contributed to the erosion of employment standards as intermediaries often abuse and exploit posted workers. In case of accidents, workers were usually immediately transported across the border, which made it impossible for them to prove where and when the accident had occurred. Subcontracting (workers having various contracts and therefore not knowing which employer is the responsible one), furthermore, created a situation where workers posted to and from Croatia were under-informed (for example, about financial consequences related to accidents at work). All these migration factors in the case of Croatia resulted in long working hours, insufficient breaks or no breaks at all, and night work, which had negative effects on workers' health. In terms of migrant worker characteristics, their language, education and skills, our interlocutors from the Labour Inspectorate, who deal with posted workers coming to Croatia, mostly stressed the language barrier, in particular in sectors such as construction. The majority of posted workers in Croatia still come from the territory of former Yugoslavia. This means that communication runs quite smoothly in the Croatian language, as most workers speak Croatian, Serbian or Bosnian languages, which are indeed very similar languages. Nevertheless, labour inspectors report that they are increasingly coming into contact with Bulgarian or Romanian workers, with whom they have difficulties to communicate. These workers' lack of local language skills also affects their occupational safety and health and other related issues. For now, they use English; however, this is not a perfect solution as many of them only speak basic English and may not understand some of OSH-related specifics. Croatian workers posted to Germany, on the other hand, did not see language barrier as the main problem. Workers stressed that they have basic knowledge of the German language and that they can rely on their co-workers if translations are needed.

Posted workers see themselves as temporarily visiting/working and thus care less about their health issues. Due to their precarious situation, they accept work under any kind of conditions. Posting from Croatia resembles the historical connection of "gastarbeiters" who went from Yugoslavia to Germany (mostly from 1960 on), but is nowadays, within EU, performed under different legal circumstances and with different consequences when it comes to accidents. The role of information sharing in this new/old situation is of crucial importance. Regarding the conditions in the receiving country, such as the role of unions, regulatory protection and the degree of social exclusion, workers who were sent from Croatia to Germany stressed that they were usually treated very well in the receiving country. In contrast to their Croatian or Slovenian employers/subcontractors, the fellow workers in transnational working places in Germany, for example, shared their knowledge about OSH risks with them and educated them about safety measures. Croatian inspectors stressed that according to the national regulations, all workers in Croatia are treated equally; however, they also stressed that

they do not have much insight into the real, everyday situation in the workplace. Since our interviews did not include any posted workers coming to Croatia but only workers going from Croatia abroad, this aspect is not covered in the report. Crucial importance was ascribed to multi-sectoral and multi-level approach that would strengthen the relations between the sending and the receiving country. A strong emphasis was on the confusion over different kinds of migrant work in the EU and the confusion over insufficient and incoherent information system. The identified challenges are manifold, ranging from an insufficient and incoherent information system for employers/service providers, posted workers, and sometimes also the government officials or interest groups (trade unions) who are responsible for conducting the procedure or assist in certain OSH-related situations. In any case, information sharing was recognised as an important issue related to the OSH of posted workers. In this situation, semi-formal contacts between different stakeholders were identified as very beneficial. Trade unions were recognised as beneficial for helping workers resolve various OSH-related issues in posting situations, although they admitted to only having limited access to transnational working places. Most workers do not use services of trade unions for preventive/informative purposes but only after the accident already occurs. This can be improved through tailor-made trade union membership for transnational workers from EU Member States.

In terms of preventive measures, Croatia experiences lack of awareness raising informational materials that could prevent accidents at work. Therefore, more informational materials in different languages are necessary. Workers are often not familiar with the possibilities of initiating grievance procedures or their social position is so weak that they often do not initiate such procedures for fear of jeopardising their work contract. Moreover, grievance procedures are costly and time-consuming due to translations, which further deter workers from pursuing them.

Policy implications and recommendations stemming from this research are as follows: a) small enterprises should be monitored more frequently and their role in posting should be scrutinised; b) frauds within posting procedures should be monitored and fined by introducing stricter measures, especially because workers' dependence on their employers in cases of undeclared work is significant, since it generates precariousness and prevents interactions with the host society; c) workers should be more informed about their rights and responsibilities in the situation of OSH and posting; d) multi-sectoral and multi-level approach and strengthened transnational cooperation among the various stakeholders (formal and informal) should become of core importance; e) information sharing should be recognised as an important issue related to the OSH of posted workers; e) semi-formal contacts between EU inspectors should be encouraged (e.g. conferences, meetings or projects facilitating encounters between responsible authorities), and this goes especially for Croatia as a new posting country; f) more attention in the field of legal and preventive measures should be paid to the OSH of posted workers. Since workers posted to or from Croatia predominantly provide services in

hazardous sectors such as agriculture, construction and mining, and/or are exposed to hazardous agents such as chemical substances or radiation, they are particularly vulnerable to accidents and occupational diseases; g) access to the Croatian transnational workplace for trade unions in cooperation with Croatian inspectors should be facilitated; h) tailor-made trade union membership for transnational workers posted to or from Croatia should be taken into consideration.

1. Introduction

1.1. A quick overview of OSH and posted work in the country

Croatia joined the EU on 1 July 2013. Since then, the posting of workers to and from Croatia has been on the rise. In 2015, the number of workers posted from Croatia¹ was 38,998 (1.9% of EU total), which is a 41.5 % increase from the previous year. In relative terms, this makes Croatia the sixteenth sending Member state. The main countries of destination in 2015 were Germany (66.2%), Slovenia (8.7%), and Austria (4.5%). The main employment sectors for posted workers were construction (44.4%), other industry (43.2%), and business (4.7%). The number of workers from Croatia in full-time equivalents (FTEs) was higher than the EU average, coming second only after Slovenia, where the share of posted workers in the FTEs in total employment amounted to 5.73%. In Croatia, that share was 1.36% (Pacolet and DeWispelaere 2016, Posted Work Country Sheet Croatia). In 2015, the number of workers posted to Croatia was 7,164 (0.5% of EU total), marking an increase of 57.1% from 2014. This made Croatia the 19th EU Member State per number of received posted workers. Most workers were posted from the neighbouring Slovenia (43.1%), Germany (14.5%), France (8.9%), Poland (8.0%), and Italy (6.5%). The sectors of employment were construction (44.7%), other industry (12.1%), and personal services (22.1%) (Pacolet and DeWispelaere 2016, Posted Work Country Sheet Croatia).

There is a significant body of literature addressing various aspects of OSH in Croatia (Marovic 2008, Šokčević 2015), but the OSH of posted workers or migrant workers has not yet been comprehensively analysed and/or published. To the best of our knowledge, there is no report/policy brief or article that would exclusively focus on the OSH of posted workers in Croatia, with the exception of papers and abstracts published within the POOSH project (see more <http://www.poosh.eu/about/about-the-project/>). Attention to the OSH of posted workers was raised at a transnational conference *Employment/Working Conditions, Occupational Safety and Health of posted Workers*, which took place in Ljubljana on 15 February 2017. The conference was organised within the framework of the POOSH project and it brought together researchers, labour inspectors, and NGO staff in an effort to outline the specific areas that merit further attention and should be explored during the course of the project. The conference proceedings include a contribution by a Croatian labour inspector dealing with the issues of OSH and posting (Rogelja and Toplak 2017).

Against the backdrop of the lack of empirical research on the said issue, the aim of our case study was to analyse the legislation and regulation texts concerning the OSH and posting of workers, review the grey and academic literature on OSH in the context of migration, and collect data through

¹ These figures include data on workers posted to one and to multiple Member States

semi-structured interviews with relevant stakeholders. The main research question we posed for this study was as follows:

How does the interplay of EU-regulation and national OSH systems affect the health and safety of posted workers in a transnational workplace?

To answer this question, a number of sub-questions were developed:

- *How do national and transnational OSH and employment regulations interact in transnational workplaces within the EU common market?*
- *What are the OSH-related vulnerabilities of posted workers stemming from the existing systems? (Access, quality of service and protection, ...)*
- *How do OSH preventative practices manifest in transnational workplaces?*
- *How are OSH-related grievances addressed in transnational workplaces?*
- *What are the legal and healthcare mechanisms and practices in case of work-related accidents in which posted workers are involved?*
- *How are language and cultural barriers managed in transnational workplaces in terms of prevention as well as grievance management?*
- *What measures can be developed at the systemic and workplace level to reduce OSH-related vulnerabilities?*

In sum, the research agenda was twofold. First, we intended to map the trends in the posting of workers to and from Croatia and the implications of national labour legislation in interaction with EU-level legislation on the posting of workers within the framework of OSH and labour/working conditions. Second, we set out to assess the OSH-related vulnerabilities of posted workers, who are disproportionately recruited into more hazardous working posts/sectors and are exposed to work accidents and several health hazards. Both objectives are in line with the *Priorities for occupational safety and health research in Europe: 2013–2020*, issued by the European Agency for Safety and Health at Work in 2013.

1.2. Main Findings

The main findings regarding OSH and posted workers in Croatia are comparable to those in Slovenia. In the case of the posting of workers, OSH and posted workers' overall workplace wellbeing is inextricably connected to the general employment conditions and this nexus should be kept in consideration (Vah Jevšnik, Cukut Krilić 2017). Serious infringements in matters concerning OSH go

hand in hand with factors such as undeclared work, underpayment, excessive working time, lack of rest periods, and non-compliance with regulations concerning social security and health insurance. Work-related accidents and ill health can therefore also be attributed to stress-related conditions which may occur as a result of irregularities in the posting procedure, fatigue due to long working hours, the failure to provide OSH training, the failure to provide translations of health and safety rules, and lack of necessary working equipment (ibid). This leads to a higher rate of work-related accidents, especially in high-risk, hazardous sectors, and can have short-term and long-term effects (i.e., burnout, development of, chronic conditions, and a variety of disabilities) on the health of posted workers. Since posted workers predominantly provide services in hazardous sectors such as agriculture, construction and mining, and/or are exposed to hazardous agents such as chemical substances or radiation, they are particularly vulnerable to accidents and occupational diseases (Vah Jevšnik, Cukut Krilić 2017). As one of the Belgian OSH inspectors, a participant in a POOSH project meeting in Brussels (March 2018), estimated, 80% of all accidents at work in Belgium are related to posted workers.

Regarding Croatia, the main findings regarding OSH and posted workers are the following:

1. Our Croatian interlocutors highlighted the problem of undocumented work² that has its peculiarities in the context of posting. The fact that some workers lacked documentation, such as work contracts and/or A1 forms, created a situation in which employment standards were eroded and OSH measures were not followed. Subcontracting also contributed to the erosion of employment standards as intermediaries often abuse and exploit posted workers. In the case of accidents, workers with poor documentation were many times immediately transported across the border, which made it impossible for them to prove where and when the accident had occurred. Subcontracting (workers having various contracts and therefore not knowing which employer was the responsible one) and letterbox companies also created a special “undocumented situation” where posted workers sent to and from Croatia were under-informed (for example, about financial consequences related to accidents at work) and thus more vulnerable. All these migration factors resulted in the case of Croatian workers being sent to

² The term undocumented work is used here in the broadest sense, encompassing various irregularities and frauds related to the working conditions of posted workers. However, the authors of this report think that a careful reflection on the relation between the notion of undocumented work (generally in the situation of migrant work) and posting situation (as an administrative category and/or a phenomenon) deserves further investigation. Also, we noticed that our interlocutors used the phrase “undocumented work” regularly in the interviews, not always in narrow reference to posting situation. We would say that this relates more to real problems in concrete situations where the boundaries between administrative categories and practices can be blurred and not so much to the lack of knowledge of our interlocutors about definitions and administrative categories.

other countries (usually through Slovenia) to work long working hours, with insufficient breaks or no breaks at all and night work, which had negative effects on workers' health.

2. Language barrier was said to be of crucial importance, affecting the OSH of posted workers, mostly those coming to Croatia. However, two different situations were discussed – posting to or from Croatia. Croatian workers posted to Germany did not see language barrier as the main problem. For them the problem appeared only if they were posted to countries outside the German speaking area. Croatian workers posted abroad stressed that they have a basic level of German language and also that they rely on their co-workers if translations are needed. Inspectors stressed that the language barrier poses a problem in special sectors (e.g. construction) and mostly to workers posted to Croatia from new Member States. Our interlocutors stated that the majority of posted workers in Croatia continue to come from the territory of former Yugoslavia. This means that communication runs quite smoothly in the Croatian language as most of them speak Croatian, Serbian or Bosnian languages, which are indeed very similar languages. Nevertheless, our interlocutors also mentioned that they are increasingly coming into contact with Bulgarian or Romanian workers, with whom they have difficulties to communicate. This also affects OSH and related issues. For now, they use English; however, they stated that this is not a perfect solution as many of them speak only basic English and may not understand some OSH-related specifics.
3. The temporality of posting also affects the OSH of posted workers. Croatian posted workers see themselves as temporarily visiting/working and thus care less about their health issues.
4. Precariousness further affects OSH in the situation of posting as stated by our Croatian interlocutors. Even though posted workers are not necessarily in a contingent work position, it seems, according to the interviewees, as if many of them are. Due to their precarious situation, posted workers accepted the work under any kind of conditions.
5. Specific to this case study is the fact that posting from Croatia resembles the historical connection of “gastarbeiters” that went from Yugoslavia to Germany (mostly from 1960 on), but is nowadays, within EU, performed under different legal circumstances and with different consequences when it comes to accidents. The role of information sharing in this new/old situation is of crucial importance.
6. Croatian workers being sent abroad described good relations with fellow workers in transnational working places as crucial for OSH related issues. Workers being posted from Croatia to Germany stressed that they were usually treated very well in the receiving country. The fellow workers in transnational workplaces in Germany, for example, shared their knowledge about OSH risks with them and educated them about safety measures.

7. Lack of knowledge about real situations in transnational workplaces was expressed by inspectors as well as trade unions. Croatian Inspectors stressed that in Croatia, all workers are treated equally according to national regulations; however, they also stressed that they do not have much insight into the real, everyday situation in the workplace. Since our interviews did not include any posted workers coming to Croatia but only workers going from Croatia abroad, this aspect is not presented here. Lack of knowledge about real situations before accidents happen, the importance of multi-sectoral and multi-level approach that would strengthen the relations between the sending and the receiving country was said to be of crucial importance in addressing the issue.
8. The confusion over different kinds of migrant work in the EU and the confusion over insufficient and incoherent information system highlighted in the interviews. The identified challenges are manifold, ranging from an insufficient and incoherent information system for employers/service providers, posted workers and sometimes also government officials or interest groups (trade unions) who assist in certain OSH-related situations in the case of accidents. Information sharing was recognised as an important issue related to the OSH of posted workers. In this situation, semi-formal contacts between different stakeholders were identified as very beneficial.
9. Trade unions were recognised as beneficial for helping workers resolve different OSH-related issues in posting situations, although they admitted to only having limited access to transnational working places. Most workers do not use services of trade unions for preventive/informative purposes, but only after the accident already occurs. One of the suggestions coming from conversations with trade unions was that this can be improved through tailor-made trade union membership for transnational workers from EU Member States.
10. Regarding preventive measures, our interlocutors pointed to lack of awareness raising informational materials which could prevent accidents at work; therefore, more informational material in different languages is necessary. At a policy level, the increased flow of information on the topic of OSH and posted workers in Croatia would be beneficial, specifically among workers and small enterprises.
11. Small enterprises (mostly from Slovenia) that send Croatian workers abroad are said to be the most problematic (not giving information to workers, not having documentation arranged, etc.), also in terms of affecting OSH in posting situations.

1.3. Structure of the country report

The report first outlines the country context, including a general socio-economic overview, the OSH legal framework, posting stakeholders, data on posting and sector characteristics. Next, the methodology chapter outlines data collection, the process of thematic analysis of the collected data, and challenges encountered during the fieldwork and analysis. The results of the study are presented in four sub-chapters. The first sub-chapter presents the analysis of OSH-related vulnerabilities posted workers are exposed to in Croatia. The second sub-chapter is the analysis of the OSH institutional framework in Croatia. It outlines the actors' roles, mechanisms and procedures at different levels and national/transnational stakeholder interaction and cooperation, with the aim of exploring how OSH institutional framework affects posted workers' vulnerabilities. The third sub-chapter explores OSH in practice in transnational workplaces, focusing on preventative practices, (posted) worker representation and protection, and OSH-related grievance procedures in transnational workplaces. The fourth chapter looks into the pressing issue of language and cultural barriers in transnational workplaces. In the final section of the report, a synthesis and an evaluation of the results are provided, followed by some policy implications of the findings and recommendations on how they could be addressed.

2. Country Context

2.1. Socio-economic overview

Despite the financial crisis in 2008, in which many Croatian enterprises lost their competitive advantage in the European and global markets, the post-2000 period in Croatia has been marked by economic development and growth. According to the EURES portal data, GDP growth in the first quarters of 2017 was 3.4% (EURES, The European Job Mobility Portal, last accessed 12 March 2018). In the Split-Dalmatia region, the highest unemployment rate was recorded (15% of total unemployed in Croatia in 2017) and the Lika-Senj region had the lowest unemployment rate (1.3% in 2017) (ibid). In 2017, the majority of workers in Croatia were employed in administrative and support services, in the accommodation and hospitality sectors, wholesale and retail trade, processing industry, and public administration and defence, while in terms of revenue, the largest Croatian companies include INA, HEP grupa, Orbico, Lidl, Pliva, Petrol, and Adris grupa. Labour shortages by sector and occupation are the greatest in the following activities: the manufacturing/processing industries (locksmith, baker, CNC operator, butcher, mechanical engineering graduate, electrical engineering graduate, IT graduate,

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lathe operator); construction (mason, welder, carpenter, joiner, construction engineering graduate); trade (vendor); accommodation and food service activities (waiter, chef, chambermaid, kitchen worker, sous-chef, receptionist); education (primary/middle/secondary school teacher of mathematics, primary/middle/secondary school teacher of physics, primary/middle/secondary school teacher of English, secondary school teacher of music, primary/middle/secondary school teacher of German, preschool teacher); health and social work (medical doctor, general practitioner, nurse, master of pharmacy, physiotherapist); transport and storage (freight vehicle driver, bus driver); administrative and support services (tourist animator) (ibid).

Persons employed in Croatia are covered by social insurance that is part of the Croatian social security system. It consists of pension insurance, health insurance, and unemployment insurance. The Croatian social security system is financed from social security contributions and taxes. Regarding accidents at work and occupational diseases, there is no distinct insurance branch in Croatia (EC Your Social Security in Croatia (2017) last accessed 9 April 2018). Uniform health insurance provides financial benefits in case of employment injuries and sickness. Pensions are provided from uniform pension insurance. There are no special schemes for farmers or civil servants.

2.2. OSH and posting in the country

2.2.1 OSH legal framework

The occupational health and safety system in the Republic of Croatia, in particular the national policy and activities, general principles of prevention and occupational health, safety regulations, employers' obligations, rights and obligations of employees and of employees' commissioner for occupational health and safety, activities in relation to occupational health and safety, as well as supervision and misdemeanour liability are regulated by the Occupational Health and Safety Act (Official Gazette Nos. 71/14, 118/14 and 154/14, hereinafter: the Act). By this Act, the EU Directives 89/391/EEC, 2007/30/EC, 91/383/EEC, 92/85/EEC, and 94/33/EC are transposed into the national legislation of the Republic of Croatia (Babić 2017).

According to the Act (Article 19), the employer is responsible for the organisation and implementation of the occupational health and safety of employees in all segments of work organisation and in all work processes. The employer covers the costs of occupational health and safety implementation, i.e., employees shall not be charged for its implementation (Article 17).

2.2.2 OSH and Posting Stakeholders

OSH and posting stakeholders in Croatia are: the Ministry of Labour and Pension System of the Republic of Croatia, the Croatian Labour Inspectorate, the Institute for Occupational Safety Improvement, the Croatian Institute for Health Protection and Safety at Work, the Croatian Health Insurance Fund, the Croatian Institute for Health Protection and Safety at Work, the Institute for the Advancement of Safety at Work, the Croatian Employers Association (CEA), the Union of Autonomous Trade Unions of Croatia (UATUC), Independent Croatian Trade Unions, the Croatian Health Insurance Institute Fund, the Croatian Pension Insurance Institute, the Croatian Society of Occupational Health, the Croatian Chamber of Economy, the Croatian Chamber of Trades and Crafts.

The Ministry of the Labour and Pension System is the main administrative body for safety and health at work in the Republic of Croatia. Four more institutions are included in the implementation of safety and health at work:

- Institute for Occupational Safety Improvement is the main national institution in charge of monitoring and improving safety at work.
- Croatian Institute for Health Protection and Safety at Work follows up and offers its professional assistance and is under the surveillance of the Ministry of Health.
- Croatian Health Insurance Fund is an institution that finances health protection and safety at work and is under the surveillance of the Ministry of Health.
- The Labour Inspectorate is an administrative organisation within the Ministry of the Labour and Pension System which conducts inspections over the implementation of regulations in the field of occupational health and safety (EU-OSHA, last accessed 9 April 2018).

2.2.3 Data on posting

No specific data is available on the posting of workers in the field of OSH, with the exception of publications within the POOSH project (see <http://www.poosh.eu/about/about-the-project/> last accessed 9 April 2017).

In terms of posting numbers, an estimate of 9,835 workers was posted to Croatia and 42,602 from Croatia in 2016. In the time span of 2010–2016, the numbers of both workers posted to and from Croatia increased (EC Towards Fair Labour Mobility 2016).



(EC Towards Fair Labour Mobility 2016)

See also section 1.1. of this report for a general overview.

2.2.4 Sector(s) characteristics

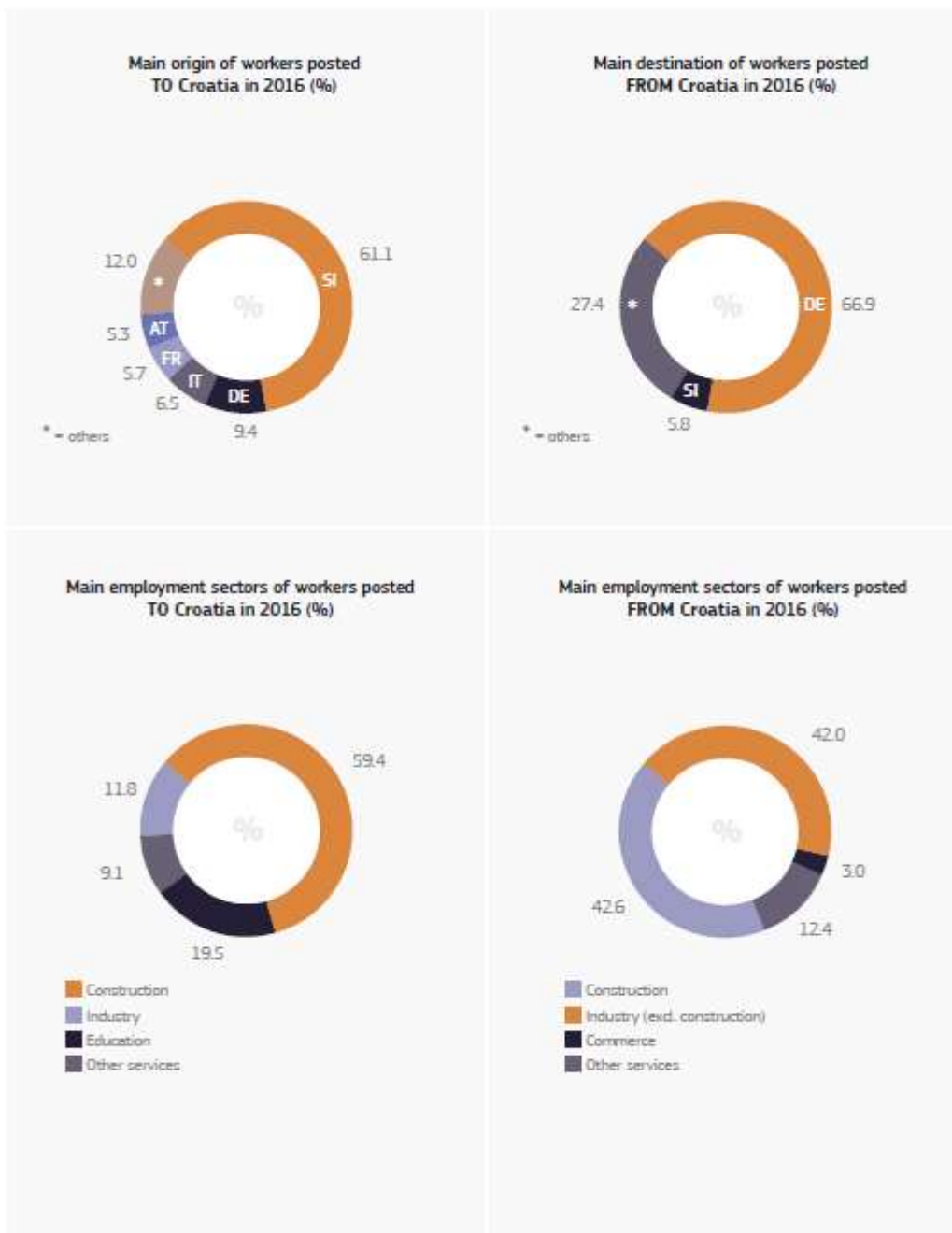
The main countries of origin of workers posted to Croatia in 2016 were: Slovenia (61.1%), Germany (9.4%), Italy (6.5%), France (5.7%), and Austria (5.3%). 12% workers came from other areas.

The main countries of destination for workers posted from Croatia in 2016 were: Germany (66.9%), Slovenia (5.8%), and other countries (27.4%).

The main employment sectors for workers posted to Croatia in 2016 were: construction (59.4%), education (19.9%), industry (11.8%), and other services (9.1%).

The main employment sectors for posted workers from Croatia in 2016 were: construction (42.6%), industry (42%), commerce (3%), and other services (12.4%).

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(EC Towards Fair Labour Mobility 2016)

2.2.5 Specific issues for migrant and posted workers

In relation to workers posted to Croatia, the employer must fulfil all prescribed requirements in the field of occupational health and safety. Everyone who performs work in Croatia must be trained in safe

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operating procedures for their jobs, both in theory and practice. The report on the assessment of employees' ability to work in a safe manner must be drafted and signed by the direct supervisor of the trained employee, the employee himself, and the occupational health and safety specialist who conducts the training. Workers from an EU Member State who have completed training in safe operating procedures for their jobs and have proof in accordance with valid regulations in that Member State need not undergo the same training in Croatia (see Babić 2017). If workers perform jobs with special working conditions, e.g. crane operator, signalman, forklift operator, excavator operator, etc., in accordance with the Ordinance on Jobs with Special Working Conditions ('Official Gazette' No. 5/84,) they must fulfil vocational competences and adequate health status. The employer must not allow the performance of jobs with special working conditions to workers who do not meet the conditions prescribed in the above mentioned Ordinance or in the special provision for those activities (Article 36 of the Act).

A worker who is qualified to perform certain tasks in accordance with the regulations of the home country and has a valid document meets the requirement of qualification to perform such activities in the Republic of Croatia if these jobs are prescribed in Croatia as jobs with special working conditions that require special skills and if there is no special regulation in Croatia that would prescribe other specific conditions, methods, contents, and duration of training. A document demonstrating the professional competence of workers in jobs with special conditions must be issued in the Croatian language and Latin script or translated into the Croatian language by a court interpreter, regardless of the place of issue. For certain activities, professional qualifications require an appropriate level of education, in which case proof must be furnished in accordance with special regulations on the recognition of foreign qualifications (see Babić 2017).

Medical ability to work in the Republic of Croatia is determined by a specialist in occupational medicine (or a specialist in occupational and sports medicine). The Republic of Croatia recognises medical confirmation (certificate) issued by the medical institution or doctor's office in another EU Member State, indicating the types of jobs with special conditions it covers (work at height, manual lifting, driving, etc.). Therefore, the worker should receive adequate instructions for safe work (in a language that he understands) and the work equipment inspection certificate. In regard to 'foreign work equipment', which has not been disassembled (and reassembled) before being put to use in Croatia and for which the employer has a valid certificate of testing performed in the EU, it is not necessary to perform such testing in Croatia (see Babić 2017).

In addition to the above, the worker must have available installation inspection certificates (and in specific cases, working environment test certificates), all documents mentioned above must be available in the Croatian language and translated by a court interpreter. Documents that were originally issued in one of the languages of the EU will be recognised in Croatia if the employer in the

workplace in Croatia has 'originals' as well as stamped and signed documents of the same issuer in the Croatian language (see Babić 2017).

Regarding OSH, rights and obligations of workers who are posted from Croatia to carry out a temporary service in another EU country are subject to the minimum conditions and terms of employment of the host country.

3. Methodology

3.1. Data collection

The data for this report was collected from the existing scholarly literature on OSH in the context of migration and posting, relevant EU Directives, national legislation and regulations, and other available policy documents. The analysis of secondary sources was followed by empirical data collection, which took place in Croatia from October to December 2017. Semi-structured interviews were conducted with 7 respondents, including:

- representatives of the Ministry of Labour and Pension System of the Republic of Croatia (2)
- representative of Croatian Labour Inspectorate that is an administrative organisation within the Ministry of the Labour and Pension System (1)
- representatives of the leading trade union (2)
- posted workers employed by Croatian and Slovenian companies and posted abroad to provide services in labour-intensive sectors mostly in Germany, but also in other countries such as Slovenia and Austria (2).

3.2. Analysis

The method of analysis used in this country report was a qualitative approach building on thematic analysis, which is one of the most widely used qualitative approaches in analysing interviews. Thematic analysis can be generally described as a method used for identifying, analysing, and reporting patterns (themes) within the data. The analysis at hand brought forth not only themes that were already accentuated within the interview questions but also some new ones which emerged during the course of the interview. Frequent, dominant or significant themes inherent in the data were highlighted and

considered as nexuses of special importance. This enabled us to establish a link between the research objectives and findings (frequent, dominant, significant or new themes) derived from data. The data was prepared for analysis using a three-step procedure: transcribing interviews, organising data into themes (coding process), and representing the data. Sargeant and Tucker's (2009) layered framework for assessing the OSH vulnerabilities of migrant workers was used to set the criteria of evaluation of the collected data.

3.3. Challenges and limitations

Challenges are mainly associated with the fact that the topic of OSH is relatively unrecognised, under-researched and thus almost invisible. This means that our respondents did not think of OSH as a topic of high relevance or as a topic which they would feel comfortable talking about. The only exception was Croatian OSH inspectors. In relation to these concerns, it was quite difficult to reach our interlocutors, namely, people who would confidently see themselves as specialists in the field. Also, during our conversations, it was quite difficult to keep the focus on OSH-related issues. Conversations "jumped" into the related topics of posting, migrations, etc., – about which our interlocutors felt more confident. Finally, it was very difficult to find interlocutors among posted workers, as this group is highly mobile, invisible in the dominant society of the receiving country, and also difficult to reach due to their time constraints, long working hours, fatigue, and fear of talking to "official" persons (POOSH researchers were sometimes perceived as such).

4. Results

4.1. OSH-related vulnerabilities of migrant and posted workers

OSH-related vulnerabilities of migrants and posted workers can be recognised through several factors or layers of vulnerabilities, as proposed by Sargeant and Tucker (2009). They divide these factors into three groups. The first group refers to migration factors (e.g. migration status), the second one to migrant worker characteristics (language, education, skills) and the third one to the conditions in the receiving country (the role of unions, regulatory protection, the degree of social exclusion).

Regarding migration factors, our interlocutors mentioned the problem of undocumented foreign workers in Croatia. However, the issue of undocumented workers in the context of posting was understood in relation to irregular posting and sometimes confused with other forms of undocumented migrant work. In the context of posting, they associated it with letter box companies or frauds in the subcontracting chains. The fact that workers were posted to or from Croatia through letter box companies created a situation in which employment standards were eroded and OSH measures were not followed. Subcontracting contributes to the erosion of employment standards as intermediaries often abuse and exploit posted workers. We could not uncover any specific details about such frauds in the interviews. It was explained to us that one such fraud related to OSH and posting happens in the case of accidents where workers were immediately transported across the border, which made it impossible for them to prove where and when the accident had occurred. Subcontracting (workers having various contracts and therefore not knowing which employer was the responsible one) also created a situation where posted workers sent to or from Croatia were under-informed (for example about financial consequences related to accidents at work). All these migration factors resulted in long working hours, insufficient breaks or no breaks at all and night work, which negatively affected workers' health. As one Croatian worker who had been sent by the Slovene employer to Germany explained:

Our employer said we should work 10 hours per day and we only had a thirty-minute break. And these thirty minutes were not included in our salaries. We had to cover it by ourselves...

The same worker stressed that he worked Saturdays and Sundays as well and mentioned that, in his opinion, accidents happen because of the fatigue and the frenetic pace of work demanded by the employers.

There were accidents due to the pressure, in situations where you don't work normally, let's say, when you work like, you have to work faster and a lot more, so in situations where rights are being violated, it is because of this pressure that accident happen.

Inspectors also stressed problems related to the types of jobs with special conditions (e.g. work at height, manual lifting, etc.). In these situations, workers should receive adequate instructions for safe work (in a language they understand) and a work equipment inspection certificate. Usually, workers do not receive any training, instructions and papers for work in special conditions from their employers, especially when they are posted by subcontractors or as undocumented workers.

In terms of migrant worker characteristics, their language, education and skills, our interlocutors from the Labour Inspectorate who deal with workers posted to Croatia mostly stressed the language barrier, especially in sectors such as construction. The majority of posted workers in Croatia still come from the territory of former Yugoslavia, which means that communication runs quite smoothly in the Croatian language as most of them speak Croatian, Serbian or Bosnian languages, which are indeed very similar languages. Nevertheless, labour inspectors report that they are increasingly coming into contact with Bulgarian or Romanian workers with whom they have difficulties to communicate. These workers' lack of local language skills also affects their occupational safety and health, and other related issues. For now, they use English, but this is not a perfect solution as many of them speak only basic English and may not understand some of OSH-related specifics. Croatian workers posted to Germany, on the other hand, did not see language barrier as the main problem. Workers stressed that they have basic knowledge of the German language and also that they rely on their co-workers if translations are needed. Also, posted workers see themselves as temporarily visiting/working and thus care less about their health issues.

Regarding the conditions in the receiving country, such as the role of unions, regulatory protection and the degree of social exclusion, workers who were sent from Croatia to Germany stressed that they were usually treated very well in the receiving country. In contrast to their employers, local workers in Germany, for example, shared their knowledge about OSH risks with posted workers and educated them about safety measures. As one Croatian worker posted to Germany through a Slovenian company explained:

I came there without protective gloves, I got everything there, gloves and this. As far as these people are concerned, they did things right.

Croatian inspectors reported that all workers are treated equally under Croatian national regulations; however, they also admitted not having much insight into the real, everyday situation in

the workplace. Since our interviews did not include any posted workers coming to Croatia, this aspect is not presented here.

4.2. OSH Institutional Framework

4.2.1. Actors' roles

There are several actors involved in the OSH of posted workers in Croatia.

The Ministry of Labour and Pension System of the Republic of Croatia is the main administrative body for safety and health at work in the Republic of Croatia. It is responsible for providing the legal framework – in the case of OSH and posted workers, this is primarily the Occupational Health and Safety Act (Official Gazette Nos. 71/14, 118/14 and 154/14). By this Act, the EU Directives 89/391/EEC, 2007/30/EC, 91/383/EEC, 92/85/EEC, and 94/33/EC are transposed into the national legislation of the Republic of Croatia (Babić 2017).

The Croatian Labour Inspectorate is an administrative organisation within the Ministry of the Labour and Pension System which conducts inspections over the implementation of regulations in the field of occupational health and safety.

The Institute for Occupational Safety Improvement is the main national institution in charge of monitoring and improving safety at work.

The Croatian Institute for Health Protection and Safety at Work follows up and offers its professional assistance and operates under the Ministry of Health.

The Croatian Health Insurance Fund is an institution that finances health protection and safety at work and is under surveillance of the Ministry of Health.

The Croatian Institute for Health Protection and Safety at Work conducts research in the field of OSH in Croatia and is involved in the organisation of conferences and seminars related to OSH.

The Institute for the Advancement of Safety at Work is active in the field of research, and promotion of OSH issues in Croatia.

The Croatian Employers Association (CEA) represents, promotes, and advocates the interests of its members. The CEA was created by a group of Croatian entrepreneurs who recognised the potential of joint action.

The Union of Autonomous Trade Unions of Croatia (UATUC) is a voluntary interest trade union which systematically endeavours towards improving the quality of jobs, as well as the living and working standards of its members and of all citizens of Croatia.

The Independent Croatian Trade Unions is a non-political organisation focused on workers' rights in Croatia, actively supporting and advising their members.

The Croatian Health Insurance Institute Fund provides health care available to everyone as well as enhances patient rights and involves their representatives in decision-making on investment of resources, subject to maximum focus on vulnerable members of society. The Fund also issues European Health Insurance Cards.

The Croatian Pension Insurance Institute is a public institution established on the basis of the Pension Insurance Act. Its aim is to provide the mandatory pension insurance (PAYG) entitlements to the employees, farmers, craftsmen, and others. It is responsible for issuing A1 forms for Croatian workers posted to other EU countries.

The Croatian Society of Occupational Health is a leading research institution in the field of occupational health.

The Croatian Chamber of Economy is an independent professional and business organisation of all legal entities engaging in business in Croatia.

The Croatian Chamber of Trades and Crafts is involved in tasks such as promoting trades and crafts, representing tradesmen and craftsmen's interests to state authorities and in forming economic policies, providing state authorities with opinions and suggestions when passing regulations concerning trades and crafts, founding commissions for apprentice and master's exams, tradesmen and craftsmen's activities, founding the arbitration council, keeping a register of tradesmen and craftsmen, keeping a register of apprenticeship contracts, assisting tradesmen and craftsmen in establishing and operating a trade/craft business, and performing other tasks stipulated by the law and legislative documents of the Croatian Chamber of Trades and Crafts.

4.2.2. Mechanisms and procedures at different levels

The provisions of the Act in the Republic of Croatia apply to all employees and persons engaged in a similar capacity (apprentices, students, trainees, people performing seasonal work, etc.). The provision of Article 54 of the Act stipulates that all foreign employees should, under the conditions set out by special regulations, meet the conditions prescribed by the provisions of the Act and the regulations adopted in pursuance thereof. All regulations are available on the internet portal of the Ministry of Labour and Pension System (Katalog zakona i propisa MRMS 2017, last accessed 9 April 2018).

The Act stipulates that for performing tasks that involve specific risks, the employee, in addition to the general conditions of employment, should meet the prescribed special conditions relating to age, professional qualification and health status or mental ability. What is more, the

Ordinance on jobs with special working conditions set out in the Annex (Official Gazette No. 5/84) stipulates what kind of jobs are jobs with special working conditions as well as what specific professional qualifications, health and mental abilities should be met by the employee, including intervals of periodical health check-ups.

In respect of violations of rules on occupational safety and health, fines are prescribed by the provisions of Articles 94 to 100 of the Act. Penalties range from HRK 10,000 to 120,000 for legal persons, and from HRK 3,000 to HRK 6,000 for the accountable legal entity and for the employer as a natural person. In the event of a repeated infringement, the person who has committed the offence shall have to pay double the amount of the former fine. These Articles also stipulate which fines may be imposed on the site where the offence occurred (Babić 2017).

4.2.3. National and transnational actor interaction and/or cooperation

At national level, Croatian representatives of the Ministry stated that communication runs smoothly and that all relevant actors communicate well in resolving issues concerning OSH and posted workers. However, they expressed dissatisfaction with long court procedures involving translations of documents into the Croatian language. At transnational level, our interlocutors act as the Ministry's representatives in other states within the framework of the IMI system. The Enforcement Directive includes very clear instructions concerning the obligation to respond to requests for assistance from the competent authorities in other Member States within two working days in the case of urgent requests and within 25 working days in non-urgent cases (European Commission 2016: 9). The representatives of the Ministry described such meetings and conferences as very beneficial for keeping semi-formal contacts with their colleagues and for resolving problematic issues in a dialogue, directly through the phone or e-mail.

4.3. OSH in practice in transnational workplaces

4.3.1. Preventative practices in transnational workplaces

Representatives of the Ministry of Labour and Pension System stated that in terms of OSH practices, Croatian and foreign workers are treated equally. In accordance with Article 62 of the Occupational Health and Safety Act, the employer shall ensure that the employee is provided with:

- 1) Risk assessments for the workplace and tasks to be performed in that workplace;
- 2) Instructions for safe work practices in the workplace and tasks to be performed there;
- 3) A written document as evidence that the employee has received training in safe work practices;
- 4) A written document demonstrating that the employee fulfils the requirements to perform tasks under special working conditions;
- 5) A record of checks carried out on the work equipment, installations, and work environment.

The same Article prescribes that risk assessment, documents and records need not be kept at the site where work is scheduled to last no longer than thirty days, but must be made available within a period specified by a competent inspector (Babić 2017).

As Miro Babić from the Ministry stated, inspection of the implementation of provisions concerning safety and health at work is carried out by labour inspectors, unless stipulated otherwise by a separate act. In accordance with the provisions of Article 91 of the Act, in conducting the inspection of occupational health and safety matters, an inspector shall, by means of an oral decision, order the employer to suspend the following activities until such time as the identified deficiency has been remedied:

- 1) use means of work and personal protective equipment, or a building or its components, premises, plants, devices and other work equipment which are defective or for which the employer is unable to provide documentation stipulated by this Act and other regulations (Articles 41 and 42);
- 2) carry out working procedures contrary to this Act and other regulations, without the use of prescribed personal protective equipment, and otherwise behave and act in a manner that is not in compliance with the provisions of this Act and other regulations (Articles 41, 43, 44, 48, and 49);
- 3) use physical, chemical, biological and other hazards, unless the employee has been provided with information about the risks involved or for which no documentation, stipulated by this Act and other regulations, has been provided in the workplace (Articles 45, 46, 47, 48, 49, and 50).

In conducting an inspection of occupational health and safety, an inspector shall, by means of an oral decision and until such time as the identified deficiency has been remedied, order the employer to do the following:

- 1) remove from the workplace any employee for whom it fails to provide evidence showing that the employee concerned meets all the requirements prescribed by this Act and other regulations (Articles 28, 36, 38, 39, 40, and 54).
- 2) suspend from work any employee suspected on reasonable grounds of being under the influence of alcohol or other addictive substances (Articles 58 and 59).

In the interviews, the representatives of the Ministry also stated that the main problem concerning OSH in transnational workplaces is lack of informational brochures and other materials. Information dissemination does not run as smoothly and efficiently as it should. Training is covered well, but the overall awareness of the importance of OSH issues in the workplace is still not well addressed and norms are still not internalised by the workers themselves. Our interlocutors also stated that mental and social wellbeing is neglected. Especially workers mentioned stress in the workplace when they have to work fast and long hours.

4.3.2. (Migrant and/or posted) worker representation and protection

Our interlocutors stated that Croatian and foreign workers are treated in equally. Generally, workers' representatives are more common in larger organisations and in organisations within the public sector. According to our interlocutors, migrant workers in general are passive recipients of information regarding OSH and, although they legally receive equal treatment as Croatian workers, they have less chance to influence OSH-related issues.

One of the problems stated by our interlocutors from the Croatian Ministry is that OSH representatives are directly contracted and paid from the employers. This situation alone may cause unbeneficial situations for workers.

Trade unions, on the other hand, are seen as very helpful actors in the field of OSH and posted workers; however, as they stated, they do not have direct access to workers. Their relation with posted workers usually starts only after the accident has occurred. As other studies on posted workers highlight (Houwerzijl 2013), the relation between trade unions and posted workers is important in terms of ensuring protection and trade unions should have access (together with labour inspectors) to workplaces. Also, tailor-made trade union membership for posted workers would be beneficial for the protection of transnational workers (*ibid*).

4.3.3. OSH-related grievance procedures in transnational workplaces

Our interlocutors stated that Croatian and foreign workers are treated in an equal way, meaning that Croatian, migrant and posted workers are subject to the same legal and health care mechanisms and practices in the event of accidents. From the interviews with workers we noted that not many migrant workers were actively involved in grievance procedures for fear that such actions might jeopardise their work contract.

One of the most pressing issues according to our interlocutors is that of liability. Whereas employers should assume responsibility for their workers, small enterprises in which posted workers often work, tend to ignore these rules and responsibilities. OSH issues stand at the core of these problems. Subcontracting was also mentioned as a problem but no further specific explanation was given in this regard.

The Croatian system and understanding of grievance management is, in the case of posted workers and according to our interlocutors, underdeveloped and sluggish. Additionally, workers themselves are often not familiar with the possibilities of raising their grievances or their social position is so weak that they often do not engage in such procedures for fear of jeopardising their work contract.

4.4. Language and cultural barriers in transnational workplaces

4.4.1. Prevention

Our interlocutors stated that the majority of posted workers in Croatia still come from the territory of former Yugoslavia. This means that communication runs quite smoothly in the Croatian language as most of them speak Croatian, Serbian or Bosnian languages, which are indeed very similar languages. Nevertheless, our interlocutors also mentioned that they are increasingly coming into contact with Bulgarian or Romanian workers, with whom they have difficulties to communicate. This also affects OSH-related situations and other issues. For now, they manage to communicate in English; however, as they stated, this is not a perfect solution as many of them speak only basic English and may not understand some of the OSH-related specifics. Regarding preventive measures, our interlocutors stated that more informational material in different languages is necessary in such situations. According to our interlocutors, specialists in the field, there is an insufficient amount of awareness raising informational materials to prevent accidents at work in Croatia.

4.4.2. Grievance management

Not enough data was collected on this issue.

5. Synthesis and Conclusions

While current research and policy-oriented initiatives tend to focus on issues such as tax avoidance, fictitious postings, social benefit frauds, and challenges in establishing cooperation and information sharing on breaches of the relevant Directives between national competent authorities via the IMI system, more attention should be placed on the assurance of decent working conditions, occupational safety and health (in particular the assessment of health-related risks), prevention measures, and monitoring. Literature on OSH in the context of posting is scarce and substantially fragmented for Croatia as well as for Slovenia, as some researchers pointed out (Vah Jevšnik, Cukut Krilić 2016).

As already noted in previous research (Vah Jevšnik, Cukut Krilić 2016), a good tool for assessing the OSH vulnerabilities of migrant workers, including posted workers, is the so-called 'layer of vulnerability framework' (Sargeant and Tucker 2009). The framework was used to identify the risk factors and thus indirectly contribute to the effectiveness of institutional responses in the case study of Croatia. It is particularly useful because it recognises the heterogeneity of migrant workers in terms of their legal status and personal characteristics when identifying vulnerabilities. Failure to declare work performed by posted workers and accompanying social frauds, for example, can have a significant impact on the OSH and wellbeing of posted workers. As evident from the interviews we conducted, workers from Croatia posted abroad, similarly as workers from Slovenia, are usually willing to work long hours and in substandard working conditions, often at the cost of exposing themselves to work-related stress and injuries, developing acute and chronic illnesses and temporary or life-long disabilities (cf. Vah Jevšnik, Cukut Krilić 2016). Labour inspectors and union representatives from Croatia agreed, as did other EU inspectors included in the "Posting of Workers" project led by ZRC SAZU, that posted workers in hazardous sectors are usually less likely to have received OSH training or instructions. Moreover, according to the informal observations of Belgian OSH labour inspectors who participated in the POOSH project meeting in Brussels (March 2018), they are involved in 80% of work accidents. Due to their inability to speak the language of the host employer, they are also unable to fully understand instructions, read warning signs, communicate concerns, and learn about regulatory protection in place in order to make complaints or voice their concerns regarding safety and health (ibid). Another problem is the workers' dependence on their employers in cases of undeclared work, which is significant, since it generates precariousness and prevents interactions with the host society. The situation of undocumented or subcontracted workers (workers having various contracts and

therefore not knowing which employer was the responsible one) also created a situation where posted workers sent to Croatia were under-informed (for example, about financial consequences related to accidents at work). In the case of Croatian workers being posted abroad, all these migration factors resulted in long working hours, insufficient breaks or no breaks at all and night work, which had negative effects on workers' health.

Our interlocutors from the Croatian Ministry of Labour stated that Croatian and foreign workers are or should be treated equally, but in reality, posted workers are disadvantaged due to undocumented work or subcontracting chains. Generally, workers' representatives are more common in larger organisations and in organisations within the public sector. According to our interlocutors, migrant workers are in general passive recipients of information concerning OSH and, although they legally receive equal treatment as Croatian workers, they have less chance to influence OSH-related issues.

One of the problems stated by our interlocutors from the Croatian Ministry is that OSH representatives are directly contracted and paid by the employers. This situation alone may cause unbeneficial situations for workers.

Trade unions, on the other hand, are seen as very helpful actors in the field of OSH and posted workers; however, as they stated, they do not have direct access to workers. Their relation with posted workers usually starts only after the accident has occurred.

Our interlocutors stated that the majority of posted workers in Croatia still come from the territory of former Yugoslavia. This means that communication runs quite smoothly in the Croatian language as most of them speak Croatian, Serbian or Bosnian languages, which are indeed very similar languages. Nevertheless, our interlocutors also mentioned that they are increasingly coming into contact with Bulgarian or Romanian workers, with whom they have difficulties to communicate. This also affects OSH-related situations and other issues. For now, they manage to communicate in English; however, they stated that this is not a perfect solution as many of them speak only basic English and may not understand some OSH-related specifics. Regarding preventive measures, our interlocutors stated that more informational material in different languages is necessary to remedy such situations. In their opinion, Croatia is currently lacking awareness raising informational materials which could prevent accidents at work.

The Croatian system and understanding of grievance management in the case of posted workers is underdeveloped and sluggish. Additionally, workers themselves are often not familiar with the possibilities of raising their grievances or their social position is so weak that they often do not get involved in such procedures for fear of jeopardising their work contract.

At national level, representatives of the Ministry stated that communication runs smoothly and all relevant actors communicate well in resolving issues concerning OSH and posted workers. They expressed dissatisfaction with long court procedures involving translations of documents into the

Croatian language and reportedly also discussed future problems regarding communication in the workplace as more and more transnational workers are coming to Croatia. At transnational level, our interlocutors act as the Ministry's representatives in other states within the framework of the IMI system. The Enforcement Directive includes very clear instructions concerning the obligation to respond to requests for assistance from the competent authorities in other Member States within two working days in the case of urgent requests and within 25 working days in non-urgent cases (European Commission 2016: 9). The medium through which such requests are issued is an IT-based information network known as the Internal Market Information System (IMI). The purpose of the IMI is to link national, regional and local authorities of different Member States in order to enhance communication and exchange of data. The EC is also trying to enhance cooperation by providing funding for projects through the EaSi/PROGRESS platform, which enables joint visits, meetings and conferences at which representatives of competent national authorities can meet in person (Vah Jevšnik, Cukut 2016). Representatives of the Croatian Ministry state that such meetings and conference are very beneficial for keeping semi-formal contacts with their colleagues and for resolving problematic issues in a dialogue, directly through the phone or e-mail.

6. Policy Implications and Recommendations

Policy implications and recommendations are as follows:

1. Small enterprises dealing with posted workers should be monitored more frequently and their role in posting should be scrutinised.
2. Undeclared work should be monitored and fined by introducing stricter measures, especially in light of the fact that workers' dependence on their employers in cases of undeclared work is significant, as it generates precariousness and prevents interactions with the host society.
3. Posted workers should be more informed about their rights and responsibilities regarding OSH issues; in the case of Croatia, posting still resembles the historical connection of "gastarbeiters" who went from Yugoslavia to Germany (mostly from 1960 on), but is nowadays, within EU, performed under different legal circumstances and with different consequences when it comes to accidents. The knowledge on new legal conditions and consequences in the case of accidents should be communicated more effectively, especially with workers.
4. Multi-sectoral and multi-level approach, as well as strengthened transnational cooperation among various stakeholders (formal and informal) are also of crucial importance for the OSH of posted workers and related issues.
5. The identified challenges are manifold, ranging from an insufficient and incoherent information system for employers/service providers, posted workers, and sometimes also government officials or interest groups (trade unions) who are responsible for conducting the procedure or assist in certain OSH-related situations. In any case, information sharing was recognised as an important issue related to the OSH of posted workers.
6. Semi-formal contacts between EU inspectors were considered as very beneficial for resolving specific issues; therefore, more conferences, meetings or projects facilitating encounters between responsible authorities are recommended. This holds especially for Croatia as a new posting country.
7. Since workers posted to or from Croatia predominantly provide services in hazardous sectors such as agriculture, construction and mining, and/or are exposed to hazardous agents such as chemical substances or radiation, they are particularly vulnerable to accidents and occupational diseases; therefore, more attention in the field of legal and preventive level should be paid to the OSH of posted workers.

8. Access to the Croatian transnational workplace for trade unions in cooperation with Croatian inspectors should be facilitated.
9. Tailor-made membership of trade unions for transnational workers posted to or from Croatia should be taken into consideration.

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