Reflection

2025 Annual Report
Netherlands
Labour Authority

Part I
Reflection

Envisaging the future

Predicting is difficult, especially where the future is concerned. But we need not retreat into agnostic gloom. If we build on what is already in place, it already tells us a great deal.

On labour risks, developments from past to present are well documented. The historian Timon de Groot traces these developments from the mid-nineteenth century to today in 'Een mens is geen machine, 135 jaar Nederlandse Arbeidsinspectie 1890-2025' [A human being is not a machine – 135 years of the Netherlands Labour Authority 1890–2025].[1] The book was published in 2025.

Looking ahead, one thing remains constant: supervision is a collective enterprise. From the outset, the Netherlands Labour Authority has worked jointly with employers, employees and other stakeholders, both nationally and internationally.

1 De Groot, Dr T (2025), '*Een mens is geen machine, 135 jaar Nederlandse Arbeidsinspectie 1890-2025*', W-books.

A joint effort

A central thread in De Groot's book is how employers, employees, inspectors, academia and policymakers work together. Among other things, this cooperation led to the prohibition of matches containing white phosphorus in the Netherlands, a move that was later adopted worldwide. It also led to the development of a safe lightbulb fitting, in cooperation with Philips, and to the pooling of knowledge and expertise through the establishment of the Netherlands Institute for Lift Technology. It further led to what is known as the *arbopolder* model (a consensus-based, multi-stakeholder approach to occupational health and safety), to the assessment of occupational health and safety catalogues, to projects aimed at reducing psychosocial workload and work-place discrimination, and to the use of automation and robotisation to reduce physical strain.

The book shows that understanding and preventing labour risks has always been the result of interaction between these parties. Part II of this annual report sets out several examples where that interaction has proved pivotal.

This collective approach will remain a defining feature in 2026. This is evident, for example, in investigations into non-fatal workplace accidents. Learning and prevention take priority. In practice, this means that in the coming years inspectors will continue to survey the scene after an accident. They will interview witnesses, secure any evidence, and then speak to the employer. They will require the employer to investigate and establish what happened. And they will also require the employer to implement measures to prevent recurrence. Where employers fail to do so, follow-up inspections will continue.

This approach is intended to improve prevention at the level of the individual employer. The lessons learned can also promote awareness and prevention across the wider employer community.

In 2026, lessons already learnt about what works – and what doesn't – will also lead to change.[2] Examples include:

- Work is under way on introducing private oversight of the private bodies responsible for certifying sites as safe following asbestos removal.
- The registration of non-residents, often labour migrants, will be improved.
- Sham arrangements in the labour supply market, such as misuse of summary dismissal, will be addressed more effectively through imminent agency work bans and the Provision of Personnel (Accreditation) Act [*Wet toelating terbeschikkingstelling van arbeidskrachten*].

Past and present make this clear. Companies, particularly at their start-up stage, do not always have a clear view of the risks to workers' health and safety, even though substantial support is available. Sectors and industries – as well as bodies such as the National Institute for Public Health and the Environment (RIVM) – have often already carried out significant analytical and practical work. Employers, including start-ups, can draw on this. This applies not only to healthy and safe work, but also to fair work. There is ample knowledge and software support available to help employers maintain proper records of working hours, salaries and payments. Even so, inspectors still find too often that this is lacking.

2 For example (publications in Dutch):
Safety certifications following asbestos removal fall short
Misuse of RNI–BSN registration | Netherlands Labour Authority
Summary dismissal | Netherlands Labour Authority.

In 2026 and in the years ahead, the Labour Authority will therefore support employers, employees and other stakeholders through information, self-assessment tools and knowledge resources on its website. This can include exposure limits for hazardous substances, work instructions and lessons drawn from accident investigations.

This underlines that, in the coming years, supervision will be a combination of inspection, investigation, enforcement, flagging issues through alerts and supporting compliance through self-assessment tools, guidance and knowledge sharing.

International context

The Netherlands was certainly not the first country to establish a labour authority. One reason was its relatively late industrialisation compared with other countries. An equally important reason was political reluctance to intervene in business. This concerns the second half of the nineteenth century. At that time, a ban on child labour was seen as excessive government interference. The appointment of inspectors even more so. This ideological impediment proved difficult to overcome.

What proved decisive were the malaise and the stark reality. Only when the unsafe, unhealthy and unfair conditions in factories and workshops came to light in parliament and wider society did action follow. This awareness – a 'civilising offensive' – was driven by what may be described as an enlightened vanguard of steam plant inspectors, physicians, teachers and liberal politicians. This led to a ban on child labour in 1874 (Van Houten's Child Labour Act) and, in 1890, to the appointment of the first three inspectors.

Once established, the Labour Authority became a model internationally. De Groot notes that, by the mid-twentieth century, it informed the guidelines developed by the International Labour Organization (ILO).

In recent years, the ILO has again placed greater emphasis on inspections. This is reflected in the publication of guidelines and in two conferences for inspectorates from around the world.[3] This is a welcome development. The ILO has concluded that significant work remains worldwide, particularly because labour inspectorates in many developing countries are overly constrained or have had their mandates curtailed.[4]

The conferences also highlight the added value of cooperation at EU level. Since the 1990s, labour inspectorates have worked with the European Commission through the Senior Labour Inspectors Committee (SLIC). The focus is on health and safety at work. Activities include joint inspection campaigns, the development of technical guidance on specialised topics – from welding fumes to diving operations – knowledge sharing and peer review.

The ILO conferences make it clear that many countries would benefit from what the EU has: structured cooperation and exchange of knowledge and practice, supporting capacity building and institutional

3 Guidelines on general principles of labour inspection | International Labour Organization; Final report – Second International Technical Forum of Senior Officials of Labour Inspectorates | International Labour Organization

4 **Examples of how labour inspectorates are hindered include** ministries that prioritise business interests; requirements to obtain prior ministerial approval before carrying out inspections; requirements to notify employers in advance of inspection visits; and having to share a single vehicle among large numbers of inspectors. Other constraints include the lack of 4x4 vehicles needed to reach workplaces on unpaved roads, and the exclusion of certain sectors from oversight, such as free trade zones, the police, the armed forces or other state services.

development. Spain, for example, actively contributes by establishing knowledge-sharing structures with Central and Latin American countries.

EU investigative services also cooperate through Europol, for example in combating human trafficking.

Establishment of the European Labour Authority

'Absurd' – Jean-Claude Juncker used this word in his 2017 State of the Union address, when he was President of the European Commission, to describe the irrationality of Europe having a Banking Authority but none for labour. Two years later, upon the proposal of Juncker and Marianne Thyssen, European Commissioner for Employment, Social Affairs, Skills and Labour Mobility, the European Labour Authority (ELA) was established by the Council of Ministers and the European Parliament.

The ELA has since developed into an effective platform for cooperation within the EU and with candidate countries. However, compared with the banking supervisors, referred to by Juncker, which have been coordinating and cooperating since at least 1930 through the BIS[5], the coordination of labour market rules and supervision still has ground to make up and needs to strengthen.

In the coming years, the EU will strengthen the ELA's mandate. Underpayment, sham postings and other forms of unfair work are central concerns. The ELA has already facilitated joint inspections across all EU Member States, known as concerted and joint inspections. Joint inspections and increased cross-border data exchange are essential, as offenders do not stop at internal EU borders.

5 Bank for International Settlements

Sham arrangements often exploit differences between national systems or EU rules, such as those governing the posting of workers.

Over the coming years, this practical and relatively light form of cooperation through SLIC and the ELA will also continue to support collective learning. Despite relatively limited means being dedicated to this light-touch of cooperation, it allows the European Commission to contribute effectively and keep regulation up to date.

The free movement of persons and services means that there is a single European labour market, just as there are markets for goods and capital. In legal terms, however, those markets are already far more harmonised.

International road transport illustrates the problem. It is a highly competitive sector in the EU with low margins and, as a result, significant pressure on fair pay. Companies compete through the pay of drivers, including underpayment. This undermines the level playing field in the international transport market and, in turn, in the labour market itself. If the EU is serious about simplification and reducing regulatory burden, this presents a clear opportunity.

Employers currently have to allocate paid wages across borders. A journey passing through three countries – for example from Zeebrugge or Calais to the Ruhr region – must comply with minimum wage rules in each country. If four hours are spent driving and working in the Netherlands, at least four hours must be paid at the Dutch statutory minimum hourly wage. If the journey then continues through Germany or Belgium, the hours worked there must be paid at least at the applicable minimum wage in each of those countries. This example covers only three countries; in practice, many more may be involved.

Aligning the minimum wage for international drivers would make things much simpler for employers, workers and supervisory authorities alike. The EU Directive on Adequate Minimum Wages has taken a first step in that direction. Or rather, a small step. The Directive establishes procedural arrangements, but the EU Treaties do not (yet) permit harmonisation of wage levels.

A logical point on the horizon would be the alignment of minimum wages for international drivers. If there is one profession that has, by its nature, become truly European as a result of the internal market, it is that of the international driver. These workers continually cross borders that no longer exist in economic terms.

If you say A, you must also say B. If A is the internal market, then B is the harmonisation of employment conditions for those professions that have become truly European.

Consider the ECB interest rate, which is the same across the EU. It is not a perfect fit for every country; it functions as a kind of EU-wide average. A minimum wage for European professions would likewise not be ideal. However, what countries would lose in their ability to differentiate minimum wages for this profession would be more than offset by gains in protection, compliance and reduced bureaucracy.

This is all the more so because national differentiation for professions of this kind has now become largely illusory. Price pressure is already driving pay towards the lowest levels in the EU.

This becomes more important in light of upcoming initiatives. The EU Talent Pool, which the Commission plans to establish, will only increase both the need for simplicity and the need for protection. The Commission refers to a global 'war on talent'[6]. It aims to facilitate entry into the EU labour market for workers from outside the EU in specific occupations.

Doctors, IT specialists, engineers and accountants are routinely cited as examples of the talent needed. However, the Commission has also included lorry drivers on the list. Experience in the Netherlands shows that schemes of this kind are prone to misuse, including exploitation of the third-country nationals concerned[7]. Simplification and harmonisation across Member States could reduce these risks and make oversight more effective.

The 'European project' aims to achieve an 'ever closer union', primarily through economic and monetary integration and the free movement of goods, persons, services and capital. This is why there are rules for products, services and capital in the internal market. Labour, too, will require further harmonisation, following the approach taken by Juncker. An EU minimum wage for European professions is still some way off; Member States seem keen to retain control over this themselves. What is clear, however, is that where the free movement of persons and services is used to work in another EU country, there is a risk of second-tier treatment in terms of health, safety and pay. And the fact that these risks do materialise on a significant scale across the EU, with the Netherlands certainly being no exception, has been convincingly demonstrated.[8]

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6 Regulation establishing an EU Talent Pool - Migration and Home Affairs.

7 Examples include the highly skilled migrant scheme and the scheme for specialised chefs; For more information, see Op naar Brussel (en Straatsburg)! [Off to Brussels (and Strasbourg)!] (ToeZine).

8 Safety of labour migrants – Dutch Safety Board | Advisory report: Geen derderangsburgers. De risico's voor gedetacheerde arbeidsmigranten en de Nederlandse samenleving [No second-class citizens. The risks for seconded labour migrants and Dutch society]; Advisory Council on Migration, Bouwstenen voor doordachte sturing op arbeidsmigratie [Building blocks for considered governance of labour migration] | Press release | Rijksoverheid.nl.

In this context, it is particularly welcome that EU Commissioner Roxana Mînzatu will launch her ‘Fair Labour Mobility Package’ in 2026. This is expected to include a stronger mandate for the European Labour Authority (ELA), along with other measures to enhance the protection of mobile EU citizens in the coming years. This is a course that should be maintained for the future.

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