



**Decision No 11/2022
of 09 August 2022
of the Executive Director
on revised operational modalities of the ELA Translation Facility
for Information**

THE EXECUTIVE DIRECTOR 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 the European Labour Authority amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (hereinafter “the founding Regulation” and “the Authority” or “ELA”), in particular Article 5, 7, 11, 12 and 35 thereof,

Having regard to Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012, in particular Article 12 thereof,

Whereas:

- 1) Article 5(c) of the founding Regulation provides that ELA shall support Member States in complying with the obligations on the access to and dissemination of information relating to labour mobility legislation;
- 2) Article 7 (1)(b) of the founding Regulation provides that ELA shall provide logistical and technical support, including translation and interpretation services to facilitate the cooperation between national authorities of Member States;
- 3) Article 11 of the founding Regulation provides that ELA shall support Member States with capacity building aimed at promoting the consistent enforcement of relevant Union law, including by promoting awareness-raising campaigns, including campaigns to inform individuals and employers of their rights and obligations;
- 4) Article 12 (1)(b) of the founding Regulation provides that the European Platform to enhance cooperation in tackling undeclared work (the “Platform”) shall support ELA’s activities in tackling undeclared work by improving the capacity of Member States’ relevant authorities and actors to tackle undeclared work with regard to its cross-border aspects;
- 5) Article 12(1)(c) of the founding Regulation provides that the European Platform to enhance cooperation in tackling undeclared work (the “Platform”) shall support ELA’s activities in tackling undeclared work by increasing public awareness of issues relating to undeclared work and of the urgent need for appropriate action as well as encouraging Member States to step up their efforts

- to tackle undeclared work;
- 6) Article 12 of Regulation (EU) 2018/1724 establishes a service to translate information on national websites which encompasses a wide range of information pertaining to the EU Internal Market and which can be complemented by a similar service focusing specifically on information on labour mobility and social security coordination;
 - 7) Article 35 of the Founding Regulation specifies that the translation services required for the Authority's functioning shall be provided by the Translation Centre;
 - 8) The ELA Translation Facility was established on 11 June 2020 per ED Decision No 2/2020;
 - 9) ELA's Annual Work Programme and budget reflects the continued support to Member States for the translation of national information sources on labour mobility and social security coordination;
 - 10) It is necessary to amend the most recent ED Decision No 2/2022 of 28 January 2022 on the revised operational modalities of the ELA Translation Facility in order to further clarify its scope.
 - 11) For legal clarity, it is necessary to replace and repeal ED Decision No 02/2022 with the present Decision.

HAS ADOPTED THIS DECISION:

Article 1

Objective of the ELA Translation Facility

The objective of the Facility is to support Member States in translating relevant information provided by official national websites and other communication materials concerning rights and obligations relating to areas falling within the scope of ELA.

Article 2

Scope of the ELA Translation Facility

The Facility shall support the translation of institutional website content and other official communication materials owned by national authorities providing relevant information to citizens and employers concerning legislation falling into the scope of the ELA Regulation, as well as material pertaining to ELA information campaigns.

Article 5 (c) of Regulation (EU) 2019/1149 does not warrant support to the translation of websites or other communication materials owned by non-institutional stakeholders, such as the social partners.

With a view to supporting the provision of user-friendly information to citizens and employers, the Facility shall not be used to translate legislative acts, collective agreements and strategic frameworks or internal administrative documents.

ELA reserves the right to reject translation requests that are not deemed to fit the scope of the Facility, as indicated above.

The source language can be any EU official language and the translations can be carried out into any EU or non-EU language covered by the Translation Centre, in accordance with Article 3 of the present Decision.

Article 3 Translation service

Based on Article 35 of the ELA Regulation, translations are carried out by the Translation Centre, a specialised EU agency with which ELA has a service level agreement.

The Facility applies the pricing policy and turnaround times as set by the Translation Centre.

The Facility does not support any translation carried out by another service provider.

Article 4 National Translation Coordinators

Each Member State shall appoint a national translation coordinator who shall coordinate the submission of translation requests on behalf of his/her national administration.

The members of the ELA Working Group on Information shall communicate to the Authority the name of the national translation coordinator.

National translation coordinators shall be enabled to upload translation requests directly onto the online portal of the Translation Centre, correspond with the Translation Centre in case of queries on specific requests, and receive the final output.

ELA shall ensure regular exchanges with national translation coordinators, including coordination with the members and alternates of the ELA Working Group on Information.

Article 5 Operational modalities of the ELA Translation Facility

Member States, through their national translation coordinator, shall have direct access to the Translation Centre's online portal in order to upload requests and receive the processed output.

The Authority shall assume the role of 'sender' on the online portal. It shall approve each request before it is finally transmitted to the Translation Centre while monitoring

expenditures from the budget allocated to each Member State.

The following steps shall be taken:

- a) The Authority shall collect and update the list of the national translation coordinators appointed by the Member States;
- b) The Translation Centre shall create 'drafter accounts' for all Member State national translation coordinators on the Translation Centre's online portal;
- c) National translation coordinators shall upload texts for translation in the Translation Centre's online portal, in accordance with the translation needs of the relevant departments within their national administration;
- d) For transparency reasons, when uploading the requests, the National Translation Coordinators will indicate the destination website/ communication material for the translation;
- e) EU funding through ELA shall be acknowledged by including the ELA Logo and a funding statement ("Translated with the support of the European Labour Authority") on the translated webpages/ communication materials; Only in cases where ELA funding acknowledgment would contradict national rules or policies the mandatory acknowledgment can be waived;
- f) The Authority shall review each request, keep track of the budget of each Member State, and send the request to the Translation Centre after approval.

The Authority shall remain the contact point for the national translation coordinators for any question, assistance or coordination issue related to the ELA Translation Facility.

Article 6 *Financing of the ELA Translation Facility*

The overall budget for the Translation Facility shall remain within the ceiling set by the ELA annual budget and successive amendments.

With a view to granting equal access to the translation support, the available budget will be divided in equal parts amongst the 27 Member States.

The Authority will be responsible for accounting the expenses of each Member State and communicating the state of budget consumption to the national translation coordinators on a regular basis.

In case a Member State does not make use of its resources in the course of a calendar year, the Authority may distribute the unspent resources to other Member States with remaining translation needs.

Article 7 *Planning and evaluation*

All Member States are required to communicate each calendar year, by the end of February, an initial forecast of the budget consumption in that calendar year, by providing relevant information as requested by ELA.

Member States who do not plan to use (entirely) the ELA Translation Facility in a specific calendar year are requested to timely inform ELA. All Member States should regularly provide updates on budget consumption intentions if and when requested by ELA.

The Working Group on Information will evaluate the functioning of these revised operational modalities at the end of each calendar year with a view to assessing their effectiveness, discussing possible reviews and setting of priorities for the next calendar year.

Article 8
Entry into force

This Decision will enter into force on the day of its adoption.

This Decision repeals and replaces ED Decision No 02/2022.