



**Decision No 4/2022
of 15 March 2022
of the Management Board
on the Memorandum of Understanding Between the European Foundation for the
Improvement of Living and Working Conditions (EUROFOUND) and European Labour
Authority (ELA)**

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 (“the founding Regulation”) and in particular Article 14 thereof,

Whereas:

- (1) The objective of ELA is to contribute towards ensuring fair labour mobility across the Union and assist Member States and the Commission in the coordination of social security systems.
- (2) Eurofound’s objectives is to provide the EU institutions and bodies, Member States and Social partners with support for the purpose of shaping and implementing policies for better living and working conditions, devising employment policies and promoting the dialogue between management and labour.
- (3) A framework for cooperation between ELA and Eurofound should be established in order to ensuring systematic cooperation, avoiding overlaps, promoting synergies and complementarity of activities.
- (4) This Memorandum of Understanding should provide general principles and modalities of cooperation, particularly the consultation of the programming documents. More specific cooperation arrangements of cooperation should be determined in an Annual Action Plan.

HAS DECIDED:

Article 1

The Management Board approves the Memorandum of Understanding between ELA and EUROFOUND annexed to this decision.

¹ OJ L 186, 11.7.2019, p. 21–56

Article 2

Entry into force

This Decision shall take effect the day following its adoption.

Done at Bratislava, 15 March 2022

For the Management Board,

Tom BEVERS
Chair of the Management Board

Memorandum of Understanding Between the European Foundation for the Improvement of Living and Working Conditions (EUROFOUND) and European Labour Authority (ELA)

1. This Memorandum of Understanding between Eurofound and ELA sets out to identify areas of close cooperation.
2. Purpose of the cooperation: Eurofound and ELA (hereafter: the Parties) have agreed to cooperate on selected areas with a view to:
 - a. Maximise synergies which can benefit both agencies and their stakeholders.
 - b. Avoid any duplication of activities in the identified fields of similar interest.
 - c. Learn from each other and possibly transfer good practices.

It responds to Preamble No 41 and Article 14 (for ELA) and 8 (for Eurofound) in the introduction and art.2.4 (for Eurofound) of their respective founding regulation².

3. The basic role of Eurofound and ELA in this cooperation are:

Eurofound's objectives is to provide the EU institutions and bodies, Member States and Social partners with support for the purpose of shaping and implementing policies for better living and working conditions, devising employment policies and promoting the dialogue between management and labour. To that end Eurofound conducts surveys in order to secure the continuity of comparative analysis of trends in living and working conditions, monitors labour market developments in the Union and conduct activities that that increase and disseminate knowledge. In Eurofound's data gathering and research, lifelong learning, knowledge co-creation and skills development play an essential role in understanding the development as well as needs of employment, labour markets, working conditions and living conditions.

ELA's objective is to contribute to ensuring fair labour mobility across the Union and assist Member States and the Commission in the coordination of social security systems within the Union. To that end, ELA shall facilitate access to information on rights and obligations regarding labour mobility across the Union as well as to relevant services; facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union, including facilitating concerted and joint inspections; mediate and facilitate a solution in cases of cross-border disputes between Member States; and support cooperation between Member States in tackling undeclared work.

4. Both Parties will appoint a main contact person to coordinate cooperation between them.
5. Both Parties will, on a regular basis, in particular during the development of the future programming document and detailed planning, consult each other and exchange views before final approval. The exchange of programming documents should take place before the final draft is available. This consultation will be included in the timetable for drafting to allow for enough time to discuss and integrate the comments in the final document when appropriate.

² For ELA: 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

6. The consultation should focus on and identify areas of strategic cooperation, areas of synergies, areas for exchange of information and areas where potential overlaps could arise in order to avoid them. Such possible cooperation may cover a range of topics or areas, including related to the financial and staff regulation, and may involve a range of activities (e.g. joint events, sharing of data or analysis, sharing experience or findings).
7. Based on the annual programming document, specific cooperation arrangement (Annual Action Plan) will be agreed between the two Executive Directors before 31 December via an exchange of letters. The Annual Action plan will include a limited number of concrete activities for cooperation and exchange between the two Parties, taking into account the availability of resources and other priorities. Relevant staff and timetable will be identified for each of the actions agreed.
8. The Annual Action plan will be monitored through relevant monitoring tools, such as a monitoring table. A mid-term review, coordinated by the main contact person of each Party, should take place half-way through the year
9. Both Parties will cover their own costs arising from this cooperation as far as it is within the ordinary annual programming documents. For additional activities requiring more resources, special agreement will be made.
10. Working meetings will be organised at the following levels:
 - a. At general level, the Executive Director or a representative of each Party will be invited, when relevant, to attend the board meeting(s)³ of the other party.
 - b. Experts and staff of both agencies will participate in the activities of expert and working groups of the agencies where relevant.
 - c. Experts and staff will participate, where relevant, in the development of survey questionnaires and in various networks. Ad-hoc meetings or invitations may be extended to each other on specific subjects.
11. In addition to the main contact point referred to under point 4., both Parties will nominate main contact persons for the specified areas of similar interest.
12. This memorandum of understanding in no way affects the founding regulations establishing the two organisations.

This Memorandum of Understanding enters into force when duly signed by the Executive Directors.

Ivailo Kalfin

Executive Director
European Foundation for the Improvement
of Living and Working Conditions

Cosmin Boianiu

Executive Director
European Labour Authority

Place :

Place :

³ In accordance with Art. 9.5 of the Rules of Procedure of Eurofound Management Board, representatives of other EU Agencies can participate in Board meetings where the MoU in force provides for their participation.