

Annual Report 2017 (abbreviated English version)

Inspectorate SZW

The Inspectorate SZW works for fair, healthy and safe working conditions and socio-economic security for everyone.

Foreword

Healthy, safe and fair working conditions. Even in a flourishing economy, they unfortunately cannot be guaranteed. In 2017 once again, we saw an increase in the number of occupational accidents. It is a negative, five-year trend by now which is proving difficult to break. The decrease in fatal occupational accidents was however encouraging this past year. 50 lives were lost, versus 70 in 2016. A development which we hope to continue, as every death is one too many.

In terms of occupational illnesses, it was apparent that the risks of exposure to hazardous substances were still underestimated in 2017. Enforcement measures were required in more than 80 percent of the inspected companies that work with hazardous substances. Each year, around 4100 people die because of previous exposure.

These are serious numbers with far-reaching consequences. The Inspectorate has therefore worked with TNO (the Netherland Organisation for Applied Scientific Research), RIVM (Netherlands National Institute for Public Health and the Environment) and the Ministry of SZW (Social Affairs and Employment) over the past year to demand attention for reduced exposure to carcinogenic substances. The "Road to Zero". The target situation is one in which serious accidents and exposure are reduced wherever possible.

As far as fair work was concerned, the Inspectorate was once again confronted with companies competing by means of earning models whereby workers were not paid the fair (minimum) wage. Mala fide employers create a fog of constructions in which they sidestep the rules or apply them 'creatively'. They will try all imaginable short cuts to increase their profits. And that while our labour market is increasingly dependent on employees from other EU countries and further afield. When things go wrong, we encounter undesirable symptoms such as underpayment, holiday pay being retained, unpaid overtime and excessively long working hours. In the worst-case scenarios, it results in shocking life stories of vulnerable people trapped in their work situation.

The Dutch government emphasises the importance of monitoring healthy, safe and fair working conditions, and it has been announced that our enforcement programme is to be considerably expanded over the coming years. This will offer substantial extra opportunities to combat labour exploitation and other abuses in the field of fair working. It signifies a reinforcement very much in keeping with our concerns regarding healthy, safe and fair working conditions. And which must restore the balance between accident investigations and preventive inspections over the next few years.

As a growing organisation, we actively undertake dialogue and, where possible, cooperation with stakeholders to achieve societal effects. In 2017, we published the State of fair work and the State of occupational accidents. These reports request broad societal attention for important developments.

Such themes can never receive enough attention, which is why we initiate the dialogue whenever possible.

When attending inspections, I'm often proud to see how such inspections can make the difference in situations where healthy, safe and fair working conditions and socio-economic security is under threat. We stimulate good behaviour where possible. But we're also strict when necessary. It's important work after all, which really counts in society. The extra possibilities now made available to us will enable us to reinforce our commitment in the years to come. The bar has been set high. But we're more than willing to take up the gauntlet. On behalf of all employees and employers.

Marc Kuipers

Inspector-general

Social Affairs and Employment

Developments

Clear political choices were made in the coalition agreement (10 October 2017). “50 million euros will be made available annually for the Inspectorate SZW enforcement programme, in accordance with the Inspection Control Framework” (ICF).¹

The decision taken in 2017 marks a clear turning point versus the previous period, when the Inspectorate was reduced in numbers.² Directly after the coalition agreement, this challenging expansion of the Inspectorate was approached dynamically:

- The Ministry of SZW budget for 2018 already included figures for the ICF. The Inspectorate annual plan for 2018 details these figures to give estimates for 2018 and subsequent years.
- Due to a memorandum of amendment to the Ministry of SZW budget for 2018 (resulting in supplementary finances of the Ministry of Finance being transferred to the Ministry of SZW budget), the first extra means for the Inspectorate were already available early in 2018.
- The preparations for recruitment, selection and training began in 2017, so that the Inspectorate can be reinforced as quickly as possible in 2018.

The decision taken in 2017 is the result of the developments in previous years. Particularly relevant issues were the Heerma c.s. motion in mid-2016 and the adjustment of the annual plans for 2016 and 2017.

The Heerma c.s. motion requested that the government assess the adequate capacity of the Inspectorate, midway 2016. This with a view to developments in the Dutch economy, such as greater wage pressure, increased juridification and consequently increasing problems and declining inspection pressure by the Inspectorate SZW.³

The motion resulted in an investigation. In November 2016, the report by ABD TOP Consult titled “Working with effect” concluded that it was not possible to clearly meet the demand for adequacy, due to the appropriate information not being available and due to the lack of a politically defined standard.⁴ One of the recommendations was to formulate an Inspection Control Framework (ICF). This ICF was submitted to the Dutch parliament in May 2017.⁵ The ICF formulated options for political decision-making that are directly related to the developments identified in the Inspectorate's working field. These mainly concern an increased number of accidents, added focus on underpayment and changing insights into supervision of work with hazardous substances. The same developments were central to the interim adjustment of the annual plans for 2016 and 2017.

¹ The Inspection Control Framework was submitted to the Dutch parliament in May 2017. TK 2017,34 550 XW, no. 74. The financial means of the coalition agreement will be made available for reinforcement of the enforcement program, gradually increasing until 2022. Starting with 13 million euros in 2018, 25 million euros in 2019, 31 million euros in 2020, 38 million euros in 2021 and 50 million euros structurally from 2022 on.

² The formation decreased from 1312 FTE in 2010 to 1031 FTE in 2017 (please refer to the ABDTOPConsult report in 2016). This excludes the extra tasks defined in the Social Agreement (2013), labour discrimination (2015) and detection of (health)care fraud for VWS.

³ Dutch parliament, 2016-2017, 34 475 XV, no. 9

⁴ Dutch parliament, and 16-2017, 34 550 XV, no. 14

⁵ Dutch parliament, and 16-2017, 34 550 XV, no. 74

Four developments resulting in interim adjustment in 2016 and the 2017 annual plan

Over the course of 2016, the Inspectorate became aware that the situation had changed to such an extent that the current annual plan required interim adjustment. As foreseen in the annual plan for 2017, the adjusted developments applied in full force also in the past year. The situation in 2017 is described below, along with the identified choices in the ICF and the decisions of the coalition agreement.

The increase in occupational accidents

The number of occupational accidents increased to such an extent in 2016 that the Inspectorate needed to deploy extra capacity. The resultant recurrent mechanism was that extra accident investigations were at the expense of prevention-oriented, risk-based inspections. The analysis of the development in the number of accidents was still limited in the adjustment to the 2016 annual plan. It was then still unclear whether this concerned a one-off increase or a trending development. A more in-depth analysis became possible after 2016. This analysis was included in the annual report for 2016, and showed part of the increase to be the result of extra economic activity. However, this does not provide a satisfactory explanation for the increase as a whole. Declining safety awareness, increasing performance pressure and the employment of more inexperienced personnel may be possible causes. There was in any case no direct reason to assume that the number of occupational accidents would decrease. An increase seemed more probable and was indeed the case in 2017. 2016 saw a 5% increase in the number of accident inspections and a 13% increase in the number of accidents investigated. In 2017, the number of accident inspections increased by 7%. The increase in new inspections delayed the completion of ongoing investigations. This is discussed in more detail below. Accident investigations are labour intensive, and the further increase in reportable accidents in 2017 resulted in even less availability for proactive inspections of safe and healthy work. Where the reactive / proactive ratio was still around 60/40 in 2016, it had become 70/30 in 2017.

In contrast to the increasing number of occupational accidents, the number of concluded investigations into fatal occupational accidents was actually lower in 2017 than in 2016. Where there were previously 70 fatalities, there were 50 fatalities in 2017. This number is comparable with 2015.

The imbalance between a reactive approach and risk-oriented preventive inspections

One of the objectives given in the ICF is to increase the capacity for monitoring working conditions. This must rebalance the ratio between capacity deployment for accident investigations and capacity for risk-oriented preventive inspections in the years to come: i.e. bringing it to 50/50.

The necessity for expanding capacity as decided in the Coalition agreement, was emphasised by the developments in 2017. The increase in accidents investigation in fact overstretched the Inspectorate, as is apparent from the increase in 'work in hand', for example. This concerns investigations not yet completed, resulting in the number of completed investigations being approximately 5% lower in 2017 when compared with 2016. At the same time, as mentioned earlier, the number of accident inspections rose again by 7%. The large number of new accidents to be investigated increases the working pressure and work in hand. The extra capacity allocated by the Coalition agreement is absolutely essential when considering the combination of processing the final part of the tasks set by previous cabinets, the unplanned targeting of blasting grit containing asbestos, and the reorganisation which also cost employees time and effort.

The expansion of capacity in terms of healthy and safe working conditions, to be achieved in the coming years, will enable the Inspectorate to man this working field more robustly, with less need for ad hoc measures that are detrimental to the active programmes.

Focus on underpayment

The adjustment of the 2016 annual plan describes the recalibration of the approach to fair work. Underpayment has become a much more central focus of the analyses of irregularities in the labour market and in the proposed policy measures, in recent years. More and more nationalities are nowadays allowed to be active on the labour market without a work permit. So far, this has not resulted in any large-scale transition to the illegal employment of non-EU employees. And so the risk domain of illegal employment has been reduced, and underpayment – and in the more serious cases even exploitation – has received more attention in the issues concerning formerly illegally employed workers. Since 1 January 2016, the Inspectorate has published the results in the field of labour market fraud. Although inspection of all labour laws is not a precondition for publication of the results, the introduction of such a transparency condition formed an important reason for modification of the approach taken by the Inspectorate. The focus was previously on illegal employment, with this being further investigated in the event of suspicion of any other violation. Since 2016, the focus has shifted to underpayment and possible violation of the Dutch Minimum Wage and Minimum Holiday Allowance Act (WML). This logically results in the other labour laws being examined, such as monitoring of working hours.

The adjustment to the 2016 annual plan states that this is an approach which is still under development. That still applies, and is rendered clear by four issues:

- In 2017, the Inspectorate drew up a State of fair work for the first time. This illustrates changes to be taken into account in the monitoring process. By now, four out of ten employees in the Netherlands has a flexible contract.⁶ While this is not a problem in itself, the reduced job certainty is not proportionately compensated by more work certainty or income certainty. The combination of competitive pressure, labour supply from other (EU) countries with lower wage levels, bogus schemes and flexibilization of labour relations, puts negative pressure on wages at the lower end of the labour market.⁷
- The inspection practice in 2017 provided many examples of developments named in the State of fair work. These included employers paying less than prescribed by the WML, unwilling to pay salaries into their employees' accounts, unlawfully passing on high costs or unrealistic "penalties", failing to pay holiday pay or bonuses, and deducting wages for the use of means of personal protection. Other violations include extreme working hours, having temping staff work for impossible wages or employing non-EU employees without work permits.
- The new approach that focuses on underpayment is more intensive, which in turn results in extra enforcement. The adjustment to the 2016 annual plan already indicated that the Inspectorate would be investigating more administrations than before. This also applied in 2017. With the added effect that the percentage of investigations requiring an enforcement instrument was approximately 50%. This percentage was lower in the previously applied

⁶ CPB (2016), Flexibility on the labour market; benefits and burdens are out of balance

⁷ The State of fair work. A fair wage? (June 2017)

approach to inspections, with enforcement measures being taken in slightly less than 20% of the cases.

- The new approach was still very much under development in 2017. Also, because priority was given to the organisation of deployment of people and means for the targets of the approximately 25 inspection programmes in the organisation structure. This has made the programmes and their central objectives even more important. And therefore also the possibilities of specifically aiming a programme approach at the problems and objectives of that particular programme. New influencing methods have been applied in some programmes. In several programmes, the focus was switched to one specific law or legal condition in sub projects. In the catering industry programme, for example, a few hundred dialogues were conducted with start-up companies. The purpose was to increase their awareness of compliance with standards. The approach will continue to be developed in the future, also with a view to the proposed compulsory reporting of EU employees imposed by the Terms of Employment for Posted Employees in the European Union act (Wagweu), for example.

The Inspection Control Framework will provide the greatest expansion of inspection capacity in terms of fair work. This expansion will therefore be implemented over the coming four years – in line with the 2018 annual plan.

Exposure to hazardous substances

A clear shift is visible in the attention for working conditions; from attention for acute hazards to added attention for the longer-term health aspects.

Hazardous substances – and particularly the carcinogenic, mutagenic and reprotoxic substances (CMR) – have proven to be true 'silent killers'. Each year, approximately 4100 people die because of previous exposure to such substances.

The lesson learned at Dupont in particular is that the previously applied distinction between process safety (acute risks) and exposure (health effects becoming apparent many years later) was untenable. The Inspectorate must regard the two aspects jointly.

The Inspectorate therefore nowadays takes an integral view of the two components at companies working with hazardous substances. The Inspectorate objective is a 'Road to Zero', a situation in which serious accidents and exposure are reduced wherever possible. All this under the motto: it is not normal for employees to become ill, wounded or to die because of their exposure to hazardous substances.

Several other developments occurred in 2017, that are expected to be relevant in the future.

- The adjustment of the 2016 annual plan already indicated that, due to the great societal attention for the (long-term) consequences of the use of hazardous substances by companies, such as Lycra and Teflon by Dupont, one off, in-depth investigation was to be undertaken to learn the necessary lessons. This investigation required a considerable capacity deployment in 2016 and a part of 2017. The Dupont investigation taught us important lessons. The risk of exposure to hazardous substances is easily underestimated. The investigation also provided insight into how this could be avoided. Section 3 deals with this in more detail.
- Secondly, thirty investigations within the scope of the programme aimed at companies using hazardous substances showed that the inspected companies paid very little attention to (the

control of) exposure to hazardous substances. In more than 80% of the cases, an inspection resulted in the deployment of enforcement instruments. This was not only the case in small-scale companies but also in the larger companies, which would be expected to have sufficient knowledge to pay effective attention to working with hazardous substances.

- Thirdly, there is increasing public interest in exposure to hazardous substances, such as for Chrome-6, PFOA, DMAc, GenX, benzene and asbestos.⁸ The tightening of limiting values and European attention for carcinogenic substances and for substances of very high concern (SVHC) also demanded extra attention from the Inspectorate.⁹
- Fourthly, as given in the adjustment of the 2016 annual plan, an increase can be seen in the number of complex administrative and criminal investigations and interventions. That is certainly necessary with a view to the objective: healthy and safe working conditions while learning from incidents and accidents, to prevent them in the future. The experiences in 2017 have shown this development to be ongoing. The number of cases brought before the courts grew steadily. The increased attention for exposure (also among inspectors) resulted in added identification of possible exposure to hazardous substances. In several cases, this led to joint administrative enforcement by the provincial authorities, municipal authorities and national government.
- An important deviation in the adjustment in 2016 concerned the consequences of Brzo (Serious Accidents Decree) coming into effect and the related Rrzo 2015 regulation. An unforeseen development at that point was that many companies requested a comprehensive safety report assessment based on the new rules, in 2016 They chose this instead of an assessment of adjustment proposals based on the limited contextual adjustments versus Brzo 1999. In 2017 too, extra safety reports and notifications were requested because of the new act.
- The adjustment to the 2016 annual plan already referred to the fact that the Brzo partners expressed criticism regarding the fact that the Inspectorate could not participate in all inspections. In 2017, the ICF identified a political choice regarding whether such participation must be increased. The decisions taken in the coalition agreement have confirmed that this is indeed the case. The 2018 annual plan therefore formulates the target of increasing the percentage of Brzo cover from approximately 60 percent to 100 percent in the coming years.
- The inspection practice in 2017 also confirmed the concern regarding the ageing of existing petrochemical installations and the risk of a lack of 'memory' regarding those installations. The policy standard regarding prevention of serious accidents with hazardous substances is therefore under pressure.

As indicated in the proposal by the Secretary of State for the 2018 Annual plan, the programme concerning companies using hazardous substances was established by the Inspectorate in 2016 with a view to paying extra attention to exposure. That programme requires additional reinforcement in the new four-year programme. The Secretary of State has thereby announced the choice of a direction, but without decisions having been made. This is because the nature and scope of the

⁸ Chrome 6 = a component in welding smoke, PFOA = C₈H₁₅O₂: perfluorooctanoic acid, a reprotoxic and possibly carcinogenic substance, DMAc = dimethylacetamide: an organic solvent for polymers which is reprotoxic, GenX = technology to produce fluor polymers as a replacement for PFOA, is also a reprotoxic substance but less reprotoxic and possibly also less carcinogenic.

⁹ SVHC substances are substances of very high concern; this concerns substances on a list formulated by RIVM, being potential substances for which there is an authorisation requirement.

expansion needs to be examined in relation to other developments and to the approach to other priority risks. To arrive at a cohesive political decision, the Secretary of State aims to discuss this matter with Parliament in the third quarter of 2018. The insights acquired during the process of multi-year planning can then be applied.

Healthy and safe working conditions

Introduction

Risks are easily underestimated. So too those of exposure to hazardous substances. The results of the investigation at Dupont illustrate that clearly. In 2016, it was decided to undertake an in-depth investigation, also because of the great societal interest in the (long-term) consequences of the use of the PFOA and DMAc hazardous substances by Dupont and Chemours. Completed in 2017, the investigation has taught us several lessons and insights for the future. It has contributed to the risks of exposure to hazardous substances now being more prominently present on the Inspectorate agenda. Asbestos teaches us that the risk of exposure can be underestimated for a lengthy period of time. Now that the risks are known, quick action can be taken in case of problems, as in the blasting grit contaminated with asbestos in 2017. A rapid and substantial campaign by the Inspectorate – in cooperation with other bodies – was needed to inform companies and involved parties, to ban the contaminated grit from the market and to have it removed, late in 2017. However, these are not the only examples. The (first) 30 inspections conducted at complex chemical companies in 2017, have shown these companies to be lacking in terms of inventory and registration of substances. This would indicate that they still have inadequate knowledge and control of the risks.

Another underestimated risk concerns the ageing of existing petrochemical installations and the risk of ageing of knowledge of those installations. The policy standard regarding prevention of serious accidents with hazardous substances is therefore under pressure.

The Inspectorate regards cooperation to be necessary in improving and reinforcing the monitoring process. A more intensive relationship was already established with the environmental watchdog (Omgevingsdienst NL) in 2017, to monitor illegal asbestos removal. In 2017, the Inspectorate has once again stimulated companies to improve their safety behaviour, in a programme initiated for that purpose with policy-makers of the Ministry. This was a reaction to the increased number of reported accidents that occurred during the second half of 2015 and continued into 2017. However, this programme must not distract from the fact that companies have their own responsibility for an effective safety culture. Several programmes conducted by the Inspectorate pay specific attention to prevention of accidents in certain sectors.

Exposure to hazardous substances

As indicated earlier, the risks of working with hazardous substances are regularly underestimated. Each year, numerous serious accidents occur and approximately 4100 people die because of exposure to hazardous substances in the past. Several developments will be described below.

Societal attention

There is growing awareness that working with carcinogenic substances can cause illness in the long-term. This increasing awareness is the result of media attention for investigations (such as at Dupont, Chemours and the Defence industry), amendments to legislation (Reach regulations and the Occupational Health act) and attention paid to the subject by the inspectorates. The European agency (OSHA) initiated a campaign in Bilbao, for example, to request more attention for illness caused by carcinogenic substances, while the Inspectorate launched the ["Road to Zero"](#) communication campaign regarding exposure.

Lessons learned from Dupont

This investigation conducted by the Inspectorate and spanning a period of 45 years, was presented to the Dutch Parliament in July 2017.¹⁰ The lessons learned from the Dupont investigation are:

- *Better sharing of knowledge of hazardous substances*

Our knowledge regarding risks of hazardous substances is constantly developing. Yet the sharing of this knowledge between companies or with government bodies is not a matter of course. This knowledge must most certainly be shared, with a view to the necessity for effective protection of employees when working with hazardous substances, and the fact that economic competition may not be at the expense of the safety and health of employees. A knowledge platform is to be established to promote this, representing all interested parties (employers, employees, knowledge institutes, occupational health professionals and the government). The platform will aim at realising optimum access to and sharing of up-to-date toxicological information on substances, data on exposure and monitoring thereof, and examples of effective control measures.

- *Increased responsibility of employer*

Employers are legally obliged to protect their employees against the harmful health effects of exposure to hazardous substances.

When undertaking control measures to prevent exposure, the source approach has priority: start by replacing the hazardous substances, followed by protection at the source. Where that is not (adequately) possible, organisational control measures can be deployed to further reduce exposure. The final (temporary) step to be taken is the use of personal means of protection. Companies must have a monitoring process to ensure that the control measures are indeed taken. The provision of information and instructions is also extremely important, so that employees are aware of the risks of their work and the measures to be taken.

In 2017, the Inspectorate initiated the "Road to Zero" communication campaign to increase employer awareness of the health effects of exposure to carcinogenic substances and of their legal obligations. Part of this campaign concerned an upgrade of the [self-inspection tool for hazardous substances](#), for CMT substances. This communication campaign will be continued in 2018 and 2019. Also in 2017, the Ministry of SZW has prepared a programme for the prevention of occupational illnesses (2018-2021). This programme will aim, among other things, at reinforcement of awareness and the approach to risks of working with hazardous substances. In its monitoring in 2017, the Inspectorate paid extra attention to exposure to carcinogenic substances and reprotoxic substances. The programme and the extra attention must stimulate both employers and employees to work responsibly with hazardous substances.

- *Reinforcing awareness and position of employees*

Employees must be aware of the risks of their work. They must follow instructions issued by their employer regarding healthy and safe working with hazardous substances.

And so they can contribute to protecting themselves and other people. New technological developments can play a great role in the awareness of employees. One such example is an information app, being developed by the Inspectorate together with trade unions. Employees can then quickly check all times whether the measures taken are sufficient to prevent or limit exposure. They can then discuss the situation with their superior or with an occupational health professional to gain extra opportunities to improve the situation in their own workplace. The app is a useful supplement to the existing self-inspection tool for hazardous substances, which was consulted approximately 14,000 times in 2017.

- *Intensified monitoring*

¹⁰ Dutch parliament, 2016-2017, Document number 25883-294

Finally, good external monitoring of compliance with the occupational health obligations is necessary for a healthy and safe approach to hazardous substances at companies. The Inspectorate specifically examines the way in which a company monitors exposure and ensures that the control measures are applied. The Inspectorate wishes to gain even better insight into complaints and detection of hazardous substances, and wants to make the target group, which now also includes works councils, more aware of the possibilities of informing the Inspectorate.

As indicated in the proposal by the Secretary of State for the 2018 Annual plan, the programme concerning companies using hazardous substances was established by the Inspectorate in 2016 with a view to paying extra attention to exposure. That programme requires extra reinforcement in the new multi-year programme. The Secretary of State has thereby announced the choice of a direction, but without decisions having been made. This is because the nature and scope of the expansion needs to be examined in relation to other developments and to the approach to other priority risks. To arrive at a cohesive political decision, the Secretary of state aims to discuss this matter with Parliament in the third quarter of 2018. The insights acquired during the process of multi-year planning can then be applied.¹¹

Ageing

The ageing of (petro)chemical complexes is a growing health and safety problem. Many of the installations were built in the 1960s and 70s. The end of their technical working life is fast approaching, even though components of the installations have been replaced and renewed. Analysis based on international data shows that approximately 30% of the reported serious accidents is related to ageing. Furthermore, ageing can result in exposure. Pipelines can become damaged and old gaskets can result in leakage of hazardous substances, so that employees are exposed to such hazardous substances, sometimes without being aware of this.

In 2017, the Inspectorate collaborated with the supervisory bodies for the Brzo to widely distribute the '[State of the Safety in major risk companies 2016](#)' (which included a warning signal about ageing). Ageing is a prominent subject in the Sustainable Safety 2030 programme, initiated by the chemical industry, science sector and government to realise a sustainably safe chemical sector. Tackling the ageing problem is the first of the five spearheads in achieving a more sustainable and safe sector. A number of action coalitions were formed within the Inspectorate Council in 2017 to make the transition from 'thoughts' into 'actions' in cooperation. The theme of one of the coalition's is ageing at Brzo companies.¹² This action coalition must become a knowledge hub on ageing and aims to expand this subject into other sectors.

Ageing entails risks which cannot always be timely identified, let alone controlled. The condition of an installation will deteriorate over the course of time. This may be the result of normal wear and tear, of changes in the way it is used or of incorrect use. However, we sometimes forget that there are more aspects to ageing than simply the physical degeneration of material. Ageing can also be the result of organisational ageing, such as the gradual leaching of specific safety expertise from the company, incomplete documentation of changes made or specific spare parts no longer being available. Other aspects include changing insights in terms of safety, new legislation, changes in the state of technology, and the approaching end of the economic working life of installations.

¹¹ Secretary of State SZW; Presentation of Annual plan Inspectorate SZW 2018, 13 December 2017

¹² Inspectorate Council (April 2017). A cooperative inspection landscape.

The proposed approach by the Brzo supervisory bodies is that all parties involved – industry, government and finance sector – contribute in their own way. Keywords are concepts such as transparency, sharing of knowledge, better use of available information, greater alertness, learning from own and other people's mistakes, keeping the dialogue open and cooperating more effectively. The Brzo supervisory bodies initiated joint inspections for ageing in 2017. The results will become available in 2018.

Blasting grit contaminated with asbestos

In October 2017, it became apparent that there was blasting grit containing polluted chrysotile (so-called white asbestos) on the market in the Netherlands. Asbestos is a carcinogenic substance which can cause mesothelioma cancer and lung cancer. Blasting grit is commonly used for the removal of rust or paint from steel and plastic surfaces. A total of nearly 600 companies had used the contaminated material at more than 800 locations.

Together with the Human Environment and Transport Inspectorate, the National Mines Inspectorate and the Environmental watchdog, the Inspectorate mapped out the issues. The Inspectorate also assigned TNO to investigate the health risks for employees and residents in the vicinity of all the blasting work conducted using this contaminated grit. All users were also approached for an inventory of the exact locations where the grit had been used and to inform them about the risks and the methods of removal. The Inspectorate was the sounding board for the many companies and employees involved, and together with the collaborating bodies, paid great attention to the safe removal and disposal of both the unused and used grit, under great time pressure.

Culture of healthy and safe working conditions

The increasing number of cases from the second half of 2015 on, which has unfortunately continued in 2017, was one of the reasons for the Inspectorate to initiate a project on the theme of 'a culture of healthy and safe working', together with the policy-makers of the Ministry of SZW. Six meetings were organised for this purpose in 2017. Besides the Inspectorate and the Ministry, these were attended by representatives of the corporate sector, branch organisations, scientific knowledge institutes and advisory agencies.

The ambition is to improve safety behaviour within organisations. In doing so, the focus must be on own responsibility of organisations to develop a culture of healthy and safe working conditions. Safe behaviour is seen as the compliance with rules and protocols while actively contributing to a safe working environment (participation). Participation goes one step further than compliance and requires people to take an active attitude in the field of healthy and safe working. In practice, a combination of compliance and participation is most likely and desirable.

This project has provided positive impulses for the movement initiated in recent years for the realisation of a culture of healthy and safe working. The existing network of internal and external ambassadors representing this movement has continued to grow, for example.

One of the most important results of this project is the ["Healthy and safe culture" toolbox](#), which bundles the experiences and instruments provided by the network. This toolbox offers examples and insights derived from the practical situation and underpinned by scientific research. They serve as inspiration to actively develop a culture of healthy and safe working conditions.

The monitoring of Brzo companies already includes an estimation of the safety culture.

This estimation is one of the elements used when ranking the Brzo companies, and in turn the ranking is used to determine the degree of monitoring required. And so, companies which underperform naturally receive the most (Inspectorate) attention. The estimation instrument indicates how the safety culture is assessed and how the company performs versus other Brzo companies.

Another example of an intervention in the safety culture is the approach taken in the metalworking sector. Here, the Inspectorate pays extra attention to safety awareness behaviour of the metalworkers themselves. The pilot includes contextually appropriate inspections. These are conducted during and after the standard inspections, and in canteen dialogues with employees. The Inspectorate is also promoting attention for healthy and safe working conditions in the curricula of vocational education establishments.

Following on from the 'a culture of healthy and safe working conditions' project, it will be further implemented and rendered tangible within the Inspectorate over the coming year.

Other notable results

Several notable results can be reported in the field of healthy and safe working conditions in 2017. Think in terms of the pressure exerted on poorly performing companies, as well as cooperation with other bodies and attention for sound enterprise, enforcement communication and preventive activities via self-inspection tools, occupational health catalogues, reactions to incidents and information in vocational education and to new market entrants.

Great compliance during re-inspections in the metalworking sector

The Inspectorate is pleased to report that several initially extremely poorly performing metalworking companies have undertaken a positive transition to good working conditions following serious interventions by the Inspectorate. Exerting and maintaining pressure on these companies has forced them to initiate change. This has become apparent from re-inspections at metalworking companies with serious violations, that two thirds of such companies have since become compliant. This is a good result when considering the risk-oriented selection. In 2017, the Inspectorate provided 250 training companies with extra information on the Healthy Metal knowledge quiz, while also initiating the '[Healthy and safe learning in the metal sector](#)' campaign.

Cooperation in combating illegal asbestos removal

The Inspectorate is working even more intensively together with Omgevingsdienst NL (the Environmental watchdog) when it comes to monitoring illegal asbestos removal. One of the results is improvement of an existing barrier model of Omgevingsdienst NL, for restriction or detection of illegal removal practices.

Omgevingsdienst NL regularly tip the Inspectorate about removal work conducted in an unsafe manner, for example if a work platform has been attached to a crane.

Combating working pressure in the educational sector and in Judicial Institutions

The online [self-inspection tools](#), such as the tool for working pressure and undesirable behaviour (which was opened nearly 25,000 times in 2017) are forms of information aimed at increasing awareness of employers. The self-inspection tools help employers and employees take the necessary measures to prevent or tackle working pressure and undesirable behaviour.

Disconnected working

A joint programme titled 'Connected at work' has been realised for the civil and hydraulic engineering sector, together with process contractors and ProRail, for safe disconnected working when maintaining or repairing overhead train lines.

Clarity for construction sector clients

The construction process conditions, which were tightened in January 2017, provide extra clarity for clients and are easier to monitor for the Inspectorate. Based on inspections at the Institution responsible for national government real estate, the Inspectorate concluded that the various aspects of this company's obligations required detailing. This has contributed to the real estate company developing a manual for clients and Health and Safety models.

Information for new entrants

The Inspectorate has actively informed new entrants to the health care and welfare sector (including home nursing) and in the catering sector, of their obligations as new employers. The entrants were also subjected to an inspection. The Inspectorate subsequently applied an enforcement instrument at 38% of the new employers inspected in 2017. The information and inspections are generally positively received by starting employers, who are also informed of their occupational health obligations and the importance thereof, via the 'Ondernemersplein' government support website for entrepreneurs.

Occupational health catalogues assessed by the Inspectorate and validated

Social partners can indicate the measures required to achieve the Occupational Health Act targets, in an occupational health catalogue. The Inspectorate uses these catalogues as a reference framework during monitoring. In 2017, the Inspectorate was able to positively assess many occupational health catalogues. In other words, their content complies with legislation and regulations, and is not in conflict with policy. Examples of sectors with a positively assessed occupational health catalogue in 2017, are the metalworking sector ('safe working with hazardous substances'), the bakery and confectionery sector ('asbestos in ovens') and the healthcare and welfare sector where occupational health catalogues were positively assessed for childcare facilities, University Medical Centres, nursing and care homes, home nursing and General Practitioner care.

Accidents, complaints, notifications, requests, signals detection

Start new programmes

In 2017, the Inspectorate initiated the 'Occupational Health reactive' programme. This is a bundling of all accidents, complaints, notifications and requests for exemptions from statutory prohibitions. The purpose of the programme is to work more efficiently with a more effective approach.

In 2017 too, a programme was initiated aimed at possible violations in the field of fair work (WML, Atw, Waadi, Wav) in those sectors in which the Inspectorate does not have active programmes.

Accidents

In 2017, the number of reported accidents increased by 12%. The number of accidents with duty to report and inspected accidents rose by 7%, to more than 2500. Thankfully, the number of fatal occupational accidents declined again from 70 to 50 in 2017, back to the level of 2015. The Inspectorate investigates all notifications of fatal occupational accidents, hospital admissions lasting longer than one night and occupational accidents expected to result in permanent injury.

The multi-year and international perspective of occupational accidents had been declining for many decades. This was the result of technological developments, leading for example to safer machines, but also the growth of the services sector, added attention for ergonomics and physical loads, and implementation of occupational health obligations. Such as the Risk Inventory & Evaluation (RI&E) for example, a plan of approach and appointment of experts. At the end of the previous century, the number of accidents stabilised, followed by a slight decline during the crisis years of 2008-2014. However, the number of accidents has been rising again since the second half of 2015. A trend which has therefore continued, at 7%, in 2017.

The most probable causes of the growth in the number of occupational accidents are the economic upswing, flexibilization of the labour market, deployment of less experienced workers and the fact that people are required to work longer to pension. The effects of a trend towards an economic boom period are mainly visible in four large risk sectors, namely industry, construction, trade, and transport and logistics.

In the construction sector, this is apparent in a shortage of personnel while the order portfolio continues to grow. This might be expected to result in higher working pressure, deployment of less qualified personnel and thereby greater risks of accidents.

The accident reports by the Inspectorate are useful for both the victim and the employer. Clarity on what happened can help victims cope with the trauma and during any legal settlement. Even more important is that the reports can help prevent recurrence, due to those involved learning from the incident and measures being taken. The Inspectorate supports companies in applying such an experience to stimulate a culture of safe and healthy working conditions.

Complaints, notifications and requests

The Inspectorate has a central reporting point where any person, employee, employer or organisation can report incidents. Apart from the reporting of accidents described in the previous paragraph, the Inspectorate also received complaints and signals regarding working conditions, working hours, underpayment, suspicion of illegal employment and other forms of violation of regulations. The task of the information exchange of the Ministry of SZW, which is part of the central reporting point, is to filter and refer signals on fraud to chain partners in detection.

After having strongly increased in 2016, the number of complaints and notifications (excluding accident reports) made to the central reporting point regarding working conditions and compliance with labour regulations declined by 16% again in 2017, to more than 7100 complaints and signalled occurrences. Of these, slightly more than 2200 cases were judged to be worthy of investigation, excluding the accident reports. A total of around 900 investigations were concluded into complaints and reports regarding working conditions and working hours, and nearly 1000 complaints and reports regarding the statutory minimum wage, illegal employment or placement of personnel by intermediaries.

Detection

SZW field

The Inspectorate has its own special investigation body (BOD) that targets serious and subversive crimes in the SZW field. Examples include human trafficking (exploitation), organised illegal employment, bogus constructions in relation to serious disadvantaging of often vulnerable employees, fictional jobs and deliberate negligence resulting in serious occupational accidents. These types of serious cases are subject to criminal law.

Complex constructions can often only be exposed by means of in-depth investigation. After all, in the case of subversive crime, criminals are aiming to conceal their practices. Yet this is seriously damaging for the social security system and the labour market functioning. Such cases often also include the laundering of illegal gains. Appropriation of criminal proceeds is an important aspect of the war against such abuses.

The Inspectorate assesses notifications and signals of subversive crime. An extensive network is maintained for that purpose, and process agreements have been reached with chain partners. Information is gained from many different directions and analysed and assessed for relevance within the scope of criminal interventions.

As criminal investigations are conducted under the authority of the Public Prosecutor (OM), annual agreements are reached with the OM regarding the type and number of detection investigations. The agreements are recorded in the enforcement arrangements. Besides autonomously initiated detection investigations, the Inspectorate participated in several integrated government task forces in 2017. Cases are then jointly assessed – for example within a Regional Information and Expertise Centre – and possibilities sought to disturb the mala fide behaviour from various angles and using various instruments.

Thanks to targeted account work and collection tactics, nearly 200 signals and notifications of serious abuses were received and registered in 2017. This concerned around 80 cases of human trafficking, 20 cases of human smuggling, 30 cases of organised benefit fraud, around ten of fraud in working conditions and five of serious anti-competitive labour market fraud due to underpayment and overwork, fictitious self-employment and/or subsidy fraud.

Around one hundred cases were passed on to the public prosecutor for the preparation of criminal proceedings. 45 criminal investigations were conducted, and more than one hundred suspects were officially charged. At the end of the year, around 40 detection investigations were still ongoing. The dossiers have been passed on to the public prosecutor. In a small number of investigations, the Inspectorate assisted other investigation bodies and in one case complied with a request for international legal assistance.

During investigations, an estimation is made of both the societal disadvantage caused by criminal activities and the unlawful gains by suspects. This totalled approximately € 10 million in 2017. These appropriation reports allow the public prosecutor to appropriate both the damages caused and the unlawful gains by suspects.

VWS field

As of 2014, the Inspectorate SZW is the leading investigative body for healthcare fraud. In 2017, the Ministry of VWS decided to make this initially temporary positioning of the investigation function a permanent function of the Inspectorate SZW, which translates into a long-term expansion of tasks for the Inspectorate.

Ten criminal investigations were completed in 2017. Half of these investigations targeted fraud in personal care budgets (PGBs). The other half concerned fraud in declarations made for care in kind. Furthermore, two separate appropriation investigations were conducted, one of which as follow-up to a personal care budget investigation and one in the field of care in kind. A project concerning facilitators of fraud in health care was also completed in 2017.

An important development in 2017 was the establishment of an authorisation under the Police Data Act (WPG) allowing damage-limiting measures in case of healthcare fraud. This authorisation by the Minister for Justice and Security enables the Inspectorate to share information from ongoing criminal investigations with the chain partners to tackle healthcare fraud. The purpose of sharing information is to allow chain partners to take damage-limiting measures, such as the cessation of payments.

The Inspectorate aims to achieve the best possible effect through deployment of its intervention instruments. Enforcement thereby inextricably contributes to rendering legislation and regulations fraud-proof and to their practical application. In a joint notification by the chain parties in healthcare fraud, lessons and findings derived from conducted investigations are shared with the Ministry of VWS.

The Inspectorate has contributed to the European Healthcare Fraud & Corruption Network. This is a members' network of organisations in the European member states, which combats healthcare fraud at the national level. By sharing knowledge and expertise in this field, members can tackle fraud more effectively and efficiently at the national level and to quickly connect with other members in case of cross-border fraud.

Assessment of Occupational Health catalogues

Social partners can describe the measures required to achieve the Occupational Health Act targets, in an occupational health catalogue. A catalogue is a useful tool when formulating a plan of approach in keeping with Risk Inventory and Evaluation (RI&E). Many branches have therefore also formulated a specific branch RI&E alongside the occupational health catalogue, with which employees can conduct a RI&E.¹³ The Inspectorate assesses whether the occupational health catalogues are not in conflict with legislation, regulations or policy. One of the primary preventive instruments in monitoring is the use of positively validated catalogues. Employers then know which concrete and specific measures are required in order that their company works safely and healthily. The Inspectorate uses the occupational health catalogues as a reference framework on discovering a violation.

¹³ www.ne.nl

20 occupational health catalogues were assessed positively in 2017; ten were partially positive/negative and 20 were negative. Two occupational health catalogues were declared to be invalid. All positively validated catalogues can be found on the Occupational Health portal ([Arboportaal](#)).¹⁴

Assessment of new legislation and regulations

Clear and unequivocal legislation and regulations is an essential precondition for effective monitoring and effective enforcement. The Inspectorate therefore conducts several annual execution and enforcement assessments regarding new labour legislation.

The assessments also check whether the legislation and regulations can be circumvented via bogus constructions. The assessments often include concrete proposals and recommendations. The Inspectorate conducted 16 of these assessments in 2017.

Moreover, the Inspectorate conducts several annual monitoring assessments in the field of social security. During these assessments, the Inspectorate determines whether intended changes to legislation and regulations will affect the adequate monitoring. Three such assessments were conducted by the Inspectorate in 2017. In a number of cases, this resulted in adjustments to the proposals.

Signalling

Signalling concerns the observation of new phenomena, other victim or perpetrator groups or new bogus constructions in the monitoring field. Useful signals are investigated in more detail by the Inspectorate, detailed and presented to the Inspectorate management and the appropriate policy management. Should serious phenomena become apparent, the signal can also be sent directly to the responsible Minister and Parliament.

The Inspectorate has further investigated 50 striking complaints and notifications, and detailed them to form a signal. Such signals are important for the Inspectorate but are sometimes also used to inform other parties (policy management, government bodies and parties in the monitoring field).

The clear majority of signals came from the Transport and Logistics programme, and concerned, among other things, excess physical burden, illegal employment, regulations that were difficult to enforce and unsafe working conditions in this sector. The signals derived from the Catering and Retail trade programme concerned illegal employment, underpayment, exploitation and intimidation.

More than half of the signals were detected within programmes. One quarter was set aside or held back, due to further analysis showing these signals to be either insufficiently new or (as yet) sufficiently well founded. Eight signals were further detailed and shared with policy-makers.

Cooperation with other monitoring bodies

The Inspectorate conducts the monitoring process in harmonisation with other monitoring bodies and government inspectorates. The Coalition agreement (2017) states that the various Inspectorates are to cooperate more intensively, to improve enforcement but at the same time reduce administrative costs and monitoring costs. As in previous years, the Inspectorate has once again

¹⁴ www.arboportaal.nl

applied this broadly in 2017. The Inspectorate participates in the 'Cooperative monitoring of Use/Monitoring of Social Domain' national monitoring programme for integrated monitoring in the fields of youth care, social support, participation and income support, and the common ground between the fields. Monitoring of Brzo+ is also conducted by the Inspectorate in collaboration with several other monitoring bodies, such as environmental watchdogs and regional safety organisations.

Another theme whereby the Inspectorate seeks cooperation concerns the field of exchanging data. In 2017 for example, data was exchanged with National inspectorates such as NVWA, ILT and IGJ, via the Inspectieview Bedrijven company inspection data bank.²² The data was applied, among other things, for object/subject selections and other forms of risk selection.

Furthermore, the Inspectorate cooperates operationally with other inspection bodies on various themes. Examples can be found in the market monitoring, transport and logistics programmes, and PSA described in part 2 of this annual report.

The Inspectorate has delegated several monitoring tasks to other national inspectorates. The Inspectorate of the NVWA in the catering sector is authorised to monitor the Occupational Health act and the Working Hours act, for example. The same authority has been delegated to the inspectors of the ILT in road transport and water transport. The National Mines Inspectorate has responsibility for monitoring of the Brzo, the Occupational health act and the Working Hours act in the extractive sector. Inspection bodies also inform one another if they suspect a violation in a field other than their own.

Where they share common ground, the Inspectorate cooperates with other national inspectorates, such as the ILT. This concerns subjects such as cooperation in aviation, regarding the monitoring of cabin air, for example. When it comes to monitoring the use of hazardous substances, there is common ground regarding the risks for employees, transport safety and drinking water supplies. The Inspectorate report regarding shipbuilding and ports in 2017 was also discussed with the ILT. This has resulted in improvements.

Within the Inspectorate Council, the Inspectorate participates in several action coalitions, such as the coalitions for ageing and for privatisation of monitoring and certification.

International cooperation

To have optimal impact in the Netherlands, the Inspectorate cooperates in several international networks. In 2017 too, the Inspectorate has worked at further enhancement of the international cooperation.

The European Platform on undeclared work

The Inspectorate utilises the Platform to reinforce the cooperation with European partners in the field of fair work. Thanks to the support by the Platform, the Inspectorate was able to organise a seminar on the approach to bogus constructions. Experiences were exchanged together with partners from other EU countries. A Platform working group, chaired by the Netherlands, has formulated recommendations for improvement of the system of information exchange regarding undeclared work. The Platform has since adopted these recommendations. The Netherlands also participated in support missions for inspectorates in Romania and Latvia.

Eurodetachement IV

This EU project on posting of employees aims to reinforce the cooperation between inspectorates of the member states during monitoring of temporary employment in a member state other than that where the employer is registered. The guideline for Posting of workers formulates conditions applicable to employees within the EU, who are temporarily working in another member state. During the exchange with Belgium, an inspection was conducted at a building site in Belgium, enabling the successful completion of an ongoing Inspectorate investigation. In Poland, an investigation was conducted into the improper use of training contracts. At a concluding seminar in 2018, recommendations will be presented, based on the experience gained during such exchanges.

Liaison agency of Inspectorate SZW

In 2017, the Liaison agency of the Inspectorate submitted nearly 200 requests for information abroad and received nearly 100 requests from abroad. Such requests are based on the Posting guideline. Information requested by the Inspectorate may concern wage information, employment contracts, hours worked and Chamber of Commerce information for companies temporarily providing services in the Netherlands.

Benelux cooperation

Within the scope of the Benelux, the Inspectorate collaborates with Belgian and Luxembourg inspection bodies to identify and tackle cross-border constructions for the posting of workers. By doing so the organisations promote fair work and Social Security premiums in the Benelux countries. Risk analyses are formulated jointly, and information is exchanged. In 2017, a joint investigation was initiated against a mala fide posting construction. It was a concerted effort by the Inspectorate, the tax authorities, UWV Employee Insurance Agency, SVB Social Insurance Bank and various Belgian inspection bodies. Simultaneous investigations were conducted in the Netherlands and Belgium. And so cross-border fraud could be detected and tackled.

Senior Labour Inspectors Committee

In 2017, the Inspectorate cooperated in various working groups of the Senior Labour Inspectors Committee (SLIC). This is a cooperation of all EU inspection bodies in the field of safe and healthy working conditions. As a member of the working group requesting attention for the risks of exposure to hazardous substances, the Inspectorate cooperated in the development of the European Roadmap on Carcinogens. The Inspectorate also cooperated in preparation of the related theme meeting to be held in Bulgaria in 2018

Nearly fifty questions were received via the SLIC knowledge platform, the Knowledge Sharing Site. This is an increase of more than 25% versus 2016. The Dutch Inspectorate put questions to peer inspection bodies in Europe regarding monitoring of labelling of containers and pipelines for the transport of hazardous substances, and on prevention of the risk of falling while working on auto-trains.

Organisation

Expertise and effect

The structure of the Inspectorate was changed into a matrix organisation on 1 July 2017. The new structure is representative of the organisational spearheads: on the one hand programmes aimed at achieving a resilient and flexible effect in 'fair, healthy and safe working conditions and socio-economic security for everyone', and on the other hand expert groups in which the professionals continue to develop themselves and the organisation.

Investments are made in expertise and leadership. Within the programmes, each programme team formulates a plan designed to have the maximum effect. That is achieved with the aid of relevant disciplines held by the Inspectorate and with the aid of other relevant bodies also conducting inspections at companies. This concerns the tax authorities and other partners, such as those also involved in the national steering group for intervention teams, for example.

The programme team determines what training and activities can contribute to achieving the optimum effect. The expert groups apply this input to shape the necessary training modules in the longer term. By now, the Rutte III coalition agreement has decided that the Inspectorate is to be considerably expanded from 2018.

Provision of information

The Inspectorate has an existing, well-functioning infrastructure for the provision of information and automated support of the inspection process. Front office staff, inspectors, analysts and other staff members record notifications and inspection activities in systems. They support the various stages of the working process. This process results, among other things, in formulation of a fine report, sending the fine report to the employer, simultaneously sending the final report to the fining authority (see paragraph 6.4), followed by formulation of a decision to impose a fine, objections and appeals.

Over the coming years, the development of the existing infrastructure, which mainly supports the working processes, will be aimed at adding extra analysis possibilities and further support of access to data during inspection work on location.

Fines, penalties and collection

Within the Inspectorate, the Fines, Penalties and Collection (BDI) department is authorised by the Minister for SZW to impose sanctions in the form of a monetary fine or a penalty and to arrange for their collection, in the case of violation of various labour laws. This department also prepares warnings and decisions to halt work in the case of repeat offenders, and issues notifications of intent.

The Inspectorate has disconnected BDI from the monitoring boards, organisationally speaking. This guarantees the statutory required separation of functions between the functionary identifying the violation and recording it in a fine report and the functionary imposing the fine.

Because of rulings by the Administrative justice department of the Council of State regarding the proportionality of the fines imposed, the existing mitigation policy of the Occupational Health act and the Foreign Nationals Employment act was redefined in more detail. For this purpose, the policy

rule on fining in the Working conditions legislation and the policy rule on fining according to the Foreign Nationals act were adjusted. This has allowed a more tailored approach to impose more proportionate fines. Specific grounds for increasing fines were also included in the policy rules for the Foreign Nationals Act. Further, the Administrative justice department of the Council of State ruled regarding the standard fine sums for the Foreign Nationals act. This has resulted in extra mitigation.

Under the Occupational Health act, 23% of the cases were mitigated, including those with inadequate financial capacity.

Under the Foreign Nationals act, 74% of the cases received increased fines or were mitigated, including those with inadequate financial capacity:

- 27% of the cases were subject to both one or more grounds for increase and/or mitigation;
- 18% of the cases were subject only to grounds for increasing;
- In 29% of the cases, the standard fine sum was reduced, and several the cases were subject to both one or more grounds for increase and/or mitigation.

After having issued notifications of intent, BDI received an Outlook in 41% of the cases. Since the implementation of the Act designed to strengthen monitoring and the sanctions policy of SZW legislation in 2013, the Outlooks provided have become more legal and extensive in character. This is due to the parties increasingly requesting legal advice at this stage. BDI assesses the Outlooks from a legal point of view. This can result in the fine being (further) mitigated, or even a decision to settle the matter without a fine being imposed.

In 11% of the fineable cases, the decision was taken not to impose a fine, as there was insufficient evidence or lack of culpability (100% mitigation).

The Inspectorate issued 2898 fine notifications in 2017, which is a 16% decline versus 2016. The total fines imposed in 2017 were € 30.4 million, nine million less than in 2016. This decline can be explained due to a peak in fines processing in 2016, when corrective action was taken with deployment of extra capacity. The total fines in 2015 were € 28.8 million.