



**Decision No 7/2019  
of 3 December 2019  
of the Management Board  
setting up the ELA Working Group on information**

THE MANAGEMENT BOARD OF THE EUROPEAN LABOUR AUTHORITY,

Having regard to Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344<sup>1</sup> (hereinafter “the founding Regulation” and “the Authority”), and in particular Articles 16 and 18 thereof,

Whereas:

- (1) According to Article 16(2) of the founding Regulation, the Authority may set up working groups or expert panels comprising representatives from Member States or from the Commission, or external experts following a selection procedure, or a combination thereof, for the fulfilment of its specific tasks or for specific policy areas. It shall set up the Platform referred to in Article 12 as a permanent working group, and the Mediation Board referred to in Article 13.
- (2) According to Article 18(1)(j) of the founding Regulation, the Management Board shall, in particular set up working groups and expert panels pursuant to Article 16(2) and adopt their rules of procedure.
- (3) According to Article 18(1)(f) of the founding Regulation, the Management Board shall adopt rules for the prevention and management of conflicts of interest in respect of its members and independent experts, as well as the members of the Stakeholder Group and of the working groups and panels of the Authority referred to in Article 16(2) of the founding Regulation, as well as of seconded national experts and other staff not employed by the Authority as referred to in Article 33 of the founding Regulation, and shall publish annually on its website the declarations of interests of the Management Board members.
- (4) Commission Decision C(2016) 3301 final of 30.5.2016 establishes the horizontal rules on the creation and operation of Commission expert groups<sup>2</sup>.
- (5) In its meeting of 17 October 2019 the Management Board has adopted the work programme and budget of the Authority for 2019, with a list of preparatory activities, including the set-up of working groups.
- (6) The Management Board has indicated that the implementation of the tasks of provision of information on labour mobility and concerted and joint inspections should be the initial priorities of the Authority.
- (7) In order to accomplish its task of improving the availability, quality and accessibility of information pursuant Article 5 of the founding Regulation with

<sup>1</sup> OJ L 186, 11.7.2019, p.21 .

<sup>2</sup> To be read in conjunction with the Commission Communication C(2016)3300

respect to the entire scope of activities of the Authority as indicated in Article 1(4) of the founding Regulation, the Authority should benefit from the expertise of specialists in the field of provision of information to citizens, with a preference for web information.

- (8) Pursuant Article 5(a) of the founding Regulation, the activities of the Authority in the field of access to information to citizens and employers should contribute to the single digital gateway established by Regulation (EU) 2018/1724. In this context, the Authority should closely cooperate with the ‘gateway coordination group’ established by Article 28, 29 and 30 thereof with the aim of supporting the implementation of the single digital gateway with specific regard to information on labour mobility and social security coordination.
- (9) Pursuant Article 5 (b) (c) (d) (e) of the founding Regulation, the Authority shall support Member States in applying Regulation (EU) 2016/589, complying with the obligations on the access to and dissemination of information relating to labour mobility and social security coordination legislation, in improving the accuracy, completeness and user-friendliness of relevant information sources and services and in streamlining the provision of information and services to individuals and employers pertaining to cross-border mobility.

HAS ADOPTED THIS DECISION:

*Article 1*  
**Subject matter**

The Working Group on information of the European Labour Authority (hereinafter referred to as ‘the Working Group’) is set up.

*Article 2*  
**Scope**

The Working Group shall advise and assist the Authority in the implementation of the founding Regulation concerning the facilitation of access to information, in cooperation with the coordination group established by Articles 28, 29, 30 of Regulation (EU) 2018/1724 in the context of the single digital gateway.

In particular, the Working Group's tasks shall be:

1. To support the mapping of sources of online and offline information provision to citizens and employers at EU and national level and analyse information gaps, inconsistencies and action needs on EU and national websites in the labour mobility domain;
2. To advise the Authority on possible means of support to Member States to carry out the activities established by Article 5 (b) (c) (d) (e) of the founding Regulation, including through the development of standard templates and the exchange of best practices between Member States;
3. To discuss EU and national strategies on dissemination of information to citizens and employers.

In performing these tasks, the Working Group will build on activities carried out by relevant EU bodies and committees in the field with the aim of complementing accomplished work while avoiding duplications.

The Chair of the Working Group referred to in Article 4 of the present Decision shall report to the Management Board on the activities of the Working Group.

The Management Board shall be responsible for approving the results of any tasks performed by the Working Group.

Once the Working Group has fulfilled the tasks set out in this article, it shall cease its activities.

*Article 3*  
**Membership**

1. The Working Group shall be composed of experts appointed by the members of the Management Board of the European Labour Authority.
2. Each Member of the Management Board may appoint one senior level expert and an alternate, and shall be responsible for ensuring that the experts provide a high level of expertise, in line with Article 2 of this Decision.
3. An alternate can only participate in the meeting of the Working Group in case of absence of the expert.
4. Experts and alternates shall be nominated by 17 January 2020.

*Article 4*  
**Chair**

The Working Group shall be chaired by the Executive Director of the Authority.

*Article 5*  
**Rules of procedure**

The Management Board shall adopt the rules of procedure of the Working Group in annex to this Decision.

*Article 6*  
**Transparency**

The following data shall be published on the Authority's website:

1. The members of the Working Group;
2. All the relevant documents, including the agenda and a summary of the deliberations of the Working Group.
3. Exceptions to publication shall be foreseen where it is deemed that disclosure of a document would undermine the protection of any public or private interest as defined in Article 4 of Regulation (EC) 1049/2001.

*Article 7*  
**Meeting expenses**

1. Participants in the activities of the Working Group shall not be remunerated for the services they offer.
2. Travel expenses incurred by participants in the activities of the Working Group shall be reimbursed by the Authority in accordance with the provisions of Decision 1/2019 on the Rules for reimbursement of travel, subsistence allowances and other

expenses for participants in the meetings organised by the European Labour Authority, and within the limits of the available budget of the Authority.

## **ANNEX 1 RULES OF PROCEDURE**

### *Article 1*

#### **Operation of the Working Group**

1. The Working Group on information of the European Labour Authority ("the Working Group") shall act at the request of the European Labour Authority ("the Authority").

### *Article 2*

#### **Convening a meeting**

1. Meetings of the Working Group are convened periodically or, in exceptional cases, at the initiative of the Chair.
2. Joint meetings of the Working Group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the Working Group shall, in principle, be held on Commission or Authority premises.
4. The Authority shall provide secretarial services.

### *Article 3*

#### **Agenda**

1. The Secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the Working Group.
2. The agenda shall be adopted by the Working Group at the start of the meeting.

### *Article 4*

#### **Documentation to be sent to Group members**

1. The Secretariat shall send the invitation to the meeting and the draft agenda to the Working Group members no later than 21 calendar days before the date of the meeting.
2. The Secretariat shall send the documents on which the Working Group is consulted to the members of the Working Group no later than 14 calendar days before the date of the meeting.
3. In urgent or exceptional cases, the Chair may authorise derogations from the deadlines referred to in paragraph 1 and 2.

### *Article 5*

#### **Opinions of the Working Group**

The Working Group shall adopt its opinions, recommendations or reports by consensus. If consensus cannot be reached, the Chair will summarise the proceedings, and where appropriate the minority positions shall be reflected in the relevant documents.

*Article 6*

**Subgroups**

1. The Working Group may set up Subgroups for the purpose of examining specific questions on the basis of terms of reference defined by the Working Group. Subgroups shall operate in compliance with the Commission's horizontal rules on expert groups<sup>3</sup> ('the horizontal rules') and shall report to the Working Group. Subgroups shall be dissolved as soon as their mandate is fulfilled.
2. The mandate, duration and composition of these subgroups shall be determined by the Working Group.

*Article 7*

**Invited experts**

1. The Chair may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the Working Group or sub-groups on an ad hoc basis.
2. Invited experts may be allowed by the Chair to take part in the discussions and provide their expertise, however they shall not have voting rights and shall not participate in the formulation of recommendations or advice.

*Article 8*

**Written procedure**

1. If necessary, the Working Group's opinion, recommendation or report on a specific question may be delivered via a written procedure. To this end, the Secretariat sends the Working Group members the document(s) on which the Working Group is being consulted. The Working Group members shall reply within 21 calendar days. The outcome of the procedure is communicated to the Working Group members and observers within 14 calendar days from the deadline for receiving replies.
2. However, if a simple majority of Working Group members asks for the question to be examined at a meeting of the Working Group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the Working Group as soon as possible.

*Article 9*

**Summary of the deliberations**

The summary of the deliberations shall be drafted by the Secretariat under the responsibility of the Chair and submitted to the Working Group via written procedure within 21 calendar days. The Working Group members shall provide their comments, if any, to the Secretariat within 21 calendar days after receiving the Summary.

*Article 10*

**Attendance list**

At each meeting, the Secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the affiliation of the Members of the Working Group.

<sup>3</sup> Decision C(2016) 3301, to be read in conjugation with the Commission Communication C(2016)3300

*Article 11*

**Conflicts of interest**

1. Each member of the Working Group shall sign a written statement at the time of his or her appointment declaring that he or she is not in a situation of conflict of interests and shall update his or her statement in the case of a change of circumstances with regard to any conflict of interests.
2. The Chair of the Working Group shall, at the first meeting of each calendar year, remind all members of their obligation to promptly inform the Management Board of the Authority of any relevant change in the information previously provided with regard to their Conflicts of interest, including upcoming activities. In this case they must immediately submit a newly completed declaration of interests describing the change, in order to enable the Management Board of the Authority to assess it in due course, and take any appropriate measure in order to ensure the independence and impartiality of the deliberations of the Working Group.

*Article 12*

**Correspondence**

Correspondence relating to the Working Group shall be addressed to the Secretariat, for the attention of the Chair.

*Article 13*

**Access to documents**

Applications for access to documents held by the Working Group shall be handled in accordance with Regulation (EC) No 1049/2001<sup>4</sup>.

<sup>4</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

**ANNEX 2 - Declaration Of Absence Of Conflict Of Interest**



**DECLARATION OF ABSENCE OF CONFLICT OF INTEREST**

As required by Article 18(1)(f) of Regulation (EU) 2019/1149, I the undersigned in my capacity of **Member of the Working Group on information** of the European Labour Authority hereby declare that I have no actual or potential conflict of interest that may negatively affect the performance of the duties that I have committed to duly and appropriately serve as a member of the Working Group on information of the European Labour Authority.

A conflict of interest is a situation whereby my private interests and affiliations could actually or potentially be perceived to negatively influence my independence or loyalty towards the European Labour Authority, and includes:

- **Direct interests** (financial benefits arising from, for example, employment contracted work investments, fees etc.);
- **Indirect financial interests** (e.g. grants, sponsorships, or any other kind of benefit);
- Interests **deriving from my professional activities** or that of my family members;
- Any **membership role or affiliation** that I may have in an organisations, bodies, clubs with a vested interest in the work of the European Labour Authority;
- Any **other interests** or facts that I the undersigned consider pertinent.

I hereby further undertake to inform the Management Board of the European Labour Authority in writing, as soon as any situation of conflict of interest arises during the performance of my duties, by submitting without undue delay a written declaration describing the particular situation of the actual or potential conflict of interest.

If such a situation arises, I understand that the Management Board shall assess my perceived situation of conflict of interest and shall take any appropriate measure in order to ensure the independence and impartiality of the deliberations of the Working Group. The Management Board shall thus reach a duly reasoned decision with respect to my perceived situation of conflict of interest and the performance of my duties. I undertake to abide by the decision of the Management Board.

I declare on my word of honour that the information provided is true and complete.

Signed at ..... on ...../...../.....

Name .....

Signature .....