



**Decision No 11/2020
of 3 August 2020
of the Management Board**

establishing the Rules of Procedure of the Stakeholder Group

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) 2016/3441 (hereinafter “the Founding Regulation” and “the Authority”), and in particular Article 23 thereof,

Having regard to decision No 4/2019 of the Management Board of the Authority on the appointment of the members and alternates of the Stakeholder Group,

Whereas:

- 1) Article 23(1) of the Founding Regulation establishes the Stakeholder Group attached to the Authority with advisory functions, to facilitate the consultation of relevant stakeholders and to benefit from their expertise in areas covered by the Regulation.
- 2) Article 23(4) of the Founding Regulation sets out that the Stakeholder Group is composed of two representatives of the Commission and ten representatives of the Union-level social partners with an equal representation of trade union and employer organisations, including recognised Union sectoral social partners representing sectors that are particularly concerned with labour mobility issues. To the extent possible, an appropriate gender balance and an adequate representation of SMEs is to be achieved.
- 3) In line with Article 23(5) of the Founding Regulation, the members and alternate members of the Stakeholder Group have been designated by their organisations and appointed by the Management Board.
- 4) According to Article 23(6) the Authority shall provide the secretariat for the Stakeholder Group. The Stakeholder Group shall adopt its rules of procedure by a majority of two-thirds of its members entitled to vote. The rules of procedure shall be subject to approval by the Management Board.
- 5) The Stakeholder Group, at its meeting of 5 May 2020, adopted the current rules of procedures by unanimity.

HAS APPROVED THE FOLLOWING RULES OF PROCEDURE:

General Provisions

Article 1 Scope of application

The present Rules of Procedure shall apply to the Stakeholder Group as established in Article 23(6) of the Founding Regulation.

Article 2 Functions

The Stakeholder Group fulfils the functions specified in the Founding Regulation and in particular the functions listed in Article 23 thereof.

Membership and Chair

Article 3 Representation of Groups

1. The two Groups of the Stakeholder Group (Employers and Employees) should each be represented by five members.
2. The members and their alternates should be representatives of the Union-level social partners, including recognised Union sectoral social partners representing sectors particularly concerned with labour mobility issues.
3. Under exceptional circumstances, a member or an alternate may be replaced for a particular meeting by an external expert nominated by the Group. The Executive Director should be notified in advance. In this case, the regular member or alternate who is replaced should not attend the meeting.
4. For the purpose of facilitating the coordination of the Stakeholder Group and the preparation of the meetings, the two Groups of the Stakeholder Group (Employers and Employees) shall each designate a Group coordinator.

Article 4 Representation of the Commission

For each Stakeholder Group meeting, the European Commission shall be represented by two Commission staff members. Two alternate representatives shall be nominated.

Article 5 External experts

1. The Stakeholder Group and the Authority may invite external experts to join the meetings of the Stakeholder Group to provide independent advice.
2. The Authority's policies on conflict of interests and on selection of experts apply. Especially, external experts attending meetings of the Stakeholder Group should not be current contractors of the Authority in the same policy priority area or have direct links with contractors in the same policy priority area in order to avoid conflict of interests.

Article 6
Submission of nominations

Following the initial appointment by Decision No 4/2019 of the Management Board, the Coordinators shall submit nominations for membership of the Stakeholder Group in writing to the Secretariat of the Management Board.

Meetings

Article 7
Chairing

Meetings shall be chaired by the Executive Director or by a senior level staff member of the Authority in his/her absence.

Article 8
Convening

1. Meetings shall be convened by the Executive Director, following a consultation of the Group coordinators and the Commission representatives, or upon the request of the European Commission.
2. Stakeholder Group meetings usually take place twice a year. The duration of the meetings may vary (usually between half a day and one day).
3. If deemed necessary, additional meetings may be convened.
4. Dates of meetings of the Stakeholder Group, including the joint meeting with the Management Board, for the following year are presented to the Management Board during its last meeting of each year. These dates are indicative.
5. Meetings should be held at the headquarters of the Authority. Meetings could also be held in Brussels. The decision should consider the relative costs involved (with regard to the members and staff attending).
6. Video conferences and web-based meetings should always be considered as time and cost-effective means to convene a Stakeholder Group meeting.

*Article 9
Attendance*

1. Meetings of the Stakeholder Group are attended by the members, the Heads of Unit and other relevant staff of the Authority involved in the area under discussion.
2. The Authority's contractors may also attend the Stakeholder Group meetings when appropriate.

*Article 10
Quorum*

1. A quorum of five members (a minimum of two representatives per Group and one representative of the Commission) will be required for the meeting to go ahead.
2. If it is not possible to guarantee attendance via video or teleconference, the meeting will be cancelled, and an alternative consultation process (e.g. via email, discussion via appropriate online platforms) will be applied.

*Article 11
Absence of members*

Where a member has not attended two consecutive Stakeholder Group meetings, the Coordinator will be approached to replace or confirm the member.

*Article 12
Agenda*

1. The draft agenda shall be drafted by the Secretariat, in consultation with the Chairperson, and sent to the Stakeholder Group no later than 21 calendar days before the meeting. Members may submit in writing proposals for amendments to the draft agenda, at the latest 3 working days after receiving the agenda of the meeting.
2. Invitations to Stakeholder Group meetings will be sent no later than 21 calendar days before the meeting.
3. Meeting documents will be sent to participants no later than 14 calendar days before the meeting. Where documents include lengthy reports, these should, where possible be sent 21 calendar days before the meeting to allow members to prepare for the meeting. Where it is not possible to send a document 21 calendar days beforehand, members should be informed about when they can expect to receive this document.

4. Short, results-oriented minutes of Stakeholder Group meetings will be drafted by the Secretariat and circulated within 21 calendar days of the meeting to the members of the Stakeholder Group and the Management Board.
5. All communication with the Stakeholder Group shall be carried out via the Group Coordinators who will provide the Secretariat with consolidated feedback for their respective Group members where applicable.

Article 13
Urgent business

Where a matter requires an urgent evaluation or is otherwise considered important, a written procedure on the basis of electronic consultation among the members may be organised.

Final provisions

Article 14
Additional Provisions

Where there are provisions not covered by the present Rules of Procedure, the Rules of Procedure of the Authority's Management Board shall apply.

Article 15
Amendment

The Stakeholder Group may amend the present rules, subject to approval by a majority of the members with voting rights of the Management Board.

Article 16
Entry into force

The present rules shall enter into force on the day following their approval by the Management Board.

Done by written procedure
Brussels, 3 August 2020

For the Management Board

Tom BEVERS
Chairperson of the Management Board