



# Single Programming Document 2023–2025 Final version, November 2022

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# **Single Programming Document 2023–2025**

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# Foreword

After the transition year of 2021, in 2022 the European Labour Authority (ELA) (also referred to as ‘the Authority’) entered the consolidation phase, while continuing to deliver on its mandate. In 2023–2025, ELA will continue to grow in strength and effectiveness to become an established and trusted authority with full operational capacity. By 2024, the Authority’s budget will reach EUR 50 million, and it is expected to have 144 staff. With these human and financial resources, the Authority should have the necessary capacity to fulfil the expectations set by the founding regulation <sup>(1)</sup> in terms of operational activities.

ELA’s aims from previous years, of being **ambitious** and **realistic**, remain valid and will continue to guide the Authority throughout the period of growth and consolidation. Going forward, these two aims are to be accompanied by a third aim, that of being **operationally agile**. Being ambitious and realistic has proven to be a strategy of success, under which ELA has shown that it can deliver on urgent issues even in challenging times, such as addressing the working conditions of seasonal workers in 2021 by putting forward an action plan on cross-border seasonal workers or by initiating specific information and enforcement activities related to the war in Ukraine in 2022. ELA’s ambition to achieve its full potential and provide value added for all stakeholders will continue in 2023–2025. Building on the experience gained in 2021 and 2022, ELA will continue its comprehensive and action-oriented approach to addressing issues in the most important sectors for labour mobility. These issues will be identified through, among other things, a deepened risk analysis function. This approach will enable the Authority to adjust the scope and scale of activities to the risks identified in these sectors.

The Authority will continue to mainstream the principle of partnership in its activities. The experiences gained from cross-border inspections in which the Authority has been involved, and the cooperation and information exchanges between Member States supported by the National Liaison Officers, have contributed to the gradual establishment of the Authority as a contact point for competent authorities and social partners when facing and solving challenges related to intra-EU labour mobility. Such close cooperation with the Member State authorities and with social partners will continue in all areas of ELA’s work and will contribute to calibration of its working methods and activities, including in relation to sectors or categories of workers and employers who face particular challenges or vulnerability when exercising cross-border mobility. When the authority reaches full capacity, it will seek to be a nodal point for Member States, the European Commission, social partners and all other stakeholders, providing operational and analytical support, including through instruments of enhanced cooperation, in the field of labour mobility and social security coordination. It will gradually facilitate, implement and extend digital solutions that are crucial for effective information exchange, for enforcement and cooperation in labour mobility and for social security coordination. After reaching full capacity, the Authority will follow a prioritisation approach based on its analytical capacity and the experience acquired during previous years of activities and synergies, considering the general context and main trends shaping the Authority’s activities.

The Authority will continue to value the importance of being realistic in terms of focusing on objectives that can realistically be achieved in the light of the objective circumstances, such as limited resources. The examples of concrete deliverables reached during the Authority’s growth stage have proved the success of this approach.

There are uncertainties regarding the longer-term impact of the COVID-19 pandemic on the European economy and the impact of the war in Ukraine on the labour market and related developments in energy prices and inflation. The inflow of displaced persons from Ukraine as a result of the war, and their entry into the labour market, may impact labour mobility and its patterns. Furthermore, accelerated digitalisation will continue to shape the European labour market, labour force and realities of labour mobility, but also the work (methods) of national and European institutions and social partners, and consequently also the Authority’s activities – highlighting at each step the importance of being as digital as possible. Hence, the Authority

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

will continue developing and encouraging the use of digital tools throughout its activities. The transition to an environmentally and socially sustainable economy in the context of reaching the climate objectives and sustainable development goals will also be reflected in the Authority's internal processes, through the implementation of the Authority's environmental policy. Moreover, the Authority will closely monitor the impact of the green and social transitions and demographic trends on cross-border mobility and calibrate its activities if needed.

In its consolidation phase, the Authority continues to implement its sector-specific approach, considering the developments in the EU labour market and the input from the Member States, EU institutions and social partners, including sectoral ones. At the same time, it will strive to ensure that the main areas under the ELA remit are comprehensively covered, including through its sector-specific approach. The experience gained through the pioneering action plans (on seasonal work and road transport) will also be used in future initiatives focused on specific sectors or categories of workers such as the construction sector or virtual free movement of workers.

This document builds on the input received during the consultation between ELA and the ELA Stakeholder Group and ELA Management Board and on the opinion provided by the European Commission.



# Abbreviations

CA: contract agent

Cedefop: European Centre for the Development of Vocational Training

EEA: European Economic Area

EESSI: Electronic Exchange of Social Security Information

EFTA: European Free Trade Association

ELA: European Labour Authority

EU-OSHA: European Agency for Safety and Health at Work

EURES: European employment services

Eurofound: European Foundation for the Improvement of Living and Working Conditions

Europol: European Union Agency for Law Enforcement Cooperation

FTE: full-time equivalent

HO: horizontal objective

HR: human resources

IMI: Internal Market Information

ISO: International Organization for Standardization

LEED: Leadership in Energy and Environmental Design

NCO: national coordination office

NLO: national liaison officer

PMS: Performance Measurement System

SNE: seconded national expert

SO: strategic objective

SPD: single programming document

SRs: staff regulations

TA: temporary agent

# Mission statement

The European Labour Authority (ELA) (also referred to as ‘the Authority’) was established as a European Union body by its founding regulation <sup>(2)</sup> to help strengthen fairness and trust in the internal market. The free movement of workers and services is one of the key pillars of the EU and is seen as one of the main achievements of EU integration. Millions of EU citizens live or work in another Member State. This provides citizens and companies with the opportunity to seek work and provide services across the EU.

The objectives of the Authority <sup>(3)</sup> are to contribute to ensuring fair and effective labour mobility across the EU and to assist Member States and the European Commission in the coordination of social security systems in the EU. To that end, ELA shall facilitate access to information on rights and obligations regarding labour mobility across the EU and to relevant services, facilitate and enhance cooperation between Member States in the enforcement of relevant EU law, mediate cross-border disputes and facilitate solutions, and support Member States in tackling undeclared work. In addition, the Authority has a significant role to play in facilitating effective labour mobility in Europe, through activities of the European employment services (EURES).

The main tasks of ELA include:

- facilitating access to information on rights and obligations regarding labour mobility across the EU and access to relevant services;
- coordinating EURES through activities of the EURES European Coordination Office and supporting Member States in promoting cross-border job matching;
- facilitating cooperation and the exchange of information between Member States, aiming for the consistent, efficient and effective application and enforcement of relevant EU law;
- coordinating and supporting concerted and joint inspections;
- carrying out analyses and risk assessments on issues of cross-border labour mobility;
- supporting Member States with building capacity regarding the effective application and enforcement of relevant EU law;
- supporting Member States in tackling undeclared work;
- mediating disputes between Member States on the application of relevant EU law.

ELA's vision is to be a trusted partner that proactively contributes to efforts in addressing present labour mobility issues, facilitates concrete and cooperative solutions and adds value for stakeholders at Member State and EU levels, while being ready for future challenges in addressing modern labour mobility across the EU.

By the end of 2024, ELA will achieve its full operational capacity and will be active in all parts of its mandate.

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<sup>(2)</sup> [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 \(OJ L 186, 11.7.2019, p. 21\).](#)

<sup>(3)</sup> See Article 2 of the founding regulation.

## I. GENERAL CONTEXT

# I. General context

After its early years of 2021 and 2022, when the European Labour Authority (ELA) (also referred to as ‘the Authority’) was able to roll out a range of its activities and build the foundation for all its tasks, the Authority is now entering a phase of consolidation, aiming to reach full capacity, in terms of both operational activities and resources, in 2023–2025.

The Authority is fully prepared to execute this second multiannual programming document with the objective of fully delivering on its mandate, in close cooperation with Member States, the European Commission, the social partners and other European Union institutions and bodies. At the heart of the Authority’s work is fair labour mobility, which all individuals, workers and employers should be able to benefit from. After the early years of building the new Authority, ELA is moving into a more stable model of functioning, while staying operationally agile in terms of new developments. In a broader sense, the Authority’s work will continue to be a substantial contribution towards the implementation of the principles of the European Pillar of Social Rights and initiatives outlined in the European Pillar of Social Rights action plan that have direct relevance for the Authority and are in line with its mandate.

The Authority established and will continue to enhance relationships with EU institutions and bodies to ensure cooperation in all its activities, avoid overlaps and promote synergies and complementarity. Cooperation is conducted through the already formalised instruments of cooperation (with the European Commission, the European Foundation for the Improvement of Living and Working Conditions (Eurofound) and the Administrative Commission for the Coordination of Social Security Systems) and day-to-day cooperation, including with the European Parliament, the Council and other EU agencies, such as the European Agency for Safety and Health at Work (EU-OSHA), the European Centre for the Development of Vocational Training (Cedefop), the European Union Agency for Law Enforcement Cooperation (Europol) or the European Union Agency for Criminal Justice Cooperation (Eurojust). The Authority will also further nurture relations with key stakeholders, including social partners.

The COVID-19 pandemic clearly highlighted the utmost importance of fair labour mobility for a number of sectors of Member States’ economies, including critical sectors such as healthcare. On the other hand, the disruptions to labour mobility due to the public health crisis and the precariousness of the working conditions of some categories of workers have received increased attention. The *Annual Report on Intra-EU Labour Mobility 2021* <sup>(4)</sup> pointed out the slowing down of the rate by which labour mobility increased over the last few years, due to the pandemic, but still registered an increase by a small margin. The report also highlighted a steadily increasing return mobility. The medium- and long-term impacts of the pandemic on labour mobility and its trends will continue to be the subject of the Authority’s activities, particularly for its labour mobility analyses and risk assessment capacity. From an inward-looking perspective, the Authority will also continue its efforts to establish a business continuity and contingency plan to ensure its quick reaction to future crises regarding both its operational activities and its running and administration.

The Russian aggression against Ukraine resulted in the substantial inflow of displaced persons to the EU. The majority of those fleeing the war are women and children. This situation, combined with the vulnerable situation of persons fleeing the war, puts them at risk of carrying out undeclared work or being victims of human trafficking. The activation of the temporary protection directive <sup>(5)</sup> and further national measures provided displaced persons from Ukraine with a basic set of rights, including access to labour markets and social protection. Moreover, although the rights pertaining to temporary protection are applicable in the Member State that granted the protection, access to the labour market in each country enables displaced persons to be subject to some provisions of EU labour mobility legislation such as that on posting of workers or rules on social security coordination. Therefore, the Authority will closely follow those developments and stands ready to support the labour market integration of those fleeing the war in Ukraine to the EU. The launch and continued maintenance of the EU talent pool pilot initiative, jointly run by the European Commission – through the Directorate-General for Migration and Home Affairs and the Directorate-General for Employment, Social Affairs and Inclusion – and ELA (through the European employment services (EURES) portal), while the

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<sup>(4)</sup> [Annual Report on Intra-EU Labour Mobility 2021](#).

<sup>(5)</sup> [‘Activation of the temporary protection directive’](#).

temporary protection of displaced persons from Ukraine is valid, is one example of how ELA can actively contribute to supporting this vulnerable group.

The war in Ukraine also has far-reaching economic consequences, which are slowing down the expected recovery from the pandemic. Still, the recovery and resilience efforts backed by unprecedented EU support will have a positive impact on EU labour mobility, such as on the level of demand and supply of the workforce. Those efforts constitute one of the essential elements for the implementation of this programming document as EU labour mobility contributes to a fair recovery. Furthermore, the objectives of the recovery efforts supported by the EU, and the vital role of the European Pillar of Social Rights for inclusive and sustainable recovery efforts, are relevant for the Authority's mandate and may be reflected in its activities, for example in the case of increased labour mobility in the construction sector.

## Major developments that could influence the European Labour Authority's policy context in the coming years

This section presents selected (policy) factors that are expected to influence ELA's work in the coming years.

### > Digital transformation

The digital transformation of the European society and economy has a clear cross-border dimension, entailing profound changes to the labour markets, and affecting all sectors to a lesser or greater extent. Similarly, the borders between online and on-location economies are increasingly blurred, as digital and physical services are increasingly intertwined. Digitalisation, and in particular automation, is expected to further reshape the structure of the labour market and the structure of occupations. This may create potential skills and labour shortages in new types of jobs, while bringing labour surpluses in the areas where automation will require less direct human involvement. In addition, digitalisation may result in legal uncertainty as regards applicable legislation (labour and social security) in situations of cross-border work, such as in teleworking situations, as demonstrated during the COVID-19 pandemic; online platform work; or other digitally enabled cross-border work arrangements driven by automation or digitalisation. At the same time, digitalisation and the development of digital tools can pave the way for enhanced cross-border cooperation and effective enforcement. These trends exacerbate the need for further information to prepare an adequate strategy to identify and tackle opportunities and challenges affecting EU labour mobility in the remit of ELA's mandate. ELA will also follow the negotiations of the proposed directive on working conditions of platform workers and other relevant EU-level policy developments, such as those related to artificial intelligence, cybersecurity or the Digital Services Act and Digital Markets Act.

ELA will aim to always be at the forefront of digitalisation and to facilitate the adoption of digital tools and the implementation and ultimately enhancement of cooperation among Member States and between Member States and ELA in all areas under its mandate.

### > Transition to a climate-neutral economy

The EU has committed to the UN's 2030 agenda for sustainable development and to the Paris Agreement, which have been translated into the European Commission's priorities for 2019–2024 in the form of the European Green Deal. Under this agenda, the EU has established specific climate targets ('EU climate actions') to achieve climate neutrality by 2050 and to reduce greenhouse gas emissions by at least 55 % compared with 1990 levels by 2030. Those objectives and related policy measures will have a profound impact on the labour market, be it at the level of skills – through the necessity to change or upgrade existing skills to match the demand of the workforce in a 'greening' economy – or at the level of entire occupations, whereby existing occupations disappear while new ones emerge as a result of the green transition. The employment impact will be different across regions and across various segments of the labour market. Important policy measures are already being introduced to 'leave no one behind' and provide appropriate skills for the workforce to be able to effectively cope with the transition. Another aspect stemming from the expected impacts of a changing

climate is the possibility of new types of migration flows inside and outside of the EU, triggered by events, such as flooding or droughts, that affect living conditions. The impact of climate change and environmental degradation and its consequences for the EU labour market will also influence the landscape and patterns of labour mobility. The concrete developments, risks and opportunities will be closely followed and analysed, and fair and effective labour mobility will remain one of the tools to ensure an adequately skilled workforce across the EU, helping to balance the mismatches between labour demand and supply across the EU.

### > Population ageing

The ageing of the European population is a long-lasting trend and represents a major transition that our societies will continue to undergo in the coming years. Shrinking birth rates and increased longevity will have a profound impact on many areas of life, including the labour market. Demographic change will moreover have a differentiated impact across the EU and regions, given that population ageing varies widely between rural and urban areas, and across Member States. The European workforce is shrinking, which creates the necessity to look at ways of responding to an expected growing labour market demand in certain sectors, such as long-term care. This sector's workforce shortages and the importance of EU mobile workers for this sector have already been revealed by the COVID-19 pandemic. The impact of population ageing and particularly the mobility of care workers, including those in healthcare, is already visible in labour mobility flows and trends, and may be expected to deepen in the coming years.

### > Gender and diversity

In recent years, the EU has had an increased focus on fairness, with the aim of achieving inclusiveness. Gender and diversity mainstreaming requires long-term development and change programmes, and the inclusion of a gender and diversity perspective in all decision-making processes at all levels. Subject to the ELA gender and diversity strategy, which started being developed in 2021, ELA will further consolidate gender, diversity and equality considerations in its work, throughout its core tasks but also in its administrative structure. The strategy aims to achieve a more systematic approach to the incorporation of diversity considerations into ELA's operational activities. For example, when deciding target sectors for cross-border inspections, it will be relevant to focus on sectors in which most staff are male (e.g. road transport) or those in which most staff are female (e.g. cross-border caretaking). Similarly, ELA's regular analysis of labour shortages and surpluses <sup>(6)</sup>, developed under the EURES regulation <sup>(7)</sup>, has a specific focus on the gender dimension. Lastly, ELA will continue to strive to achieve diversity and gender balance among its staff, by making an effort to attract and retain talent from a wide range of backgrounds.

### > Labour mobility and recovery from the COVID-19 pandemic

The pandemic confirmed the importance of labour mobility for various sectors of the Member States' economies that rely extensively on mobile workers. It also shed light on vulnerable groups of workers, for example seasonal workers, whose working conditions are often not fully respected. While the long-term trends in EU labour mobility are difficult to assess, ELA will continue monitoring the medium-term impact of the pandemic on mobility patterns, including the directions of mobility and the sectors affected, and the development of 'virtual cross-border mobility' such as telework or online platform work. The *Annual Report on Intra-EU Labour Mobility 2021* <sup>(8)</sup> shows implications of the pandemic, such as the slowing of the labour mobility increase and a constant increase in return mobility since 2016. The Authority will continue mapping the challenges and trends brought by the pandemic in the field of EU labour mobility from medium- and long-term perspectives. Should the pandemic continue during the implementation of this programming document, ELA may adapt its activities to focus on vulnerable groups of workers or sectors particularly affected.

The post-pandemic recovery and unprecedented EU support will have an impact on the labour market. The recovery will also be accelerated through significant public investments, including the EU Recovery and Resilience Facility. The intensified investment effort may consequently result in changes regarding the demand

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<sup>(6)</sup> [Report on Labour Shortages and Surpluses – November 2021](#).

<sup>(7)</sup> [Regulation \(EU\) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services \(EURES\), workers' access to mobility services and the further integration of labour markets, and amending Regulations \(EU\) No 492/2011 and \(EU\) No 1296/2013 \(OJ L 107, 22.4.2016, p. 1\)](#).

<sup>(8)</sup> [Annual Report on Intra-EU Labour Mobility 2021](#).

and supply of the workforce in the European labour market. Those trends will have an impact on the number of mobile citizens and patterns of labour mobility. Thus, labour mobility and the Authority's mission of ensuring its fair and effective functioning will contribute not only to national investments supported by the EU, but also to the objectives of the Recovery and Resilience Facility, in particular the strengthening of resilience; inclusive growth and well-functioning of the internal market; upwards social and economic convergence; supporting the digital and green transitions; high-quality employment creation; and the contribution to the strategic autonomy of the EU.

#### **> Trends in the European labour market affecting cross-border labour mobility**

Beyond and in addition to possible changes brought by the COVID-19 pandemic and recovery of the European labour market, and more specifically in relation to intra-EU cross-border labour mobility, other developments in the area of mobility will be of importance to and will need to be monitored by ELA. For this monitoring, ELA will rely on the expertise and intelligence of its European and national counterparts, EURES and the European Platform Tackling Undeclared Work. EURES and the European Platform Tackling Undeclared Work are now fully established under ELA. Their functions include reporting on labour shortages and surpluses.

One trend that has been repeatedly brought to the attention of the Authority by several European and national counterparts is the growing number of mobile third-country nationals who are in the EU and move from one Member State to another. Third-country nationals in the EU internal market, as a result of their vulnerable status, are more often the subjects of fraudulent practices related to posting of workers, subcontracting, bogus self-employment, letterbox companies, fraudulent temporary work agencies and fraudulent recruitment agencies or undeclared work. Building on the work carried out in 2022, ELA will continue to address the abovementioned practices, including through sectoral approaches in high-risk industries, and it will work towards the objective of increasing the protection of rights of third-country nationals falling under its remit, which will be reflected in the Authority's activities. In doing so, ELA will continue to respect its mandate to help to protect the rights of mobile workers while supporting compliance and cooperation between Member States in the consistent, efficient and effective application and enforcement of EU law. The scope of ELA's activities in relation to third-country nationals will respect the limits of the Authority's mandate. Such activities include intra-EU posting of third-country nationals in the context of the directives on posting of workers, the coordination of social security regulations, the social legislation in road transport and the Authority's work focusing on tackling undeclared work.

#### **> Russian war against Ukraine**

As a result of the Russian aggression against Ukraine, more than 6.7 million people fled Ukraine to the EU between late February and July 2022, most of them children and women. The EU and the Member States have been quick in setting up comprehensive support for people affected by the war, including the activation of the temporary protection directive, which, among other things, grants access to the EU labour market to those eligible. By July 2022, more than 3.8 million displaced persons from Ukraine had registered for temporary protection or similar schemes in Europe. While most displaced persons from Ukraine are hosted by neighbouring countries, a number of them are progressively moving on to other European countries.

ELA joined the broad spectrum of EU bodies actively supporting people fleeing Ukraine early on. In 2022, ELA commenced activities related to awareness raising, including carrying out a targeted information campaign for displaced persons from Ukraine, translating national information material and conducting an exchange of practices and experiences, notably related to undeclared work and labour exploitation. These activities include supporting Member States in organising concerted and joint inspections related to sectors identified as being at risk. In the implementation of its activities related to Ukraine, ELA continues to cooperate closely with other EU-level actors. For example, ELA quickly joined forces with the Directorate-General for Migration and Home Affairs and the Directorate-General for Employment, Social Affairs and Inclusion in summer 2022 to launch the EU talent pool pilot initiative in October 2022. This initiative aims to facilitate the labour market integration of those fleeing the war in Ukraine to the EU. In addition, the European Commission's 10-point plan for stronger European coordination on welcoming people fleeing the war in Ukraine refers to the role of ELA in the section 'A common anti-trafficking plan: preventing human trafficking and helping victims'. Should the crisis continue throughout the period covered by this programming document, ELA will continue its effort either by continuation of the activities already started or by the implementation of new ones, if needed.



# Major developments in the European Union social and employment policy that could influence the European Labour Authority's work in the coming years

## > The implementation of labour mobility legislation

EU legislation pertinent to labour mobility underwent major reforms between 2015 and 2020, including the revised rules on the posting of workers <sup>(9)</sup> and the rules relevant for labour mobility contained in the mobility package for the international road transport sector <sup>(10)</sup>. Thus, the focus on the correct implementation of the reformed rules on labour mobility will continue in line with the European Pillar of Social Rights action plan and the long-term action plan of the Commission for better implementation and enforcement of single market rules <sup>(11)</sup>. The support for better implementation of the labour mobility rules is an indispensable element of the Authority's mandate and thus will be mirrored in all its activities. To this end, ELA will also follow the Commission's projects on a European social security pass (ESSPASS) and regarding the e-declaration on the posting of workers. The reformed rules pertinent to labour mobility also require the European Commission to prepare reports on the implementation of those rules, including on the founding regulation <sup>(12)</sup> of the Authority. According to Article 40(1) of the founding regulation, by 1 August 2024 the Commission shall assess the Authority's performance in relation to its objectives, mandate and tasks. The evaluation shall address the experiences gained from the mediation procedure and the assessment of the need to modify the mandate of the Authority and the scope of its activities, including the financial implications of such modification. The evaluation shall also explore further synergies and streamlining with the agencies in employment and social policy. The Authority will be ready to cooperate with the Commission during the preparation of this assessment.

Implementation reports shall also be prepared by the Commission in relation to the reformed posting of workers rules (by 30 July 2023) and reformed rules of posting in relation to road transport drivers (by 31 December 2025). The Authority will be ready to provide input to those evaluation reports by building on the information and data gained through its activities.

## > Revision of Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 on the coordination of social security systems

The proposal to revise Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 was adopted by the Commission in December 2016 <sup>(13)</sup>. The objective of this initiative is to continue the process of modernising EU law on social security coordination by further facilitating the exercise of citizens' rights while ensuring legal clarity, a fair and equitable distribution of the financial burden among the Member States, and administrative simplicity and enforceability of the rules. Achieving a modernised system of social security coordination that responds to the social and economic reality in the Member States is one of the central drivers for this initiative.

The proposal focuses on four areas of coordination, namely economically inactive citizens' access to social benefits, long-term care benefits, unemployment benefits and family benefits. However, during negotiations,

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<sup>(9)</sup> Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (OJ L 173, 9.7.2018, p. 16).

<sup>(10)</sup> Regulation (EU) 2020/1054 of the European Parliament and of the Council of 15 July 2020 amending Regulation (EC) No 561/2006 as regards minimum requirements on maximum daily and weekly driving times, minimum breaks and daily and weekly rest periods and Regulation (EU) No 165/2014 as regards positioning by means of tachographs (OJ L 249, 31.7.2020, p. 1); and Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012, (OJ L 249, 31.7.2020, p. 49).

<sup>(11)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Long term action plan for better implementation and enforcement of single market rules, COM(2020) 94 final.

<sup>(12)</sup> 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 (OJ L 186, 11.7.2019, p. 21).

<sup>(13)</sup> Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems and regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004 COM(2016) 0815 final.



other aspects – on the determination of the applicable legislation – were proposed by the co-legislators. Despite their efforts, the co-legislators have not yet been able to reach agreement, and the legislative process is ongoing.

### > **European Pillar of Social Rights action plan**

The European Pillar of Social Rights is the EU's social strategy to make sure that the transitions towards climate neutrality and digitalisation and the impact of demographic change, and the recovery from the COVID-19 pandemic, are socially fair and just. To this end, the European Pillar of Social Rights provides a compass to tackle the social and economic challenges of our time. The European Pillar of Social Rights is a shared commitment and responsibility, and it should be implemented at both EU and Member State levels, within their respective competences, with due regard to the role of social partners.

On 4 March 2021, the Commission adopted the European Pillar of Social Rights action plan, containing further initiatives to deliver on the rights and principles enshrined in the pillar, with a view to paving the way to a fair, inclusive and resilient socioeconomic recovery and successfully navigating the transformations brought about by new societal, technological and economic developments. The action plan provides for three headline targets to be achieved by 2030, including the goal to reach an employment rate of 78 % and the aim to reduce the number of people at risk of poverty or social exclusion by at least 15 million. In the Porto Declaration <sup>(14)</sup>, European leaders also emphasised the key role of the European Pillar of Social Rights for inclusive recovery, acknowledging that the action plan provides useful guidance for the implementation of the pillar's principles, and welcomed the headline targets. The Porto Social Commitment <sup>(15)</sup> welcomes the action plan and, inter alia, calls for relevant actors to join efforts to support fair and sustainable competition in the internal market, including through fair labour mobility.

Against this background, the Authority will fully use its mandate to contribute to fair mobility and the EU headline targets, particularly the employment target. The action plan specifically mentions the need to fully implement and enforce the existing labour mobility rules with a specific focus on vulnerable categories of workers. The Authority will contribute to that objective in line with its mandate. It will also contribute to potential future EU-level initiatives that may have an impact on the Authority's work. To this end, the action plan's implementation will underpin ELA's activities particularly in the capacity-building field, in the provision of information on rights and obligations when working abroad or through the support for concerted and joint inspections. These activities contributing to the objective of ensuring fair labour mobility across the EU are outlined in this programming document. The outcomes of the Authority's activities will also be used in the context of new forms of work that are arising from the digital transition and accelerated by the COVID-19 pandemic. The Authority, through its ambition to be a digital agency, will seek to contribute to the exploration and uptake of digital solutions to support seamless mobility and effective enforcement.

The European Commission's 2021–2027 EU strategic framework on health and safety at work <sup>(16)</sup>, which was published on 28 June 2021, will also have an indirect impact on the Authority's activities. Although occupational health and safety is not directly covered by the Authority's mandate, the lessons learnt from the pandemic highlight the need to ensure health and safety requirements are being fulfilled, particularly for vulnerable categories of workers, such as seasonal and posted workers. In this context, the Authority will continue its cooperation with EU-OSHA and use its mandate to report irregularities it detects during concerted and joint inspections to the Commission and Member States concerned, where appropriate.

Likewise, Article 14 of the regulation on the common agricultural policy <sup>(17)</sup> introduces a requirement for Member States to ensure that farmers and other beneficiaries comply with the requirements related to applicable working and employment conditions or employer obligations arising from EU labour law. Given the large numbers of seasonal workers in the agricultural sector, ELA will support Member States and social partners in enforcing these requirements as part of its activities in the relevant sectors.

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<sup>(14)</sup> <https://www.consilium.europa.eu/en/press/press-releases/2021/05/08/the-porto-declaration/>.

<sup>(15)</sup> <https://www.2021portugal.eu/en/porto-social-summit/porto-social-commitment/>.

<sup>(16)</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – EU strategic framework on health and safety at work 2021–2027 – Occupational safety and health in a changing world of work, COM(2021) 323 final.

<sup>(17)</sup> Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP strategic plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1).



## **II. 2023–2025 MULTI-ANNUAL PROGRAMMING**

## II. 2023–2025 multiannual programming

### Introduction

This chapter covers the medium-term planning period of 2023–2025, during which the Authority will complete its period of steady growth and – by the end of 2024 – reach its full operational capacity.

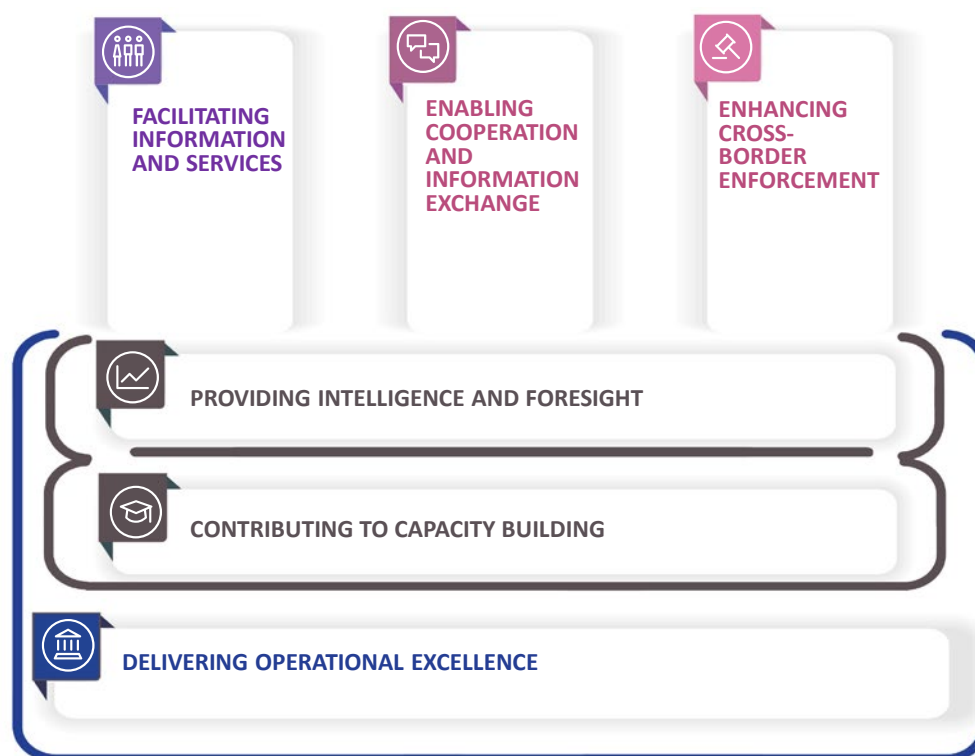
ELA was established to contribute to ensuring fair and effective labour mobility across the EU and to assist Member States and the Commission in the coordination of social security systems in the EU. To that end, ELA shall facilitate access to information on rights and obligations regarding labour mobility across the EU and to relevant services, enhance cooperation between Member States, coordinate and support the cross-border enforcement of relevant EU law, mediate cross-border disputes and support Member States in tackling undeclared work. The Authority also has a significant role to play in facilitating and ensuring effective labour mobility in Europe more broadly, in particular through the activities of EURES.

ELA's priorities for 2023–2025 are shaped around the key challenges in labour mobility across the EU related to posting of workers, free movement of workers, social security coordination, road transport-specific mobility issues and tackling undeclared work.

The multiannual plan is built around the five strategic areas of ELA activities and one horizontal area of ELA's operation. The three strategic areas that represent the core of ELA's mandate and operational nature of its mission are (1) facilitating information and services, (2) enabling cooperation and information exchange and (3) enhancing cross-border enforcement.

Two additional strategic areas of a more horizontal nature have been defined: (4) providing intelligence and foresight and (5) contributing to capacity building. These strategic areas support the delivery of the first three strategic areas and enable effective delivery of ELA's mandate.

Finally, to achieve a high standard of ELA's ongoing operation, one corporate horizontal area has been defined: (6) delivering operational excellence.

**Figure 1: Strategic areas of ELA work**

## Strategic and horizontal objectives

ELA has defined strategic objectives for 2023–2025 based on and structured by the strategic and horizontal areas of work, and has set key performance indicators to measure progress against the objectives.

Under the strategic area ‘Facilitating information and services’, ELA aims to contribute to the improvement of individuals’, employers’ and social partners’ access to relevant information on rights and obligations in the area of labour mobility and to related services, and to facilitate EU-wide job matching and recruitment.

The strategic objective for the area ‘Enabling cooperation and information exchange’ is to facilitate and promote effective and efficient cooperation and information exchange among Member States’ authorities and support their effective compliance with cooperation obligations in all areas of labour mobility.

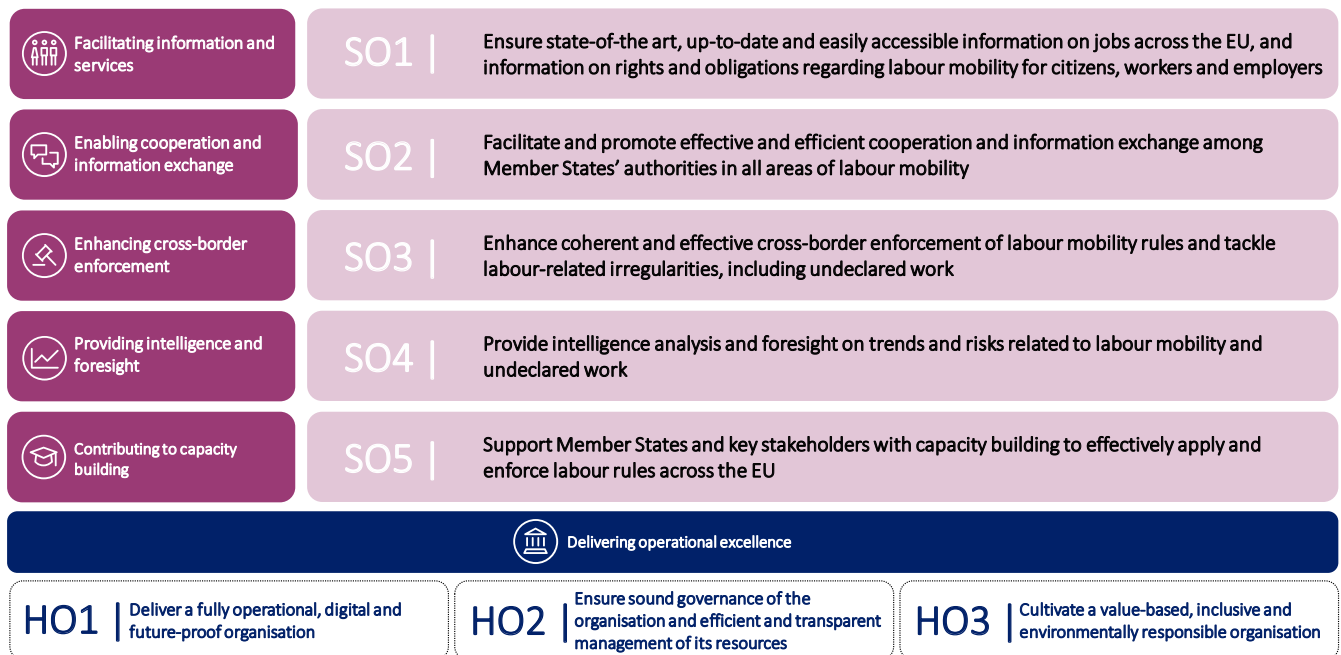
Under the third strategic area of ELA, ‘Enhancing cross-border enforcement’, the aim is to enhance the coherence and effectiveness of cross-border enforcement of EU law in the area of labour mobility, and the effectiveness of tackling undeclared work.

The strategic objective for the area ‘Providing intelligence and foresight’ is to provide intelligence, analysis and foresight on labour mobility and undeclared work-related trends and risks.

Under the last strategic area, ‘Contributing to capacity building’, the aim of ELA is to support Member States and key stakeholders with capacity building regarding the effective application and enforcement of labour rules across the EU.

Finally, ELA has set three corporate objectives under the horizontal area ‘Delivering operational excellence’:

- deliver a fully operational, digital and future-proof organisation;
- ensure sound governance of the organisation and efficient and transparent management of its resources;
- cultivate a value-based, inclusive and environmentally responsible organisation.

**Figure 2. Strategic objectives**

ELA aims to adopt a comprehensive approach to the scope of activities under its competence. Actions and tasks in each strategic area are implemented in a horizontally coordinated manner and cover:

- free movement of workers,
- posting of workers,
- tackling undeclared work,
- social aspects of international road transport,
- coordination of social security systems.

In the following sections, the strategic and horizontal areas of work and the strategic and horizontal objectives are introduced in more depth and complemented by the key performance indicators for 2023–2025 for each area. Lastly, the annexes show the corresponding allocations of human and financial resources.

## Strategic and horizontal areas of work

### Strategic area 1: facilitating information and services

Reliable and holistic high-quality information about rights and obligations in the areas of labour mobility and social security coordination and the facilitated access to relevant services lie at the heart of the Authority's mandate to facilitate fair labour mobility for individuals, workers, employers and social partner organisations. This area of ELA's mandate is covered by Articles 5 and 6 of the founding regulation.

In line with its mandate, ELA shall contribute to the provision of relevant information, help centralise information on matters related to EU labour mobility, raise awareness of labour mobility opportunities and related rights and obligations, and promote a standardised, comprehensive approach to presenting the information across its stakeholders. ELA could also facilitate workers' and employers' searches for further information at national level (e.g. regarding available services at national level or collective agreements), including where to seek individual support and advice.

ELA also supports Member States in their efforts to make relevant information available through efficient and effective ways of communication, and by applying appropriate information channels. The Authority will

collaborate with the social partners to ensure the information provided meets the needs of workers and employers, and that it reaches those concerned.

ELA actively explores and contributes to the development, operation and improvement of digital tools and solutions for information provision and job matching, including the EURES portal and European and national information platforms, including with the involvement and support of national and sectoral social partners.

In order to achieve the strategic objective of contributing to the improvement of individuals', employers' and social partner organisations' access to relevant information on labour mobility and facilitating EU-wide job matching and recruitment, ELA will support national authorities through reviews of available national- and EU-level information, and by organising and carrying out dedicated training sessions, workshops, translations and other related activities.

ELA will continue to provide a permanent forum for the peer review of national websites on labour mobility, including the single national websites on posting of workers, the international road transport sector and social security coordination. It will also continue to facilitate the exchange of information practices between the Member States and the social partners. The Authority will also support the information activities of national administrations and the social partners through the development of methodological and direct support tools. In this context, the Authority will continue developing non-binding templates for information, checklists and joint approaches as part of its aim to assist national administrations when designing and updating their national websites. Furthermore, the Authority will organise hands-on workshops for the exchange of practices and to support the further development of national websites through assistance customised to the needs of individual Member States, integrating a clear user perspective to meet the information needs of both workers and employers.

With the aim of providing targeted information for workers, employers and social partner organisations, ELA will organise awareness-raising campaigns tailored to specific themes in which information gaps have been identified. For the most important topics, the campaigns will be organised in cooperation with the Member States and the relevant social partners. Campaigns will increasingly involve developing information toolkits and material for online and offline communication to be used and flexibly adapted across different sectors.

ELA's direct support to Member States will include translations of campaign and information materials into other languages.

ELA will invest in the improvement of and the creation of synergies with existing EU-level information and services activities and will seek cooperation with relevant EU mobility networks, including Your Europe Advice, the European Enterprise Network and SOLVIT. Moreover, ELA will work together with the Commission and in line with the single digital gateway provisions, where applicable, to further develop existing national services established by EU law in the field of labour mobility, in particular the bodies for the free movement of workers and the national liaison offices on the posting of workers, and to support initiatives by the social partners in this area, including with a view to enhancing their capacity by exploring upscaling, synergies and multiplier effects.

The other set of core strands of ELA activities related to facilitating information and cross-border job matching lies in its role as the EURES European Coordination Office and the development and operation of the EURES portal. These activities include the provision of information on cross-border job opportunities, living and working conditions and labour market information, the facilitation of cross-border matching and recruitment, and the governance of the EURES network. A multitude of different activities are involved here. EURES will form an integral part of ELA in supporting fair labour mobility, including by promoting fair recruitment.

In compliance with the applicable regulation, ELA will assist the EURES network in conducting its activities and to further develop them in line with the results of the Commission's 2016–2020 evaluation report on operation and effects of the EURES regulation <sup>(18)</sup> by ensuring strong integration and coherence with other ELA activities, most notably in the field of facilitating access to information. EURES will continue to actively contribute to information provision through active communication activities such as campaigns targeting jobseekers and employers, and the exploration of improvement potentials of the information provided on the

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<sup>(18)</sup> [EURES regulation evaluation report](#).

EURES portal (labour market information, information on labour shortages and surpluses, information on living and working conditions).

EURES information and communication activities will be conducted in line with ELA's *Communication and Dissemination Plan* <sup>(19)</sup> and will be carried out with a view to improving the matching between (1) jobseekers and their skills and (2) employers (including through European (Online) Job Days), which will involve a sector-specific perspective. Such activities will also enhance the visibility of EURES and exploit synergies with the general ELA information and communication activities and with the EURES cross-border partnerships funded by the European Commission.

ELA will continue ensuring the provision of a common training programme for the staff of the EURES members and partners and of the EURES national coordination offices (NCOs) to continuously improve the quality of services provided. It will adapt this training in line with current labour market trends.

Furthermore, ELA will work on the expansion of the EURES network by supporting Member States in the admission of new members and partners with a view to improving and increasing the services offered to jobseekers and employers, and by supporting the organisation of opportunities for networking between members and partners across EURES countries to exchange experiences of approaches and lessons learnt. In the context of the EURES regulation and Commission Implementing Decision (EU) 2018/170, ELA will explore improvement potentials of the EURES Performance Measurement System (PMS) to build a more reliable and high-quality source of information on EURES results and to allow for cross-analysis of indicators, taking into account the requirements of the data and information collection under the single digital gateway that are further specified in Commission Implementing Regulation (EU) 2020/1121.

In its role as the business owner of the EURES portal, ELA will design and start implementing the 2023–2030 EURES portal strategy in the period covered by this document. That said, the Authority will also continue to analyse user needs and business requirements with a view to further developing the functionalities of the portal and the related ICT services and improving user experience, data quality and the portal's usability, effectiveness and interoperability, including its interoperability with programs with similar features, such as Europass.

The activities of the Authority in the field of information will complement and contribute to the initiative of the single digital gateway – an online single point of access to information, procedures and assistance services for jobseekers, workers and employers who want to become active in another Member State. The Authority will feed into the single digital gateway by providing inputs to the restructuring and upgrading of Your Europe and the EURES portal as the main EU information websites. It will promote the development of these EU websites in an integrated, coherent and user-friendly manner, including all necessary information and access to services for jobseekers, workers, employers and social partner organisations as regards EU labour mobility. At the same time, ELA's activities will contribute to the single digital gateway through its work with the Member States on the relevant national information websites.

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<sup>(19)</sup> *Communication and Dissemination Plan*.



**Table 1. Facilitating information and services**

Key performance indicators	Target by 2025
Number of supported awareness-raising and informational initiatives (e.g. campaigns) as a percentage of the planned initiatives in the annual work programme	95 %
Number of initiatives to support Member States in the provision of information on labour mobility, such as peer reviews or common templates, as a percentage of the planned initiatives included in the annual work programme	95 %
Percentage of translation requests from Member States processed	100 %
Evolution in the number of visitors to the EURES portal	Increase in visits by 5 %; bounce rate of 30–50 %
Number of European Job Days supported by ELA as a percentage of the planned number in the annual work programme	100 %
End-user satisfaction with the accessibility and usefulness of the information provided on the EURES portal	Qualitative outcome

## Strategic area 2: enabling cooperation and information exchange

Under the strategic area ‘Enabling cooperation and information exchange’, ELA aims to facilitate and promote effective and efficient cooperation and exchange of information between Member States’ authorities and to facilitate a solution in the event of a dispute between Member States regarding individual cases of application of EU labour mobility law. The scope of actions covers all areas of labour mobility, including social security coordination and the tackling of undeclared work. This area of ELA’s mandate is covered by Articles 7, 13 and 32 of the ELA regulation and, to some extent, Article 12.

To enable and facilitate efficient administrative cooperation, mutual assistance and timely exchange of information among the Member States’ competent authorities, ELA will assist and support Member States in their efforts to cooperate effectively and efficiently and will intensify its actions in 2023–2025. In this context, the network of national liaison officers (NLOs) will continue to play a key role in supporting cooperation between the Member States on a day-to-day basis and ensuring their effective compliance with cooperation obligations. Cooperation channels through the NLO network have been well established since the completion of the initial start-up phase of ELA, and ELA will consolidate, deepen and extend its efforts to support Member States in their cooperation activities related to EU labour mobility. Furthermore, ELA will continue building on its previous work, aiming to become a trusted partner to which Member States can turn when facing difficulties, in particular by supporting national authorities in following up on requests for information and in the identification of national contact points. Similarly, ELA will continue to provide insights on national law and practices, disseminate good practices and, where relevant, support cross-border enforcement procedures related to penalties and fines. As part of this, ELA will engage the Member States’ authorities and the various stakeholders to help provide a better understanding of ELA’s role in relation to organisations or bodies such as the Administrative Commission for the Coordination of Social Security Systems, Electronic Exchange of Social Security Information (EESSI) or Euro Contrôle Route (in the case of road transport).

In 2023–2025, ELA will focus on facilitating and enhancing the cooperation between national administrations in charge of labour mobility in a range of areas and sectors relevant for labour mobility where key issues have been identified by the Authority. To do so, it will also benefit from the experience and national networks of its NLOs.

Leveraging a strong NLO network will enable ELA to build further strong ties and contacts with the national authorities and other national stakeholders. ELA will focus on enhancing cooperation between NLOs through further improvement of the relevant workflow guidelines dealing with requests for information, assistance or cooperation from Member States and offer simple-to-use and trusted cooperation mechanisms (e.g. digital tools). ELA will further provide conceptual, logistical and technical support to cooperation meetings or projects, including staff exchanges, between two or more Member States on specific topics of interest, also upon the initiative of NLOs. Stronger coordination and consistency of action between the NLOs’ office and other operational tasks of ELA will be ensured.

To maintain its outreach in the Member States, ELA will keep supporting the organisation of events in the Member States, upon the initiative of NLOs, involving competent authorities and national and sectoral social partners from one or more Member States. Such events will continue to vary in scope and will include practical hands-on seminars and awareness-raising, thematic and reflective seminars. The topics of these events may be linked to priority areas (such as ongoing ELA action plans and campaigns), related to cooperation practices and challenges with regard to labour mobility explored in analytical reports (e.g. the report on posted third-country nationals and the report on road transport cooperation challenges) or related to other analysis carried out in the framework of labour mobility analysis and risk assessment. National events will be used to disseminate the findings of such analysis and will serve as a basis for further action at national or multinational level. The Authority will also continue providing measures to enable the NLOs to remain in close contact with their national administration and to stimulate and conduct discussions on issues concerning cross-border labour mobility.

ELA will continue to develop its mutual learning and understanding framework, which was launched in 2022. This aims to facilitate the coherent application of EU law within the scope of the founding regulation. Under this programme, issues in the application of EU labour mobility rules (e.g. posting of workers or specific aspects in transport) will continue to be identified and national authorities brought together to discuss common approaches to resolving these issues, contributing to improving the level of mutual learning, assistance and understanding of EU labour mobility legislation. This may entail the use of demand-driven approaches to supporting cooperation in a smaller setting around specific topics or in regional areas, based on good practices, including with the involvement of relevant social partners.

ELA will support cooperation and mutual assistance of Member States' authorities including through the use of digital tools supporting efficient communication between ELA and Member States' authorities. ELA will keep promoting the use of electronic tools and procedures for message exchange between national authorities, including through the continuation of the IMI-PROVE mutual learning and understanding programme. Launched in 2022, IMI-PROVE seeks to improve the use of the Internal Market Information (IMI) system <sup>(20)</sup>. The use of innovative approaches to effective and efficient cross-border cooperation and enforcement will be encouraged. This will include the promotion of the potential use of electronic exchange mechanisms and databases between Member States to facilitate access to data in real time and detection of fraud, while ensuring full respect of data privacy and fundamental rights. ELA will identify and suggest further improvements in the use of those mechanisms and databases, and ways of avoiding duplication and promoting rationalisation of different electronic tools and procedures. It will report its findings to the Commission.

ELA will keep monitoring the application of EU labour mobility law in various sectors with the aim of identifying existing challenges in the cooperation between Member States, while continuing to analyse the underlying causes and potential solutions. This analysis will be followed up by various capacity-building activities focusing on specific areas of labour mobility and/or target groups.

ELA will continue offering mediation services in cases of cross-border disputes between Member States. In the last programming period, ELA focused on putting the procedures for mediation in place and on the appointment of experts and mediators, whereas the mediation focus of the upcoming period will be fully on the implementation of the mediation procedure. This means that ELA will manage individual cases submitted to it, but it will also actively suggest and bring forward cases for mediation. Alongside that, ELA wants to make full use of the cooperation agreement with SOLVIT and explore the possibility of launching a mediation procedure from the referral of SOLVIT. ELA will continue to support training and knowledge sharing among the mediators and experts of the mediation board. ELA will seek to ensure visibility of the mediation procedure.

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<sup>(20)</sup> <https://www.ela.europa.eu/en/news/european-labour-authority-ela-together-european-commission-launched-imi-prove-programme>.

**Table 2. Enabling cooperation and information exchange**

Key performance indicators	Target by 2025
Proportion of requests for cooperation and exchange for information managed within 1 month with ELA's support	75 %
Number of completed activities or initiatives under the mutual learning and understanding framework as a percentage of the planned ones in the annual work programme	95 %
Proportion of mediation procedures launched in relation to the number of requests received concerning cases for which ELA is competent	80 %
Number of delivered actions to promote the use of EU digital tools and procedures (such as the IMI system, EESSI and ERRU) as a percentage of the actions planned in the annual work programme	95 %
Satisfaction of Member States' authorities and other stakeholders with ELA's activities in cooperation	Qualitative outcome

NB: ERRU, European Register of Road Transport Undertakings.

### Strategic area 3: enhancing cross-border enforcement

The effective and coherent enforcement of labour mobility rules is the fundamental precondition for fulfilling the Authority's mission to help to ensure and strengthen fair labour mobility within the EU. The responsibility for checking compliance with and enforcement of the rules remains in the hands of Member States, with the involvement of social partners in accordance with national law and practice. In that regard, the participation in concerted and joint inspections supported by ELA shall facilitate the work of national enforcement authorities. ELA is here to coordinate and support cross-border enforcement of the rules by providing conceptual, logistical, legal, technical and analytical support to concerted and joint inspections. This area of ELA's mandate is covered by Articles 8 and 9 and partially Article 12 of the ELA regulation.

The scope of cross-border inspections supported by the Authority is primarily focused on labour mobility rules, but, depending on the specificities of each inspection, it may also touch upon compliance with labour law, including applicable collective agreements, health and safety at work legislation and tackling undeclared work. The Authority seeks to build on the experience from concerted and joint inspections carried out so far and will proactively support and encourage Member States in intensifying their cross-border enforcement activities with the ambition of becoming the main EU hub for coordination of this type of action in all areas under its remit, and for enhancing cooperation between all relevant actors in the field. For example, ELA and Europol have established a cooperative relationship through more active participation in the European Multidisciplinary Platform Against Criminal Threats (EMPACT) operational action plans on trafficking in human beings for 2021, 2022 and 2023, with a specific focus on labour exploitation. Europol and ELA, together with the European Border and Coast Guard Agency (Frontex), have undertaken joint efforts in the current situation regarding Ukrainian displaced persons to prevent undeclared work and address the serious threat of becoming victims of labour exploitation. This type of work is expected to continue.

The Authority also aims to increase its proactive approach in proposing inspections, be it by utilising entirely its own analysis and intelligence activities or by following up on the cases submitted by social partners at national level. In that regard, ELA, in close cooperation with relevant stakeholders, will organise and support wide enforcement campaigns or 'weeks of action' helping national authorities to tackle cross-border irregularities in specific sectors or fields in a coordinated and multidimensional manner. The recognition and further leveraging of the network of NLOs remain crucial for increasing the coverage of cross-border inspections and their successful implementation. In facilitating its proactive approach to inspections, the Authority will continue deepening its cooperation with other EU agencies, national and sectoral partners and organisations, and other stakeholders. In addition, the Authority will provide capacity-building activities for national enforcement authorities and other relevant stakeholders, with the purpose of enhancing implementation of labour mobility rules.

To enhance the coherence and effectiveness of cross-border enforcement of EU law in labour mobility and to tackle abuses, ELA will take a number of actions during 2023–2025.

In 2022, the number of concerted and joint inspections and the participation of the Member States increased compared with 2021, putting ELA on track to fulfil the ambition of supporting at least one inspection with the participation of each Member State. While the participation of the Member States is voluntary and subject to applicable national legislation, ELA will continue to use its capacity and outreach to further encourage Member States to use this tool more frequently. To that end, ELA will continue to make the most of its network of NLOs to promote, facilitate and support the participation of the Member States in an increased number of concerted and joint inspections.

The experience gained so far will feed into calibrating the inspection tools and procedures developed by making the support provided by ELA more tailored to the needs of the Member States. Beyond the improvements based on lessons learnt, ELA will continue in its exploration of possible digital tools to be implemented to make information exchange between Member States more efficient, quicker, more secure and data protection compliant. ELA will also introduce an inspections registry to have a clear overview of the inspections supported so far and to enhance its reporting capabilities.

The Authority also intends to increase its own analytical capacity to encourage a proactive approach to concerted and joint inspections and to enable focusing on specific risk-pertinent sectors, including, where relevant, through sectoral strategies elaborated with the close involvement of relevant stakeholders, including sectoral social partners. ELA will closely follow the cases submitted by social partners for the attention of ELA while making full use of its social partners liaison function as a privileged communication channel with national social partners. In close cooperation with NLOs, the Authority will look at the most appropriate follow-up measures for these cases, including the possibility of proposing that Member States carry out concerted and/or joint inspections.

The appropriate training and increasing specialisation of labour inspectors remains crucial for effective and comprehensive application and enforcement of EU labour mobility rules in general, and particularly for carrying out concerted and joint inspections to tackle complicated irregularities of a cross-border nature, including, for example, fraudulent postings, bogus self-employment, abusive subcontracting and use of letterbox companies and temporary agencies. Furthermore, having national inspectors with relevant training and experience in cross-border activities and knowledge of ELA's tools at their full disposal would enable national authorities to be well prepared to participate in concerted and joint inspections organised by the Authority. To that end, national enforcers will continue to benefit from the capacity-building activities of the Authority.

In addition, the Authority plans to support the Member States' capacity to participate in cross-border inspections by identifying a pool of labour / social security inspectors, nominated by interested Member States, who would regularly engage in cross-border inspections. The inspectors identified by the Member States' authorities will be provided with specialised tailor-made training on cross-border enforcement activities and ELA's tools. This will equip them with a thorough knowledge of national and EU enforcement landscapes related to labour mobility, including ELA's support for concerted and joint inspections. Beyond the national enforcement authorities, the Authority will aim to also provide the capacity-building activities to other stakeholders relevant for enforcement activities.

The growing number of inspections supported by ELA also entails the need for an effective follow-up to cross-border inspections, involving social partner organisations where relevant and in line with national law and practice. This follow-up includes reporting detected irregularities formally falling outside ELA's mandate to other competent authorities at national level and/or EU level and, if necessary, cooperating with them on those matters. Information gathered during inspections, including on detected irregularities, will enable ELA to have a clearer overview of the critical sectors or elements of the labour mobility landscape.

This will allow ELA to better target its activities under the other strategic areas of its mandate. The more frequent occurrence of non-compliance with the rules may lead to reinforced activities in the area of information or cooperation. The outcomes of the inspections may also indicate the need to target analytical or capacity-building activities to specific sectors or elements of labour mobility. ELA will thus aim to use relevant information gathered during inspections to better design its own actions, thereby ensuring the support provided to Member States is based on solid operational conclusions.

Furthermore, the Authority is mandated with the facilitation of cooperation between Member States in tackling undeclared work, covering both the national and the cross-border dimensions.

The European Platform Tackling Undeclared Work will continue contributing to fair labour mobility, while retaining the activities targeting the national dimension of undeclared work. Through its holistic approach, the platform will aim to create network effects by ensuring that all relevant national authorities and actors are properly involved when it comes to tackling undeclared work. ELA will focus on the further integration of the platform with the other operational tasks of ELA, continuing to prioritise the exploitation of the potential of the platform for other enforcement and analytical activities of the Authority.

In addition, the Authority will further strengthen the development and dissemination of expertise on tackling undeclared work by focusing on facilitating exchanges of good practices, training activities, peer reviews, benchmarking exercises and information campaigns, where necessary considering sectoral specificities and specific target groups.

**Table 3. Enhancing cross-border enforcement**

Key performance indicators	Target by 2025
Share of Member States participating in concerted and joint inspections	85 %
Number of inspections supported by ELA as a percentage of the number of requests/proposals received from Member States and social partner organisations	95 %
Satisfaction of Member States' competent authorities and other stakeholders with ELA's support for concerted and joint inspections, including analytical support	Qualitative outcome

## Strategic area 4: providing intelligence and foresight

Information, intelligence, analysis and foresight on labour mobility-relevant trends and risks is a horizontal area of ELA's work and supports its core mandate in the fields of enforcement, cooperation and information. This area of ELA's mandate is covered by Article 10, and indirectly touches on Articles 5–8 and 12, of the ELA regulation.

The foundation of ELA's analytical and risk assessment capacity is built on its mandate to collect statistical data compiled and provided by Member States to provide information and key insights on labour mobility issues, be it through EURES, through external sources or through its operational activities, such as in the context of day-to-day cooperation with competent authorities and social partner organisations, or concerted and joint inspections. Solid and robust information and data are crucial preconditions for producing useful analyses and risk assessments at both operational and strategic levels. Building on its analytical capacity, the Authority will also provide insight into future developments in labour mobility.

ELA will provide intelligence and foresight related to labour mobility issues falling under its mandate by carrying out both operational and strategic risk assessments and analyses on cases, trends and emerging issues in this area, in cooperation with Member States and, where appropriate, social partners. The objective is to identify strategies or concrete solutions to contribute to fair labour mobility across the EU and improve knowledge and understanding of undeclared work. Thereby, ELA aims to contribute to labour mobility analysis developed at national level by adding the European perspective and will invest in further building its analytical capacities to enhance its intelligence and foresight activities, including streamlining data collection and improving data comparability and compatibility.

In 2023–2025, the Authority will continue to strengthen its analytical and risk assessment capability. ELA intends to further leverage the information and data sources at its disposal (e.g. by leveraging cooperation with Eurofound or Eurostat, where relevant) while also looking at other available sources of information, streamlining data collection and avoiding creating an unnecessary burden for Member States. To that end, the Authority will use the information and data acquired through its own activities: concrete operational activities, such as concerted and joint inspections, EURES or day-to-day information exchange with the Member States, social partners or other relevant stakeholders.

Moreover, the Authority will rely on external sources of information, including those publicly available or those acquired based on contacts with relevant stakeholders, including other EU institutions, agencies and bodies. In this context, Eurofound's labour market analysis and insights from monitoring of trends in living and working



conditions could be of relevance. The Authority will incorporate the need for efficient collection and processing of data in the development of its ICT systems.

The Authority intends to develop the operational and strategic dimensions of its analytical activities. The operational analysis will feed from and into the concrete operational activities of the Authority, such as cooperation or information exchange between the Member States, or within the framework of concerted and joint inspections. In this context, ELA also collaborates with Member States, the European Commission, social partners and other law enforcement bodies to identify cases that could benefit from cross-border cooperation and ELA's operational engagement.

Beyond the operational perspective, the Authority has the ambition of developing more strategic analytical insights into labour mobility, such as insights regarding trends, sectors, recurring problems and risks, categories of workers or forms of labour mobility, with the aims of identifying emerging issues and good practices / strategies to ensure fair labour mobility and of preparing and supporting ELA's operational activities.

A similar approach will also be used in tackling undeclared work. ELA will work on improving knowledge about undeclared work, including its causes, regional differences and cross-border aspects, by means of shared definitions and common concepts, evidence-based measurement tools and promotion of comparative analysis, and by developing mutual understanding of different systems and practices to tackle undeclared work and analysing the effectiveness of policy measures, including preventive measures and penalties.

The outcomes of analyses and risk assessments related to current relevant information and data will be utilised by the Authority to provide foresight in relation to future trends and developments in the area of labour mobility. The Authority will develop future scenarios about labour mobility going beyond the horizon of current developments, which not only will be a useful input to the Authority's planning and calibration of its activities but also may be used by EU and Member States' policy actors to adequately react to outlined challenges.

**Table 4. Providing intelligence and foresight**

Key performance indicators	Target by 2025
Coverage of key topics through analytical activities, intelligence and foresight as depicted and planned in the annual work programme	Reports on key topics relevant for ELA and its stakeholders
Developing and implementing ELA's strategy to increase competence in analysis, intelligence and foresight	Strategy agreed; implementation plan prepared and monitored
Satisfaction of Member States' authorities and other stakeholders with ELA's activities in the area of providing intelligence and foresight	Qualitative outcome

## Strategic area 5: contributing to capacity building

Contributing to capacity building is one of the two strategic areas that have a horizontal approach and complement the work of the three operational strategic areas of the Authority. It therefore covers all tasks under ELA's mandate and the full scope of activities of the Authority. This area of ELA's mandate is covered by Articles 11 and 12 of the ELA regulation.

In order to promote a common and consistent approach in the application and enforcement of EU labour mobility law, ELA will continue offering its capacity-building support to Member States and other stakeholders, such as the social partners. ELA's capacity-building activities should support competent national authorities in organising cooperation more effectively across borders and implementing EU labour mobility law more effectively. Moreover, it should support Member States in tackling undeclared work.

In this regard, ELA will act as a facilitator and promote cooperation with other institutions at international, European and national levels to create synergies and multiply resources available for capacity-building activities. ELA will cooperate with Member States and, where applicable, European, national and sectoral social partners, to foster the necessary capacities at national level that support fair EU labour mobility. Cooperation

with the EURES network, the role of the European Platform Tackling Undeclared Work and other activities of ELA will also be vital components of carrying out this task. Special attention will be given to strengthening the administrative capacity of national authorities in the field of labour mobility and social security coordination.

In 2023–2025, ELA will build on experience from the first year of the implementation of its multiannual capacity-building strategy and will continue to roll out its capacity-building activities across all its operational areas. ELA will design and deliver various capacity-building activities focusing on specific areas where ELA can complement and fill capacity gaps, such as the training of labour inspectors on cross-border enforcement. This shall ensure that Member States' national administrative capacities are adequate and that they possess the specialised knowledge required to deal effectively with cross-border cases. Furthermore, ELA will start its work on the development of an online learning platform, which is expected to encompass capacity-building activities and their outputs. This will promote capacity building and facilitate better cooperation and exchange of information among all of ELA's stakeholders, including in setting up the communities of practice. ELA will also focus on online learning methods such as e-learning modules and self-paced tools. It will also elaborate on innovative learning solutions such as live simulation exercises based on real situations. To complement the work already being carried out at national level, ELA will continue nurturing its strong cooperation and synergies with national training centres, by designing and implementing joint capacity-building activities, including training needs analysis, targeting national labour enforcement authorities.

ELA will continue collecting national good practices to cover all areas of EU labour mobility. It will also continue collecting various tools, policies and other instruments relevant for tackling undeclared work. It will aim to promote these practices across all Member States, ensuring the highest standards in terms of fundamental labour rights in the context of inspections and enforcement activities. Furthermore, ELA will develop a single database for all good practices to improve searching options and user-friendliness.

Building on the work of the European Platform Tackling Undeclared Work, its strong commitment and ownership, and a culture of trust between all members and observers, ELA will continue to support the mutual learning activities with the purpose of sharing knowledge and experiences of preventing and deterring undeclared work in its various forms and falsely declared work associated with it, including bogus self-employment. To do so, it will organise seminars, thematic review workshops, webinars, peer-learning dialogues and other activities. The social partners' contributions, in particular their sector-specific knowledge and feedback from the implementation of the rules on the ground will continue to play a significant role. Given the nature of undeclared work (and despite ELA's focus on cross-border aspects), the mutual learning activities in this area will have more emphasis on the national dimension, including on enhancing cooperation between key authorities in Member States (e.g. enforcement authorities in the fields of labour law, tax and social security, and social partners at national and sectoral levels).

**Table 5. Contributing to capacity building**

Key performance indicators	Target by 2025
Number of completed capacity-building activities as a percentage of the number planned in the annual work programme	95 %
Participation rate of Member States and other stakeholders in ELA's capacity-building activities	90 %
Satisfaction of Member States and other stakeholders with capacity-building activities provided by ELA (e.g. relevance and added value of the capacity building for their work)	Qualitative outcome

## Horizontal area: delivering operational excellence

In 2023–2025, ELA will become fully operational and will concentrate on fully delivering on its mandate.

Under the horizontal objective to deliver a fully operational, digital and future-proof organisation (horizontal objective (HO) 1), the Authority will further build its capabilities and expertise to provide its stakeholders with high-quality services. ELA will continue building a modern and digital organisation, aiming also to contribute to and facilitate the digital transformation efforts of its external stakeholders by, in the first phase, enabling

knowledge sharing at a technical level. The Authority will continue its communication efforts with respect to raising awareness of its mission and increasing the visibility of its activities. The following three areas are covered under HO1:

- communication and outreach activities,
- organisational strategy, governance framework, policies and standards,
- digitalisation initiatives.

## **Communication and outreach activities**

ELA's communication objectives for the period are to:

- increase and improve access to information – primarily through an improved website and collaboration with multipliers;
- build relationships with stakeholders and identified target groups;
- improve the visibility of ELA and its work among other EU bodies and agencies, networkers, relevant national institutions, social partners, individuals, workers and employers.

To this end, ELA will continuously improve its website, consolidate its presence on existing social media channels, reinforce cooperation with contact points in national authorities that can work as multipliers and organise and coordinate at least one EU-wide campaign per year.

In 2023–2025, ELA will update its communication and dissemination plan (valid until 2023) based on the performance of communication activities carried out until 2023. It will also assess new types of content and/or channels to be developed.

## **Organisational strategy, governance framework, policies and standards**

ELA's objective in this area will be to be governed and managed efficiently, coherently and effectively. This will ensure planning of activities in an appropriate and timely manner and effective allocation of resources, coordination of horizontal aspects of operational activities, information and cooperation workflows within the Authority, assessment and management of risks, communication and stakeholder engagement. ELA aims to establish policies, standards, effective internal processes and practices that will not only facilitate the operational functioning of the organisation, but also ensure it delivers in accordance with the Authority's mandate.

The experience of the COVID-19 crisis highlighted the necessity of having a contingency plan in case of emergency situations to ensure ELA's business continuity and to react adequately to the emerging needs of Member States, workers and employers. During 2023, the Authority will follow up on the development of the business continuity and contingency plan to allow a redirection of necessary operational resources for emergency response. This plan will consider the Commission's and Member States' roles and actions already in place. The Authority will also revise the work on the contingency plan to ensure business continuity of the Management Board and other governing structures in emergency situations.

## **Digitalisation initiatives, both internally and externally**

ELA will conduct studies to take a decision on the design and evolution of the internal information systems supporting ELA's activities in line with its mandate and tasks in full respect of data protection and confidentiality rules. The design and implementation of the internal information system shall prepare ELA to face business challenges utilising best-in-class information and communication technologies aligned with budget and staff constraints and stakeholder's interests, both internal and external.

ELA will strive to deliver a business- and ICT-aligned strategy that allows the Authority's information system to support its activities as per its mandate. This strategy shall entail the use of available best practices, enabling



ELA to be a driving force when it comes to maximising the use of data related to labour mobility and its internal processes, while facilitating the sharing of information with internal and external stakeholders.

Under the objective to ensure sound governance of the organisation and efficient and transparent management of its resources (HO2), ELA aims to achieve operational excellence in all its activities, ensuring close alignment with the Authority's mandate and effective internal collaborative structure. The Authority applies the principles of sound financial management, effectiveness in performance and transparency with respect to its budget implementation. To achieve cost efficiencies and stronger synergies, ELA will continue cooperating with other EU agencies and institutions and will seek opportunities to expand such cooperation. Moreover, ELA will build upon and strengthen its relations with other key stakeholders, including social partner organisations. The following three areas are covered under HO2:

- planning, monitoring and reporting,
- internal policies and control mechanisms,
- external relations.

### **Effective planning, monitoring and reporting mechanisms**

ELA will aim to further improve the efficiency and effectiveness of its planning, monitoring and reporting processes, thus ensuring transparent, efficient and sound financial management. This will include the constant improvement of the Authority's internal processes and procedures, which will facilitate decision-making and knowledge sharing and collaboration with the Commission, the ELA Management Board and the ELA Stakeholder Group. The Authority will elaborate and implement a performance management framework, thus closely monitoring the key performance indicators and ensuring the provision of detailed and timely information to its stakeholders.

### **Policies and control mechanisms to ensure compliance with the regulatory framework**

EELA's objective in this area will be to continue operating in full compliance with the legal framework set out in its founding regulation and other applicable regulations. Internal workflows and standard procedures will be further developed, and policies will be defined, to clarify applicable procedures, responsibilities and actors. Such policies will support the managerial oversight of the Authority's decision-making process, ensure an appropriate information flow and enhance control structures and compliance with the regulatory framework of the Authority. The focus for the development of such workflows and procedures will result from the outcome of internal risk assessment and identified areas of potential internal control deficiencies and from the first audit findings and recommendations from the Internal Audit Service and the European Court of Auditors.

The internal control function will support the process by ensuring that an appropriate internal control system is in place to deliver on risk management, sound financial management, fraud prevention and compliance. ELA will aim to follow the state-of-the-art developments in all policy areas of its operation and in policies and strategies, including contingency planning.

### **Cooperation agreements with relevant European Union agencies and working arrangements with third countries and international organisations**

In order to ensure greater alignment and creation of synergies, ELA will continue its cooperation with other EU agencies, further exploring the possibilities for joint activities with those with whom cooperation agreements have already been signed (e.g. Eurofound). It will also continue looking for opportunities for liaison with other EU bodies whenever relevant (e.g. EU-OSHA, Cedefop, Europol and others).

Moreover, the Authority will seek to intensify its cooperation with relevant EU and international institutions and bodies and its involvement in EU initiatives, exploring the full potential of the planned new liaison office in Brussels.

In order to cultivate a value-based, inclusive and environmentally responsible organisation (HO3), ELA aims to position itself as an ‘employer of choice’, committed to its values and the highest ethical standards when implementing its activities and creating an inclusive, environmentally responsible and value-based culture for its employees. ELA will support staff commitment to integrity and ethical values through various initiatives. It will continue fostering an inclusive culture and will consider diversity and equality principles in its operational and horizontal activities.

The following two areas are covered under HO3:

- environmental and sustainability policies,
- human resources (HR) management.

## **Environmental and sustainability policies and initiatives**

ELA will consider the environmental and climate impact of its decisions across all sectors, taking due assessment of the impact on the environment when considering missions, power consumption, waste products and the materials used.

Furthermore, the building of ELA’s headquarters in Slovakia (Landererova 12), to which it moved in 2021, has received the Leadership in Energy and Environmental Design (LEED) gold certificate. Landererova 12 is a latest-generation office building completed in 2018. It fulfils the European Commission’s rigorous criteria for technical design, quality and ecology (see Annex VI for more information).

## **Recruitment and human resources policy based on equal treatment**

Attracting, selecting, training, developing and retaining the right staff is essential, especially when growing at a rapid pace. ELA will continue to grow, reaching its full capacity, with a total of 144 staff members, by 2024 (all categories combined). Recruitment will therefore continue to be an important activity in 2023 and beyond, and will be based on the principles of equal treatment and open and transparent selection procedures, in compliance with the legal framework. The aim is to achieve diversity (e.g. gender and geographical balance) and inclusiveness, which extends to people with disabilities. Onboarding – the integration of the many newcomers following periods of recruitment and team-building activities – will continue so as to ensure smooth operational functioning of the Authority.

At the same time, the consolidation and growth of the organisation will require further development of the HR services, for example learning and development activities for staff, talent management, aiming to integrate newly recruited colleagues and supporting the professional development of the existing ones, so as to ensure that ELA has the know-how and capacity to effectively and efficiently deliver on its mandate. ELA will further develop and implement various HR policies, processes, tools and procedures (performance appraisal, reclassification, SYSPER, etc.) and further ensure the effective adoption and implementation of HR rules and regulations in line with the Authority’s mission and objectives and the staff regulations (SRs). HR activities will also continue in organisational development and well-being, for example cultivating and promoting ELA’s values and work culture. This will also contribute to the adaptation of the organisation to the post-COVID-19 environment and will seek to continue building an attractive workplace by maintaining and strengthening excellent working conditions.

**Table 6. Delivering operational excellence**

Key performance indicators	Target by 2025
Evolution in the number of visitors to the ELA website and activities on social media	Increase in visits by 5 %; bounce rate of 50–70 %
Adoption of an ELA digital strategy and implementation plan	Strategy agreed; implementation plan prepared and monitored
Turnover rate	Under 10 %
Staff satisfaction with ELA as an employer	Qualitative outcome
Stakeholder perception regarding cooperation with ELA	Qualitative outcome
Number of 'critical', 'significant' or 'very important' findings of external and internal audit bodies	Fewer than three
Efficient budget management including achieving the set commitments rate and payments rate	95 % commitment rate, 90 % payment rate, 90 % of payments on time

## Human and financial resources: outlook for 2023–2025

### Overview of the past and current situation

During the consolidation of the Authority, its human and financial resources have been growing towards its full capacity, as shown in Table 7.

**Table 7. Overview of existing and projected human and financial resources**

	2022	2023	2024	2025
<b>Staff</b>	132	144	144	144
<b>Budget (EUR)</b>	34 689 842	39 568 000	49 534 000	50 525 000

ELA reached financial autonomy in the first half of 2021 and prepared its first single programming document (SPD) for 2022–2024. This second SPD considers the growth of the Authority in 2023–2025, including when it reaches full operational capacity in 2024. As indicated in Annexes III–V, the evolution of staff numbers and the budget reflects the growth of the Authority and its capacity to deliver on all the tasks assigned to it.

The full ELA staff is planned to be recruited by the end of 2023, and various HR activities and procedures, in particular for appraisal of performance and reclassification, will be implemented. Tables presented in Annexes IV and V cover the gender and geographical balance of staff.

## Outlook for 2023–2025

During 2023–2025, the Authority will begin a dynamic, complex and gradual course of growth and consolidation, having reached the end of its start-up period. It will start to mature in terms of human and financial resources. The Authority has been entrusted to deliver on several areas of operation. After reaching its full operational capacity in 2024, the Authority will be fully equipped to deliver on all the tasks assigned to it.

The Authority will continue to implement the gradual development of its operations, especially in the field of labour mobility analyses and risk assessment, capacity building and mediation. Other operational tasks will continue to grow, as can be expected to be the case for ELA's two core activities of facilitating access to information and services regarding labour mobility to individuals and employers and supporting and coordinating joint and concerted inspections.

Both the roll-out and the growth of tasks will be reflected by an increase in budget and staff.

## Resource programming for 2023–2025

The Authority's financial resources will continue to grow until 2025, but its full HR capacity will be reached by the end of 2023.

In 2023, the Authority will reach 144 full-time equivalents (FTEs) (69 temporary agents (TAs), 15 contract agents (CAs) and 60 seconded national experts (SNEs) (including NLOs)) and continue with this number of staff members in 2024–2025. Due to the temporary nature of the SNE positions, a substantial number of staff will need to be recruited to replace SNEs returning to their national authorities. This will bring specific challenges related to knowledge management.

Annex II provides more details regarding human and financial resources allocation. Furthermore, more details are provided in Annexes III (for the budget forecast) and IV (for the HR forecast).

## Strategy for achieving efficiency gains

The Authority will continue consolidating its operations, streamlining and simplifying processes, aiming for efficiency and effectiveness gains, optimising the engagement of its staff and ensuring optimal compliance with sound financial management, regularity and legality.

The Authority will continue implementing the functionalities of the document management system ARES and SYSPER for some HR processes, e-procurement, etc., to improve the efficiency of systems and achieve paperless workflows. The Authority will continue to cooperate with the European Commission and other EU agencies on shared operational projects and services. This includes sharing services, for example having a shared accountant. ELA has signed a service-level agreement whereby Eurofound<sup>(21)</sup> makes its accountant available to ELA at a daily rate in accordance with a detailed plan annexed to the service-level agreement. This arrangement is subject to regular revision and is renewable on a yearly basis.

The Authority will continue using digital tools to streamline its work processes and workflows, building on its experience, such as collaboration and automation solutions based on the Microsoft 365 platform or e-learning tools.

## Negative priorities / decrease in existing tasks

For the period covered by this SPD, the Authority will be in a growth and full-capacity phase, so no decrease in existing tasks is predicted (except for those specific to the start-up phase).

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<sup>(21)</sup> On 29 June 2020, the Management Board of the Authority officially appointed Eurofound's accountant as ELA's accounting officer (Management Board Decision No 10/2020 of 29 June 2020).

## **III. 2023 ANNUAL WORK PROGRAMME**

## III. 2023 annual work programme

ELA's annual work programme details the work to be carried out in 2023. It is organised into 10 operational and 6 horizontal activities. Actions, deliverables and other outputs under each activity are defined in order to progress towards achieving the multiannual objectives set out in Part II of this document. Individual activities contribute to one or more strategic areas of ELA work presented in Part II and provide transparency to stakeholders.

Each operational and horizontal activity included in the 2023 work programme and its objective is described in the relevant section, supplemented with a table presenting the expected outputs and timeline of delivery.

The allocation of the financial and HR for each activity is presented in more detail in Annex II.

### Operational activities

#### Activity 1: information and services

Under the information and services activity, ELA aims to facilitate access to information on labour mobility for individuals, workers, employers and social partner organisations, and to relevant services in order to improve the availability, quality and accessibility of information on rights and obligations related to cross-border labour mobility. ELA's activities in this field are supported by the Working Group on Information. In 2023, ELA will focus on information and services activities related to the posting of workers (in different sectors), the freedom of movement of workers (in different sectors) and road-transport-specific provisions under the ELA mandate. Furthermore, it will continue its cooperation with the Your Europe portal team and other EU-level information and services providers and national networks and information sources and services.

In the field of **posting of workers**, ELA will continue to offer its assistance in further improving national websites and information material through peer reviews and workshops with Member States at their request. A new focus will be devoted to posting of workers in the construction sector by identifying and exchanging 'good practices' in national information approaches and aggregating national sectoral information into an easy-to-access and user-friendly web hub. Furthermore, an information and awareness-raising campaign in pressing issues in the construction sector (e.g. posting of workers) will be designed and implemented in close cooperation with national- and EU-level stakeholders.

As regards **free movement of workers**, ELA will continue its activities related to seasonal work. The campaign material on seasonal work will be reviewed and, if needed, updated and made accessible to national stakeholders for their further use. ELA will also leverage this material in additional campaign activities (see more details under Activity 13 below). ELA will also further enhance its role to provide a forum for exchange for national stakeholders on promising practices and challenges related to information provision to seasonal workers and employers by continuing its efforts to establish a community of practice (see Activity 8 below) and exploring the availability and characteristics of existing national exchange forums. As a new feature, ELA will work on the emerging phenomenon of 'virtual labour mobility' (such as cross-border telework, hybrid working, remote working and online platform work) by identifying the related information needs of workers, employers and institutions, and conceptualising a centralised web hub that makes available the required information in an easy-to-access and user-friendly way. Information on these forms of work available from Eurofound, EU-OSHA or Cedefop will be considered and synergies between the agencies as regards data collection in these areas will be explored. An objective of the new activities is to start engaging with future-oriented topics regarding a changing world of work that affect labour mobility, and to be prepared to collect and provide information in anticipation of an increasing need for such information in due course.

In its information activities on road **transport**, ELA will continue its efforts to further improve workers' and employers' information through the improvement of national- and EU-level websites, through the aggregation of relevant information into the planned web hub and through local information events in selected Member States. This will also be supported by continued interaction with drivers and operators to collect their information needs. The material developed as part of the 2022 information and awareness-raising campaign 'road to fair

transport' will be made accessible to national stakeholders for their further use. ELA will also leverage this material in additional campaign activities (see more details under Activity 13 below).

The thematic orientation on posting of workers, freedom of movement of workers and road transport aims to align ELA's information activities with other ELA activities and to provide holistic solutions to the challenges workers and employers encounter.

From a **horizontal perspective**, ELA will continue its cooperation with EU-level information and services providers, notably the Your Europe portal and the single digital gateway team, with the aim of producing a clear roadmap for the joint improvement of web information at EU level and enhancing the cooperation. ELA will finalise the analysis started in 2022 on national-level stakeholders' awareness of the available information and services and perceived improvement potential. Furthermore, ELA will offer support to national-level information and services providers, such as bodies promoting equal treatment and supporting workers in the EU and their family members ('free movement bodies'), for example by organising a forum for exchange and mutual learning or exploring other forms of capacity building through a detailed training needs analysis if deemed useful by the free movement bodies and the Commission (see under Activity 8 below).

ELA will also continue offering its Translation Facility for Information to support Member States' information activities in a multitude of EU and third-country languages and work on ensuring and improving the quality of translations, for example through continuing the terminology project started in 2022.

Through the continuation of activities started in 2021 or 2022, ELA is seeking to build upon experiences and lessons learnt in its initial years of operation, to further professionalise its tools and further improve its service provision. At the same time, the start of new activities aims to broaden ELA's 'toolbox' in information and services, through a diversified service portfolio satisfying heterogeneous needs. In this context, with the various activities related to designing and piloting a centralised web hub, ELA's objective is to start establishing, in a modular way, a single portal for accessing information sources and services as mentioned in the founding regulation (Article 5(a)). The outcome of the feasibility study (on innovative information tools) initiated in 2022 could be used for this purpose.

Actions and outputs under this activity contribute to strategic objective (SO) 1.

**Table 8. Activity 1 actions, outputs and timeline**

Action/project	Output	Timeline
<b>Posting of workers</b>		
Further improvement of national posting websites through website reviews and workshops	Peer-reviewed reports	Continuous
	Workshop reports	Continuous
Information provision on posting in the construction sector	Aggregated information on posting in construction ('web hub')	Q4 2023
	Information and awareness-raising campaign in the construction sector (scope and key messages)	Q3–Q4 2023
	Exchange forum for national liaison offices on posting	Q3–Q4 2023
<b>Free movement of workers</b>		
Exchange forum on information related to seasonal work	Analysis of availability and characteristics of national exchange forums	Q1–Q2 2023
Promoting awareness raising on seasonal work	Providing and promoting awareness-raising material and communication products to interested stakeholders	Continuous
Online web hub on 'virtual free movement of workers'	Identification of information needs	Q1–Q3 2023
	Conceptualisation of a web hub	Q3–Q4 2023
<b>Road transport</b>		
Further improvement of national posting websites through website reviews and workshops	Peer-reviewed reports	Continuous
	Workshop reports	Continuous
Local information roadshow on road transport	Local workshops	Continuous
Promoting awareness raising on road transport	Providing and promoting awareness-raising material and communication products to interested stakeholders	Q1 2023
Information provision on posting in road transport	Aggregated information on posting in road transport	Q4 2023
	Collection of Q&A from drivers and operators	Continuous
<b>Horizontal information and services activities</b>		
Cooperation with EU-level information and services providers	Analysis of awareness of and perceived information needs from national stakeholders related to EU-level information and services	Q1–Q2 2023
	Further improvement of EU information and services websites	Continuous
	Further improvement of networking	Continuous
Support to national-level information and services providers' networks	Exchange and mutual learning events	Q2–Q3 2023
	Assistance to developing national websites	Continuous
Translation Facility for Information	Translation of information material for Member States	Continuous
	Terminology glossary	Continuous

NB: Activities related to capacity building in this area are listed in Activity 8.

## Activity 2: EURES

ELA is responsible for managing the EURES European Coordination Office and is the business owner of the EURES portal. The Authority will continue to coordinate the EURES network of NCOs, EURES advisers and staff and new members and partners, and to maintain and further develop the functionalities of the portal for the external (jobseekers and employers) and internal (EURES network) users. ELA aims not only to maintain



the functionalities of the EURES portal, but also to further improve them, to ensure a modern and user-friendly technical solution.

As regards the **EURES network governance**, ELA will continue supporting the EURES Coordination Group and supporting EURES NCOs in their annual planning activities, in compiling the information required for the annual activity report and in collecting the information for the PMS. Building on activities started in 2021, ELA will conduct activities further supporting NCOs in their efforts to extend the network, for example by facilitating national outreach strategies or organising a workshop in which NCOs can exchange experiences, challenges and solutions related to attracting new members and partners. ELA will continue supporting NCOs' job matching and recruitment support work by offering them the option of organising European (Online) Job Days. To support this, ELA will maintain the online platform for this purpose and facilitate the planning and implementation of the events.

ELA will also continue its activities related to data protection and data processing for EURES and will further enhance its stakeholder relationship management by regularly exchanging with the EURES NCOs, EU-level social partners, the Secretariat of the PES Network, the Directorate-General for Employment, Social Affairs and Inclusion's Europass team, the Directorate-General for Communication and other relevant stakeholders. To further expand its stakeholder relationships, ELA will explore cooperation potential through the EURES cross-border partnerships, with the European Committee of the Regions or with Cedefop.

To further improve EURES's visibility, ELA will continue its communication on EURES activities at European level and support the communication activities at national level. Alongside continuous communication through newsletters, articles and social media, a EURES campaign will be implemented in 2023, and planning of a 2024 campaign to celebrate EURES's 30th anniversary will start.

In 2023, ELA will also continue to run the EURES Training Academy, including reviewing and updating, if needed, the training offer and implementing the training programme (online and on-site, if the COVID-19 situation allows), and the annual 'EURES in action' event.

The **EURES portal** will be operated and maintained in ongoing cooperation with the Directorate-General for Employment, Social Affairs and Inclusion (including the Europass team) and NCOs (or their technical team, where relevant). This includes, for the duration of the temporary protection, the implementation of the EU talent pool pilot initiative through the EURES portal (in cooperation with both the Directorate-General for Employment, Social Affairs and Inclusion and the Directorate-General for Migration and Home Affairs). In addition, the EURES portal will be subject to the first steps towards implementing the developments resulting from the new 2023–2030 EURES portal strategy, to be established in consultation with relevant stakeholders including the NCOs, the European Commission and EU-level social partners.

ELA will continue to provide the EURES portal help desk services and translations of EURES portal information, and will organise two interoperability contact person meetings with network representatives.

In 2023, ELA will also consider options to improve the information provision on the EURES portal. A new methodological approach to collecting and presenting the information in the 'Labour market information' section will be explored, and discussions with the NCOs on a potential restructuring of the 'Living and working conditions' section will be started.

ELA will further work on using synergies and complementarities of EURES with other ELA activities. Communication and training activities will be aligned with the respective ELA activities, and the creation of mutual benefits between EURES and other ELA pillars will be explored, for example as regards sectoral approaches (e.g. seasonal work, transport, construction), the promotion of fair recruitment practices and the tackling of abusive mobility practices (letterbox companies, abusive subcontracting, bogus self-employment, bogus posting, bogus use of temporary agency workers, etc.).

ELA considers EURES's information strand as one of the important EU-level information portals and will include it in activities mentioned under Activity 1 above, such as the study on stakeholders' awareness and improvement recommendations on EU-level information sources. Furthermore, ELA will apply the expertise of its information and communication teams to EURES, for example by offering voluntary website reviews or in the planning and implementation of campaigns. Vice versa, the data and information collected through EURES

(labour market information, information on living and working conditions, information on labour shortages and surpluses, strategic foresight on labour mobility issues relevant for EURES) is expected to benefit other ELA activities as these can be based on improved in-house labour market intelligence.

Actions and outputs under this activity contribute to SO1 and SO4.

**Table 9. Activity 2 actions, outputs and timeline**

Action/project	Output	Timeline
<b>EURES network governance</b>		
Support to the programming of NCOs	2023 national and European Coordination Office work programmes	Q4 2023–Q1 2024
	2022 activity report	Q3 2023
Support to the EURES PMS	2022 PMS report	Q2 2023
	PMS report of semester 1 2023	Q3 2023
	Data delivery to the Single Market Scoreboard and to the single digital gateway	Continuous
Support to data protection and data processing	Data transfer/processing agreements with EURES NCOs	Q4 2023
Support to extending the network	Update of the practical guide on extending the network	Q4 2023
Contribution to improving national EURES websites	Website review reports	Continuous
Campaign related to EURES activities	Campaign material and active campaigning activities	Q4 2023
EURES communication activities	Social media posts, articles, newsletters, etc.	Continuous
EURES Training Academy	EURES annual training programme	Continuous
‘EURES in action’	‘EURES in action’ event	Q2 2023
European (Online) Job Days	European (Online) Job Days events	Continuous
<b>EURES portal</b>		
Provision of EURES portal help desk services	Help desk services	Continuous
Translations of EURES portal information	Translated websites	Continuous
EURES portal operation and maintenance, including for the purpose of the EU talent pool pilot initiative (if the temporary protection directive is valid)	Well-functioning EURES portal functionalities, including portal and extranet content management	Continuous
EURES portal improvements	Technically improved, upgraded and modernised portal functionalities	Q4 2023
<b>EURES information provision</b>		
Review of labour market information, information on living and working conditions, information on shortages and surplus data collection and presentation	Concept papers on improved methodology and presentation and use of information from EURES	Q4 2023

### Activity 3: cooperation and national liaison officers’ office

The Authority will continue developing activities to facilitate enhanced cooperation and information exchange between the Member States, support the capacity building of Member States, promote further digitalisation and innovative approaches to effective and efficient cross-border cooperation, and fulfil its reporting obligations with respect to unresolved requests submitted under Article 7(1) of the founding regulation.

With the aim of improving and facilitating cooperation and exchange of information between the Member States across all labour mobility areas, ELA will set up and test the appropriate ICT tools for the exchange of information between Member States based on the procedure developed in 2022. It will also further analyse cooperation challenges in specific areas or sectors, including following up on its analysis of cooperation practices and challenges in specific sectors.

ELA intends to establish a programme of cooperation among Member States, social partners and the Commission dedicated to the posting of workers ('mutual learning and understanding framework – posting'). This cooperation programme will, together with other posting- or worker-related work conducted under other activities, such as Activity 1 (information and services) and Activity 5 (concerted and joint inspections), contribute to a comprehensive approach to posting of workers <sup>(22)</sup> by ELA. It will ensure, among other things, the continuity of tasks that were previously carried out by the Committee of Experts on Posting of Workers, including, if necessary, a forum to discuss varying legal interpretations of matters on posting of workers, to be organised under the Commission's leadership.

In order to foster and support specific projects between the authorities and the social partners, ELA will facilitate internal coordination in Member States, in particular between different national authorities in charge of labour mobility, by offering logistical, technical and financial support, including translation and interpretation services, to the organisation of workshops and meetings at the proposal of NLOs, at the request of national authorities or as proposed by ELA. Several capacity-building activities (listed under Activity 8 below) will be organised for this purpose, most notably through the mutual learning and understanding framework and the collection of good practices. The Authority will also step up its support to specific cooperation projects on a long-term basis through a variety of instruments. This support also aims to promote awareness of the Authority's functions among national stakeholders. In line with the mandate set out in ELA's founding regulation, the NLOs will be key for ELA in assisting in improving cross-border cooperation and in initiating such activities.

ELA will further promote the use of existing digital tools, including the IMI system and innovative approaches to effective and efficient cross-border cooperation and exchange of information. Building on work initiated in 2022, ELA will continue its support of consultations with the Member States, the European Commission and, where relevant, the social partners on the further improvements of electronic exchange mechanisms and databases. ELA will also initiate the analysis of challenges with sector-specific EU-level platforms for electronic exchange, including in the road transport sector. In the light of the positive development of the IMI-PROVE programme, ELA will explore challenges with the use of EESSI and the European Register of Road Transport Undertakings and will work together with the European Commission and the Member States on improving the use of these digital platforms. This work will be carried out in conjunction with Activity 10.

Actions and outputs under this activity contribute to SO2.

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<sup>(22)</sup> A comprehensive approach on posting will be achieved horizontally by coordination of tasks in relation to posting of workers in all ELA activities.

**Table 10. Activity 3 actions, outputs and timeline**

Action/project	Output	Timeline
Improvement and facilitation of cooperation exchange between the Member States in all areas of labour mobility	Toolbox for the exchange of information between Member States (workflow guidelines, templates, model forms)	Q1–Q4 2023
	Report(s) and follow-up workshop(s) on cooperation practices and challenges between Member States in specific sectors	Q2 and Q4 2023
	Report(s) on (unresolved) requests between Member States	Q2 and Q4 2023
	Provision of information to support Member States in the effective application of EU labour mobility legislation	Continuous (on request)
Fostering and supporting specific projects between two or more Member States willing to enhance cooperation and exchange of information on specific topics	Provision of logistical and technical support, including translation and interpretation services, to national and cross-border initiatives related to specific cooperation challenges and arrangements	Continuous (on request)
	National events (initiated by ELA's NLOs) aiming to improve cooperation between Member States and ELA's outreach	Q1–Q4 2023
	NLOs' missions to the Member States for the execution of the cooperation and liaison functions	Q1–Q4 2023
Promotion of further digitalisation and use of existing digital tools and innovative approaches to effective and efficient cross-border cooperation and exchange of information	Workshop to assess challenges with the use of the European Register of Road Transport Undertakings	Q2 2023
	Implementation of recommendations on ICT, including data security and data protection	Continuous
Non-binding guidelines, shared definitions and common concepts	Set of operational recommendations in the area of posting of third-country nationals	Q1 2023

NB: Activities related to capacity building in this area are listed under Activity 8.

## Activity 4: mediation

In 2023, the Authority will continue facilitating solutions in cases of disputes between two or more Member States regarding individual cases of application of EU labour mobility law by launching a mediation procedure upon request. The Authority will continue making available communication support and information in relation to the mediation function, providing training and knowledge-sharing opportunities, and fulfilling the reporting obligations arising from the founding regulation.

ELA aims to provide efficient and effective mediation services upon the request of one or more Member States, upon consideration of a referral of a case by the SOLVIT network or upon its own suggestion to launch a mediation procedure on its own initiative. Depending on the experiences and the number of cases referred for mediation during its first year of operation, the mediation procedure may be reinforced to ensure the availability and effectiveness of the procedure and to ensure that it meets the anticipated demands of the Member States that may refer a dispute for mediation.

ELA will continue providing information on mediation and carrying out communication initiatives to inform the relevant institutional actors, including national authorities and social partners, on its rules of procedure and working arrangements. In addition, the Authority will continue building the knowledge of the appointed mediators and members of the mediation board through training and the sharing of good practices and experiences gained from mediation with other stakeholders dealing with dispute resolution around labour mobility, such as the Administrative Commission for the Coordination of Social Security Systems and the SOLVIT network.

Actions and outputs under this activity contribute to SO2.

**Table 11. Activity 4 actions, outputs and timeline**

Action/project	Output	Timeline
Implementation of the mediation procedure	Individual cases submitted to ELA, including from SOLVIT, or suggested on ELA's own initiative, and related activities of the Mediation Board	Continuous
	Provision of translation and interpretation services during mediation procedures	Continuous
	Provision of legal assistance during mediation procedures	Continuous
Provision of information and communication	Frequently asked questions document with regard to the mediation function, in particular the rules of procedures and working arrangements	Q3–Q4 2023
	Organisation of information sessions on the use of mediation in different Member States	Continuous (on request)
	Development and maintenance, in an electronic format, of a record of disputes processed through the ELA mediation procedure	Q3–Q4 2023
Monitoring, evaluation and reporting	Biannual report to the Commission on mediation activities	Q2 and Q4 2023
	Report on the implementation by the Member States of the opinions and recommendations delivered during the first and second stages of the mediation procedure	Q3–Q4 2023
Non-binding guidelines, shared definitions and common concepts	Guidance on the workflow procedure for mediators and the mediation board	Q1–Q2 2023

NB: Activities related to capacity building in this area are listed under Activity 8.

## Activity 5: concerted and joint inspections

Under this activity, the Authority will continue to coordinate and support inspections by providing conceptual, logistical and technical support, and legal expertise, including interpretation services and translation of inspection-specific documentation. It will aim to digitalise, as far as possible, the established tools and procedures to facilitate the planning, execution and follow-up of inspections as regards case management systems and secure, smooth and data-protection-compliant exchange of information relevant for inspections. The scope of inspections will include a range of sectors and issues within the scope of ELA and reflecting the requests from Member States and issues identified by ELA under the analysis and risk assessment activity. This analysis and risk assessment activity is to start with the construction sector, and preparatory work commenced in 2022. ELA's activities in this area will be supported by the Working Group on Inspections.

Based on labour mobility analyses and risk assessments, ELA will regularly launch enforcement campaigns targeting specific problematic sectors or irregularities of a cross-border nature. These will be accompanied by actions related to awareness raising, provision of information and capacity building, all delivered in close cooperation with ELA's other operational areas. In parallel with these intelligence-led and more programmed enforcement campaigns, ELA will continue working closely with NLOs, Member States' authorities and social partners to identify and support any other regional, sectoral or circumstantial priority areas requiring cross-border coordination and support (e.g. related to challenges posed by the situation in Ukraine, in particular in connection with the provisions of the temporary protection directive granting Ukrainian citizens direct access to the EU labour market). Operational and strategic cooperation with other agencies such as Europol and the

European Union Agency for Criminal Justice Cooperation (Eurojust) is expected to continue in 2023, with a focus on specific upcoming threats in relation to labour law infringements.

The Authority will also deepen its cooperation with national and sectoral social partner organisations and other stakeholders, with the purpose of enhancing the effective application and enforcement of labour mobility rules. This will include exploring possibilities of cooperation with the relevant third countries and international organisations in the priority areas requiring cross-border coordination as described above.

ELA will support projects and initiatives in cooperation with other stakeholders active in the enforcement of labour mobility *acquis* that assist enforcement authorities to efficiently tackle cross-border irregularities, such as with the European Roads Policing Network (RoadPol), Euro Contrôle Route and the Confederation of Organisations in Road Transport Enforcement (CORTE).

Cross-border cooperation in enforcement should lead to frequent and increasingly systematic concerted and joint inspections, fully exploiting the potential of analyses and risk assessments available both in Member States and at ELA, and contribute to expanding their geographic and sectoral scope. The information that ELA obtains from various sources (complaints, data provided by social partners, etc.) and from its own risk analyses will be used to suggest the carrying out of cross-border inspections to Member States, focusing on regional or sector-specific issues, systemic risks and challenges in relation to the application of relevant EU labour mobility and social security law, and any other situations falling under ELA's mandate that put mobile workers' rights and/or the proper functioning of the internal labour market at risk.

Actions and outputs under this activity contribute to SO3.

**Table 12. Activity 5 actions, outputs and timeline**

Action/project	Output	Timeline
Provision of conceptual, logistical, legal, technical and analytical support to concerted and joint inspections, and deployment of experts, including NLOs, on the spot	Support provided and staff deployed at on-site and premises inspections	Continuous
Proposal of concerted or joint inspections to Member States based on ELA's own intelligence and foresight, including that based on cases submitted by social partner organisations at national level	Cases proposed	Continuous
Making available efficient tools and procedures to coordinate and facilitate cross-border inspections, including to ensure quick, data-protection-compliant and secure information exchange	Tools and procedures made available	Continuous
Deepening cooperation with strategic partners	Organised joint activities	Continuous
Strengthening the capacity of stakeholders in the area of enforcement to tackle cross-border irregularities	Developed projects and provided support	Continuous
Non-binding guidelines, shared definitions and common concepts	Guidance for inspections in relation to genuine posting	Q3–Q4 2023

NB: Activities related to capacity building in this area are listed under Activity 8.

## Activity 6: tackling undeclared work

ELA will continue its activities in supporting Member States in tackling undeclared work while creating and exploiting synergies with the other activities of the Authority, particularly the concerted and joint inspections, capacity building, knowledge-sharing activities and labour mobility analyses and risk assessments. ELA will focus on the cross-border aspects of undeclared work and will continue to support Member States in relation to the national dimensions of undeclared work. Trends and policy developments that are having an impact



on the undeclared work situation in Member States will also be considered. The European Platform Tackling Undeclared Work will be an important structure supporting the work of ELA in this area.

ELA aims to enhance cooperation and information exchange, including on best practices, between relevant authorities and other involved actors to more efficiently and effectively tackle undeclared work in its various forms and falsely declared work associated with it, including bogus self-employment. Among other things, ELA may continue supporting the cooperation aiming to address the risks of undeclared work among refugees and displaced persons from Ukraine. ELA will aim to further improve the capacity of different relevant authorities and actors to tackle undeclared work, with possible topics of focus covering (1) contribution to improving the national teleworking regulatory frameworks, (2) existing digital solutions at national level to tackle undeclared work or (3) means and instruments used as proof of undeclared work. Other activities will aim to increase public awareness and knowledge of issues relating to undeclared work.

ELA will encourage Member States to step up their efforts to tackle undeclared work. It will also support the development of expertise and analysis and encourage and facilitate innovative approaches. To fulfil those objectives, the activities of the European Platform Tackling Undeclared Work will continue promoting its holistic approach to tackling undeclared work with a view to transforming undeclared work into declared work.

Actions and outputs under this activity contribute to SO1, SO2, SO3 and SO5.

**Table 13. Activity 6 actions, outputs and timeline**

Action/project	Output	Timeline
Enhancing cooperation between Member States' relevant authorities and other actors to tackle undeclared work	Staff exchanges, mutual assistance projects, peer reviews and peer-learning dialogues	Continuous
Improving capacity of Member States' different relevant authorities and actors to tackle undeclared work	Learning resource papers, output papers and other supporting documents	Continuous
	Seminars, workshops, webinars, follow-up / study visits and other mutual learning formats	Continuous
Improving the knowledge of undeclared work	Studies, toolkits and similar written outputs; possible topics are means and instruments used as proof of undeclared work, e-services and the demand side of undeclared work	Continuous
Information and awareness raising on undeclared work	Preparation and distribution of awareness-raising materials	Campaign activities will be conducted as part of ELA campaigns listed under Activity 13
	Information campaign	Campaign activities will be conducted as part of ELA campaigns listed under Activity 13
Showcasing good practices in different countries and covering various topics, building on examples from events, studies and other activities	Good-practice fiches	Continuous

NB: Activities related to capacity building in this area are listed under Activity 8.

## Activity 7: labour mobility analysis and risk assessment

ELA will, in cooperation with national authorities and, where appropriate, the social partners, carry out analyses and risk assessments on issues related to cross-border labour mobility. This includes a range of tasks related to enforcement and information provision, including with the involvement of social partners. First,



ELA will conduct an operational risk assessment, analysing the risk of non-compliance in specific companies or individuals with regulations in ELA's remit, to provide adequate support to concerted and joint inspections. Second, ELA will develop strategic risk assessment capacities, identifying situations – rather than specific subjects – associated with a risk of non-compliance with regulations in ELA's remit. This includes identifying sector-specific challenges and recurring problems in the application of labour mobility and social security legislation. Third, there will be analytical activities, including mapping exercises and analyses in the fields of labour mobility and social security coordination across the EU. Fourth, and closely intertwined with the analytical activities, ELA will organise outreach activities that enhance risk assessment capacities and the knowledge and mutual understanding of different systems and practices for national competent authorities involved in implementation and enforcement of labour mobility and social security coordination legislation in Member States. This includes supporting and encouraging multidisciplinary cooperation between labour inspectorates and other law enforcement organisations when dealing, for example, with labour exploitation with cross-border elements or in relation to undeclared work. Finally, there will be analytical and foresight activities associated with information and data from the EURES portal.

The operational risk assessment will become operational in 2023, when the analytical function will be fully established. This will involve acquiring full access to databases required for this task, establishing a standard operating procedure for operational risk assessment processes and putting in place procedures and decisions required by data protection legislation. The aims are to provide parties involved in a concerted and joint inspection with an analytical report containing background information on companies under the scope of the inspection and to support labour inspectors in building their case. In this way, ELA will enhance its technical support for concerted and joint inspections through its analytical service. The Authority will also work on developing strategic risk assessment capacities leveraging existing approaches in Member States or used by other stakeholders. Pilot projects will be carried out to first gain appropriate experience. As far as the analytical activities are concerned, ELA will continue to conduct ad hoc mappings and analyses of the most relevant issues in the field of labour mobility and social security coordination. These activities will identify sector-specific issues in the application of legislation to inform ELA's activities supporting enforcement, information provision and cooperation among the Member States. Finally, ELA's outreach activities will include workshops supporting risk assessment capacities, and peer reviews on a voluntary basis, with the aim of supporting and enabling bilateral cooperation involving the exchange of data between Member States.

ELA will prepare, under the EURES mandate, a report on labour shortages and surpluses, providing an analysis of regional and occupational shortages and surpluses across the EU. With the aim of supporting analysis related to the labour market and labour mobility, further development of the compilation and provision of information on labour shortages and surpluses, started in 2022, will be pursued.

As an additional activity, and with a future-oriented, forward-looking perspective for EURES (and beyond), ELA will conduct a strategic foresight exercise, building potential scenarios of the future of labour mobility in the EU.

Actions and outputs under this activity contribute to SO4.

**Table 14. Activity 7 actions, outputs and timeline**

Action/project	Output	Timeline
Operational risk assessment	Technical and analytical support for concerted and joint inspections	Continuous
Strategic risk assessment	Increased internal analytical capacity	Continuous
Analytical activities	Mappings and analytical reports	Continuous
Outreach	Workshops providing a platform to analysts in competent authorities for discussions, peer learning and exchange of practices in risk assessment	Continuous
Analysis of labour shortages and surpluses data	Report on labour shortages and surpluses (or other format of data publication)	Q4 2023
Strategic foresight on labour mobility	Scenarios on labour mobility in the EU	Q4 2023

## Activity 8: capacity building

The Authority will continue supporting Member States with capacity building for the purpose of fostering and improving consistency in the application of EU law. The Authority strengthens the capacity of national authorities by providing operational assistance across the activities covered by ELA's mandate, including developing practical guidelines, establishing training and peer-learning programmes, identifying and promoting the exchange of good practices and knowledge, and developing a mutual understanding of different national systems and practices as established in the founding regulation.

In 2023, the Authority will support the Member States in strengthening the capacity of national authorities in the areas of labour mobility and social security coordination. This will be ensured through developing sectoral and cross-sectoral training programmes to respond to emerging trends, needs and demands in the Member States, with a view to addressing the challenges linked to the future of work, including for labour inspectorates and social partners in line with Article 11 of the founding regulation. In 2023, the Authority will, inter alia, cover a range of tools and topics, including road transport, other means of transport, seasonal workers, the construction sector and new labour market challenges such as online cross-border work (telework, hybrid work, remote work, platform work).

With a view to forging efficient cooperation between national authorities and national and sectoral social partners, the Authority will aim to promote the identification, exchange, dissemination and uptake of good practices, experiences and knowledge in its different areas of operation, including cooperation with other stakeholders in capacity building.

Moreover, in cooperation with national authorities and, where appropriate, the social partners, the Authority will seek to develop common non-binding guidelines, shared definitions and common concepts, building on relevant work at national and EU levels, for use by Member States and the social partners.

The Authority will continue to improve the cooperation and effective application and enforcement of EU rules in the labour market by supporting mutual learning and assistance and promoting the mutual understanding of different systems and practices through enhanced programmes specific to the areas in which the Authority is operational under its own mutual learning and understanding framework.

Furthermore, the Authority aims to increase and strengthen cooperation and create strategic partnerships with other stakeholders in capacity building, including with existing training facilities at Member State and EU levels, through workshops, seminars and other events. The Authority will also aim to guide Member States on potential funding opportunities to strengthen their capacity by facilitating exchange of information with the relevant European institutions and international organisations providing funding.

Table 15 lists all planned capacity-building activities and projects across ELA. These activities and projects will be delivered by a number of teams across ELA depending on the topic and focus of each activity. The

last column states under which operational activity the specific events and initiatives will be delivered. The resources allocated to the capacity-building activities will be distributed across the activities.

Actions and outputs under this activity contribute to SO5.

**Table 15. Activity 8 actions, outputs and timeline**

Action/project	Output	Timeline	Implemented under operational activity
Supporting Member States in strengthening the capacity of national authorities in the areas of labour mobility and social security coordination	Training in various areas related to EU labour mobility	Continuous	8
	Training needs analysis for inspectors enforcing labour mobility rules, followed by training	Q1 2023	5 and 8
	Staff exchanges and secondment schemes	Q2–Q4 2023	3 and 5
	A pilot staff exchange in risk assessment related to labour mobility and social security coordination	Q2–Q4 2023	7
Supporting mutual learning and assistance and promoting the mutual understanding of different national systems and practices	Mutual learning and understanding framework – IMI-PROVE	Continuous	3
	Mutual learning and understanding framework – road transport	Continuous	3
	Mutual learning and understanding framework – posting	Continuous	3
	Undeclared work platform activities (seminars, workshops and webinars, staff exchanges, peer-learning dialogues, mutual assistance projects, peer reviews)	Continuous	6
	Mutual learning events on information provision related to seasonal work (including the establishment of a community of practice)	Continuous	1
	Mutual learning events on information provision related to online cross-border work (telework, hybrid work, remote work, platform work)	Continuous	1
	Mutual learning events on information provision targeting free movement bodies	Continuous	1
Promoting the exchange, dissemination and uptake of good practices, experiences and knowledge	Good-practice examples collected in different areas of ELA work	Continuous	8
	Database of good practices accessible to ELA stakeholders	Continuous	8
	Presentation of good practices at an ELA event	Q2 2023	8
Capacity-building workshops, seminars and other events	Workshops on road transport	Continuous	3
	Workshops on thematic issues related to labour mobility	Continuous	3
	Annual workshop with mediators and experts of the mediation board, and other stakeholders dealing with dispute resolution in labour mobility	Q3–Q4 2023	4
	Workshops on procedures, legal issues and ICT solutions in relation to risk assessment in the domain of labour law, social security and labour mobility in the EU	Continuous	7
Cooperation with other stakeholders in capacity building	Strengthening cooperation with national training centres for labour inspectors	Continuous	8
	Cooperation with other European and international stakeholders in capacity building, including on the grants	Continuous	8
Other capacity-building activities	Preparation for the setting-up of a community of practice	Q3–Q4 2023	8

## Activity 9: social partners liaison function

Social partners, both trade unions and employer organisations, play a significant role in ELA's activities and can actively contribute to ELA's mandate. Under this activity, ELA will engage with social partners at European, national and sectoral levels in a comprehensive and structured way to enhance the cooperation and input into ELA's work. Dedicated staff under this activity will provide a secretariat function to the Stakeholder Group to ensure its efficient and compliant functioning, be the first contact point in ELA for European social partners and help to handle the cases reported to ELA under Article 8 of the founding regulation. Sectoral social partners have hands-on expertise in the field of labour mobility issues including on the practical application of labour mobility rules in their sectors, which is highly relevant for ELA as an input into planning and prioritisation of ELA activities. Expertise in the field can facilitate the identification of high-risk situations and the definition of an effective action framework. The social partners liaison function will also nurture the cooperation with sectoral social partners. To that end, ELA will organise various workshops (e.g. in air transport) and seminars involving social partners active in specific sectors, propose studies to social partners, enable the exchange of good practices or more generally better understand trends and issues in sectors with a high proportion of mobile workers. ELA will also seek to ensure synergies with the sectoral social dialogue committees supported by the Commission.

Actions and outputs under this activity contribute to SO1, SO3, SO4 and HO2.

**Table 16. Activity 9 actions, outputs and timeline**

Action/project	Output	Timeline
Secretariat function to the Stakeholder Group	Efficient functioning of the Stakeholder Group	Continuous
Coordination of cases reported to ELA by social partners	Structured output and communication with social partners on cases submitted to ELA	Continuous
Workshops or seminars with social partners	Collection of inputs from sectoral social partners on labour mobility issues 2–4 workshops or seminars (e.g. workshop on air transport)	Q1–Q4 2023

## Activity 10: facilitation of digital tools supporting labour mobility

Under this activity, the Authority will enable the collection and sharing of knowledge on the use of innovative-technology-driven approaches to effective and efficient cross-border cooperation, easier access to information on rights and obligations regarding labour mobility, better enforcement of labour mobility rules and access to data and detection of fraud, promoting good practices in full respect of data protection and fundamental rights.

ELA will engage with relevant stakeholders, in particular the competent authorities at national level that have implemented innovative solutions, and encourage knowledge sharing through a structured mapping of existing solutions. It will also organise dedicated workshops, seminars and conferences aiming to facilitate knowledge sharing and support the adoption of digital tools to facilitate digital transition. ELA will also engage with stakeholders from other governmental and non-governmental organisations, industry and academia through open calls for papers and conferences, enabling further knowledge sharing and insights about how new digital technologies can be used to the benefit of labour mobility.

Actions and outputs under this activity contribute to SO1, SO2, SO3, SO4 and HO1.

**Table 17. Activity 10 actions, outputs and timeline**

Action/project	Output	Timeline
Structured engagement with national authorities on digital tools supporting labour mobility	Mapping of digital solutions	Q2–Q3 2023
Workshops and seminars	Facilitation of knowledge sharing on digital innovative solutions and tools – structured output from the workshops and seminars	2–3 workshops or seminars
Public call for papers	ELA Tech Conference	Q4 2023

## Horizontal activities

### Activity 11: governance and policy coordination

Under this activity, the Authority will facilitate sound governance of the organisation and well-functioning ELA governing bodies, and will ensure compliance with the legal requirements with regard to programming and reporting obligations and documents. As part of the sound governance, ELA will further develop its internal processes, service delivery model, performance management system and related monitoring tool, and provide effective and efficient horizontal policy coordination. Externally, this function will ensure stakeholder management with relevant stakeholders at European and national levels.

One of the key priorities is to ensure the good functioning of ELA's management structures (Management Board, Stakeholder Group, working groups) and efficient internal processes. Under this activity, the oversight of the implementation of the 2023 work programme and budget will be conducted, ensuring compliance with the regulatory framework. In 2023, ELA will need to further implement the performance management system and related key performance indicators system developed in 2023, continue monitoring the efficiency of internal processes and evaluate the applied model for service delivery. More structured performance monitoring will be needed to monitor the achievement of impact indicators developed during 2022.

As regards programming, ELA will continue improving its SPD, in line with the Commission guidelines, and its consolidated annual activity report. ELA will also ensure accountability towards its Management Board, Stakeholder Group and other stakeholders.

Under policy coordination, ELA will aim to ensure adequate horizontal coordination of its operational activities, strategic policy coordination and the deepening of external relations with key stakeholders (e.g. sufficient engagement with EU institutions and social partners, and aiming to conclude cooperation agreements or memorandums of understanding with relevant institutions or agencies). ELA will also bring forward the consolidation of information workflows within the Authority and introduce internal procedures and policies as important tools for the effective delivery of its mandate.

In 2023, ELA will also develop and implement its overall environmental policy, building on preparatory work related to facilities management and procurement, and develop a more structured approach to gender, diversity and equality in ELA activities.

Actions and outputs under this activity contribute to HO1, HO2 and HO3.

**Table 18. Activity 11 actions, outputs and timeline**

Action/project	Output	Timeline
Secretariat function to the Management Board	Efficient functioning of the Management Board	Continuous
Programming, planning and reporting	2023–2025 multiannual work programme	Q1 2023
	2022 consolidated annual activity report	Q2 2023
	2024–2026 multiannual work programme	Q4 2023
Performance management system and monitoring; evaluation of service delivery model	Internal reports on progress in delivering the work programme	Continuous
	Improvements in services and internal processes	Continuous
Internal governance framework development and monitoring	Internal procedures	Continuous
	Efficient workflows and coordination	Continuous
Policy coordination	Leading internal projects and task forces	Continuous
	ELA annual conference	Q2 2023
External relations	Engagement related to accountability to the European institutions	Continuous
	Meetings and other engagement activities with stakeholders	Continuous
Cooperation arrangement with agencies and other relevant bodies	Concluding or updating memorandums of understanding and/or other forms of cooperation arrangements	Continuous
Business continuity	Development of the business continuity plan	Q2 2023

## Activity 12: compliance and internal control system

Under this activity, the Authority will ensure that its activities are conducted in a legally compliant way, and it will put in place an effective internal control system.

The legal function provides legal advice on the implementation and interpretation of the founding regulation and ELA's institutional framework, and supports compliance of the Authority's activities with its regulatory framework, such as the SRs and the financial regulation. It further provides legal advice to ELA's operational units concerning the legal and regulatory framework of their activities and concerning ELA's external cooperation with EU partners, third countries, international organisations and other stakeholders.

### Personal data protection

To align the activities of ELA with the EUI regulation <sup>(23)</sup>, ELA appointed a data protection officer in March 2022.

An exercise to allocate responsibilities and identify the different processing operations with personal data at ELA is being performed, to identify the controller <sup>(24)</sup> and declare the processes being carried out to the general public as required by Article 31 EUI regulation, and in line with the principle of accountability, as set out in Article 5.

<sup>(23)</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement (OJ L 295, 21.11.2018, p. 39).

<sup>(24)</sup> The controller of a process of personal data means, according to Article 3(8) EUI regulation, 'the Union institution or body or the directorate-general or any other organisational entity which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by a specific Union act, the controller or the specific criteria for its nomination can be provided for by Union law'.

Taking into consideration the risk-based approach of the EUI regulation, ELA's data protection officer has performed a risk assessment of all ELA activities to identify the different levels of risk associated with the various activities. This assessment foresees actions to reduce/mitigate/eliminate the risks and allocates responsibilities to each action.

This risk assessment is an ongoing process that should be reviewed regularly. A second risk assessment is ongoing whereby the different records are being analysed one by one.

To comply with Article 31 of the EUI regulation, ELA has set up a public register listing all the declared activities involving personal data. In addition, privacy statements are accessible to the general public. The public register will feed weekly with the final records when agreed. At the same time, other relevant registers have been set up to internally monitor personal data breaches, data subjects' requests and high-risk activities.

## **Internal control system**

The Executive Director – supported by managers and the internal control and legal functions – oversees the internal control systems within each unit/function. The internal control function aims to ensure that the Authority can rely on an effective internal control system to maximise the organisation's performance and ability to manage risks and opportunities and to execute its tasks efficiently, while complying with the applicable regulations.

ELA carries out an annual risk assessment taking into account the inherent risk environment in which the Authority operates and specific activities and processes. At the corporate level, the assessment exercise involves the Executive Director and the senior management supported by the internal control and audit assistant function. For each of the identified risks included in the risk register, a coordinator is appointed to draft action and coordinate its implementation. The internal control function monitors and reports to senior management quarterly through the risk register. During the year, the risk register and related reporting are regularly reviewed, with feedback provided to senior management.

Internal workflows and standard procedures will be further developed to clarify applicable procedures, responsibilities and actors. Such policies will support the managerial oversight in the Authority's decision-making process, ensure an appropriate information flow and enhance control structures and compliance with the regulatory framework of the Authority. The focus for the development of such workflows and procedures will result from the outcome of internal risk assessment and identified areas of potential internal control deficiencies and from the first audit findings and recommendations from the Internal Audit Service and European Court of Auditors.

Actions and outputs under this activity contribute mainly to HO2 but also support other objectives.



**Table 19. Activity 12 actions, outputs and timeline**

Action/project	Output	Timeline
Legal advice	Various internal documents	Continuous
Implementation of ELA's conflict-of-interest policy (adopted in Q4 2022)	Procedure for conflict-of-interest management	Q3 2023
Strengthening ELA's internal control framework	Risk management and control strategy	Continuous
	Support of audits	Continuous
	Regular risk assessment and follow-up on related mitigation measures	Continuous
	Managing nonconformity events	Continuous
Access to document requests	Provision of documents and related communication	Continuous
Complaints and inquiries	Managing external complaints and inquiries	Continuous
Managing personal data breaches	Guidance and flow chart on personal data breaches	Continuous
	Standard operating procedure on personal data breaches	Continuous
	Register of personal data breaches	Continuous
Dealing with data subjects' requests when exercising their rights	Guide on data subjects' rights	Continuous
	Register of data subjects' requests and report to Executive Director	Continuous
Increasing awareness of personal data protection	Internal SharePoint site on personal data protection	Continuous
	Various internal documents	Continuous
Monitoring processing operations involving personal data	Internal and public register	Continuous
Preparing a risk assessment analysis	2022 data protection plan	Continuous
	Risk assessment on personal data protection (general and detailed reports)	Continuous

## Activity 13: communication and awareness-raising campaigns

Under this activity, the Authority ensures effective internal and external communication on its activities, prepares information and awareness-raising campaign material on issues under its remit and leads EU-wide coordinated campaigns on topics related to labour mobility.

In 2023, ELA will continue its dissemination and outreach activities and will consolidate its collaboration with national multipliers, including media, in EU Member States, and with EU-level stakeholders. ELA's communication and dissemination plan will be updated, building on experience and lessons learnt from the previous years. Dedicated communication materials and activities will be produced for the annual ELA conference and ELA tech conference.

ELA will continue to reinforce its digital presence compared with the previous year, develop its social media strategy to ensure increased exposure and the number of followers and reach, and consolidate its presence on the social media channels in use. ELA will finalise the update of the website architecture restructuring and the update of functionalities initiated in 2022; aim to improve information on activities, outputs and recruitment information; and aim to attract more visitors to its website.

ELA will prepare an EU-wide coordinated information and awareness-raising campaign for the construction sector on selected labour mobility issues (such as posting). Under the planning phase of the campaign, the target audience analysis, dissemination strategy and media and social media strategy will be prepared. This will be followed by preparing the campaign material and setting up and coordinating a dedicated EU-

wide network of campaign partners. Finally, under the campaign delivery phase, ELA will conduct the active campaign using the relevant media channels and coordinate dedicated periods of action with the campaign partners. This will be coupled with the monitoring of media and analysis of campaign analytics.

In addition to the large-scale campaign, smaller and targeted ELA campaigns on specific topics will be prepared, in particular on seasonal work and road transport, building on material from the previous years and campaign results. Member States will be able to use the centrally developed material (see under Activity 1 above) and organise more activities at national level. As part of the information and awareness-raising activities, ELA will produce communication and information materials, which will be distributed broadly using a number of media channels and directly as part of inspection and information events.

Actions and outputs under this activity contribute to SO1 and HO1.

**Table 20. Activity 13 actions, outputs and timeline**

Action/project	Output	Timeline
Social media strategic planning	Increase in followers and reach	Q3–Q4 2023
Media relations strategy setting	Consolidated media relations management and maintenance activities	Q1–Q2 2023
Website restructuring (action continued from 2022)	Completed restructured website	Q2 2023
Annual conference promotion	Annual conference communication activities and material	Q2 2023
Update of ELA communication and dissemination plan	Updated communication and dissemination plan	Q4 2023
Engagement with media	Increased understanding of ELA activities and deliverables	Continuous
Preparation and coordination of an EU-wide information campaign for the construction sector	Target audience analysis	Q1 2023
	Production of information and awareness-raising campaign material	Q2 2023
	Coordination of information campaign across the EU	Q3–Q4 2023
	Analysis of campaign results	Q4 2023
Targeted ELA campaigns on selected topics	Production of campaign material	Continuous
	Active campaign (posting and advertisement)	Continuous
Preparation of information materials on labour mobility issues	Flyers, brochures and other communication material for ELA operational activities	Continuous

## Activity 14: financial resources

Under this activity, the Authority will continue working on ensuring sound financial management, review and update its business processes, establish its annual procurement plan, review the use of the budget ICT tool and participate in interinstitutional framework contracts for the purpose of resource sharing.

After the first revision, in 2022, ELA will further review and update its paperless business processes, in consultation with other units, to ensure smooth cooperation and reduction of any potential ‘red tape’, aiming for sound financial management of resources (effectiveness, efficiency and economy) and legality and regularity.

The Authority will establish its procurement plan in line with the operational actions described in this document and any other need stemming from its administrative requirements, while considering environmental and socially responsible aspects in calls for tender, in line with the sustainable development goals. Moreover, it will seek ways to achieve more efficient and timely implementation of its procurement plan through the use of the PPMT ICT tool.

ELA will review the use of the budget ICT tool to efficiently plan, monitor and report on its budget by limiting manual interventions. The key stakeholders will gain the ability to monitor key financial and procurement indicators using an online interactive dashboard.

The Authority will continue analysing possible associations with interinstitutional framework contracts through the signature of memorandums of understanding for its operational and administrative needs. The portfolio of procurement options of its own and provided through interinstitutional framework contracts will be matched with long-term business needs to develop a multiannual procurement approach ensuring an uninterrupted supply of goods and services. Actions and outputs under this activity contribute mainly to HO2, but also support other objectives.

**Table 21. Activity 14 actions, outputs and timeline**

Action/project	Output	Timeline
Annual procurement plan	Plan prepared, monitored and updated	Q1–Q4 2023
Multiannual procurement approach	Documented strategic procurement initiatives necessary to deliver on the current SPD and beyond	Q2 2023
Finance and procurement reporting dashboard	Up-to-date dashboard available to key stakeholders	Q2 2023
Revision of the business processes	Reviewed and updated business processes	Q2 2023

## Activity 15: human resources

Under this activity, the Authority will continue working on sound HR management, supporting the fulfilment of the organisational objectives and related activities.

In the area of recruitment, ELA will continue working towards attracting and onboarding staff members to grow towards its full capacity, from a total of 132 staff members in 2022 to a target of 144 by the end of 2023, when the full ELA workforce should be in place. ELA will continue to use interim services to support its needs, in particular to cover temporarily unavailable staff members, but also for ongoing needs while developing the target portfolio of services to be procured. Various recruitment-related activities, such as improving the content of the recruitment web page or the promotion of recruitment drives on social media, will be considered. Based on experience from 2022, ELA will further develop its traineeship programme.

Attracting and retaining staff of the highest standards of ability, expertise and qualification while ensuring both diversity (e.g. gender and geographical balance) and inclusiveness (e.g. for people with disabilities) will remain ELA's priority in 2023. To that end, ELA will continue working on defining strategic actions to improve its attractiveness as an employer, including equal opportunities and diversity actions.

The ELA workforce has 60 SNEs, including 27 NLOs, which is unique in the EU institutional landscape. While acknowledging the specific challenges of this arrangement for the Authority, arrangements for the SNEs will remain a key area of ELA's HR policies. ELA will further consolidate, develop and implement specific measures to ensure the smooth integration and continuation of SNEs and NLOs in the Authority, and to ensure mutual knowledge sharing.

ELA will continue the consolidation of HR-related processes and related internal procedures and guidelines as important tools supporting the efficient and effective delivery of its mandate. HR internal information tools supporting modern, digital and user-friendly cooperation will be further developed, for example the provision of HR information on the intranet, further implementation of SYSPER and further inclusion of data protection privacy statements.

In 2023, ELA will continue to build its structure and services, and will expand its work in workforce planning, recruitment and integration of newcomers, HR administration, audit implementation and development of HR policies. Further development will be seen in the areas of learning and development, talent management, organisational design, change management, performance management and other HR processes. Assistance

services and support adapted to the host city will continue taking place (i.e. relevant provisions under the Headquarters Agreement between ELA and the Government of the Slovak Republic).

ELA will continue supporting staff in their learning and development in 2023, offering various learning possibilities (including for leadership) and opportunities for growth.

Further development and consolidation of working conditions, including staff well-being, remain a key priority. Implementation of the school and preschool options for children of staff, team-building events, various social measures and activities will continue. ELA will follow up with actions on the results of the 2022 well-being survey and will plan another staff survey linked to the strategic objective of maintaining ELA's status as an employer of choice.

With its first confidential counsellors selected, trained and in place in 2022, ELA will consolidate and develop the informal confidential support provided to staff, with the aims of protecting their dignity and preventing psychological and sexual harassment.

With its first staff committee established in 2022, ELA will strengthen and consolidate the social dialogue with staff and conduct related actions.

Finally, during 2023, ELA will continue ensuring effective adoption and implementation of HR rules and regulations, in line with the Authority's mission and objectives and the SRs (Article 110). Actions and outputs under this activity contribute mainly to HO3, but also support other objectives.

**Table 22. Activity 15 actions, outputs and timeline**

Action/project	Output	Timeline
Coordination of selection and recruitment of ELA staff	Closure of recruitment procedures and building a reserve list of establishment plan posts of target year <i>N</i>	31 December 2023
Coordination of selection and recruitment of ELA trainees	Start of trainees as planned	Q4 2023
Recruitment and coordination of interim staff	Contract implementation, information and support provided	Continuous
Onboarding of newcomers	Provision of an induction, welcome information and support	Continuous
Development of e-HR	Further implementation of SYSPER	31 December 2023
Development of an annual strategic learning and development plan	Document developed and shared with all staff	Q1 2023
Implementation of an annual appraisal exercise	Eligible ELA staff subject to performance appraisal undergo evaluation in the yearly exercise	Q3 2023
Implementation of an annual reclassification exercise	Procedure started, implemented and closed	Q4 2023
Development of the HR intranet page	HR information shared, uploaded and presented on the joint intranet	Q3 2023
Further development of recruitment web page content	Improved web page content	Q2 2023
Review of the well-being survey and working conditions	Follow-up actions from the well-being survey and feedback from 2022, and planning of a new survey	Q3 2023

## Activity 16: information and communications technology and corporate services

Under this activity, the Authority will deliver necessary supplies and services, including corporate travel services, to support ELA staff to operate effectively in the office environment and to collaborate efficiently in the remote environment.

**ICT infrastructure.** ELA will continue to operate the ICT infrastructure and develop a series of applicable key performance indicators that provide a realistic view of the performance of the ICT services, such as availability of a service, number of incidents, speed of incident resolution and number of critical service outage events. However, a key activity in 2023 will be the conclusion of the migration of all cloud broker services to the DIGIT Cloud II framework contract and other framework contracts in such a way that business continuity and growth of services are secured.

Further improvements of the ICT operations are planned, to respond to the findings of ICT studies and third-party penetration testing. These will translate into changes in the means for managing and monitoring the ICT infrastructure; the deployment of technology and services; and processes such as change management, service management, incident reporting, operational management, business continuity and critical incident management. Small upgrades of central infrastructure and end-user equipment will be required to maximise the effectiveness of infrastructure use and enable state-of-the-art means of interaction in office, remote and hybrid environments.

**ICT solutions.** ELA will continue to develop ICT solutions to meet operational and administrative needs. Outsourcing of development based on the software development life cycle developed in 2022 will be a key delivery method when no market product can fulfil the task. The prioritisation of development will be based on the key directions set out in the ELA digital strategy.

Significant ICT and key stakeholders' resources will have to be allocated to meet the requirements of cybersecurity and information security legislation. Cooperation with other EU institutions and the use of external consultants will be required to meet the demands of the implementation of these new obligations. The structural need for establishment plan resources resulting from these activities for the coming years will be assessed.

**Corporate services.** Ongoing maintenance of ELA premises and office-management-related services will continue to be provided under this activity. ELA will adapt its services to the growing number of staff and, as necessary, to the post-COVID-19 situation.

Under the corporate travel services area, ELA will continue maintaining travel policies, managing and setting the MIPS application tool and the booking tool, and providing related training and ongoing support to staff. Other activities conducted under the area of corporate services involve the implementation of policies related to ELA facilities and social policies, processes related to the Headquarters Agreement between ELA and the Government of the Slovak Republic and logistical and technical support for events and meetings.

**Environmental impact.** ELA will consider the environmental impact of its decisions across all sectors, taking due assessment of the impact on the environment when considering power consumption, waste products and the materials used. Examples in this area involve the Authority's printing policy and the use of cloud services or enabling technologies that promote online collaboration and thus reduce the reliance on missions.

Actions and outputs under this activity contribute mainly to HO1 and HO3, but also support other objectives.

**Table 23. Activity 16 actions, outputs and timeline**

Action/project	Output	Timeline
Migration of cloud broker framework contract services	Fully functional services based on the new structure of framework contracts	Q3 2023
Implementation of a corporate reporting platform	Key corporate reports available as dashboards on a new platform	Q2 2023
Cybersecurity risk assessment	Risks documented in line with the relevant cybersecurity legislation	Q3 2023
Travel policy and management of corporate travel services	Travel policy internal rules	Continuous
	Setting of MIPS	Continuous
	Training and staff support, and relevant budget monitoring	Continuous
Facilities management	Support services for relevant facilities	Continuous

## **IV. ANNEXES**



## IV. Annexes

### Annex I. Organisation chart

The ELA organisation chart valid in November 2022 is presented below.



## Annex II. Resource allocation per activity, 2023–2025

**Table 24. Resource allocation per activity, 2023–2025**

Activity	2022				2023				2024				2025			
	TAs	CAs	SNEs	Budget (EUR)	TAs	CAs	SNEs	Budget (EUR)	TAs	CAs	SNEs	Budget (EUR)	TAs	CAs	SNEs	Budget (EUR)
<b>Operational activities</b>																
1. Information and services	5		6	2 516 237	5		6	3 150 684	5		6	4 290 375	5		6	4 376 207
2. EURES	3	2	4	11 042 376	5	2	4	11 756 213	5	2	4	13 265 375	5	2	4	13 530 707
3. Cooperation and NLOs' office	4		30	5 080 641	5		30	5 577 017	5		30	6 844 375	5		30	6 981 340
4. Mediation	2		1	780 792	2		1	693 168	2		1	842 375	2		1	859 229
5. Concerted and joint inspections	5		8	3 250 098	7		8	3 259 544	7		8	4 752 875	7		8	4 847 966
6. Tackling undeclared work	2		2	2 007 722	2		2	1 602 979	2		2	1 840 600	2		2	1 877 421
7. Labour mobility analysis and risk assessment	4		2	1 211 584	8		2	2 310 561	8		2	3 001 250	8		2	3 061 297
8. Capacity building	4	1	3	2 365 445	4	1	3	2 981 117	4	1	3	3 668 000	4	1	3	3 741 378
9. Social partners liaison function			2	253 861			2	422 817			2	488 250			2	498 019
10. Facilitation of digital tools supporting labour mobility			1	126 931			1	398 058			1	484 125			1	493 810
<b>Horizontal activities (including some operational and all support activities)</b>																
11. Governance and policy coordination	5	1	1	1 038 514	6	1	1	1 455 502	6	1	1	1 713 000	6	1	1	1 747 278
12. Compliance and internal control system	3	1		507 722	3	1		531 278	3	1		656 500	3	1		669 639
13. Communication and awareness-raising campaigns	2	1		1 080 792	3	1		1 710 117	3	1		3 091 400	3	1		3 153 237
14. Financial resources	4	4		1 015 445	4	4		1 062 556	4	4		1 313 000	4	4		1 339 278
15. HR	4	4		1 015 445	4	4		1 062 556	4	4		1 313 000	4	4		1 339 278
16. ICT and corporate services	3	1		507 722	4	1		664 097	4	1		820 625	4	1		837 049
<b>Management and support</b>																
Management and support	7			888 514	7			929 736	7			1 148 875	7			1 171 868
<b>Total</b>	<b>57</b>	<b>15</b>	<b>60</b>	<b>34 689 842</b>	<b>69</b>	<b>15</b>	<b>60</b>	<b>39 568 000</b>	<b>69</b>	<b>15</b>	<b>60</b>	<b>49 534 000</b>	<b>69</b>	<b>15</b>	<b>60</b>	<b>50 525 000</b>

Allocation of resources is based on the 16 activities included in the annual work programme. FTEs are allocated based on the prevailing activities. The budget per activity is allocated as a sum of the FTEs for Title 1 (staff expenditure) and Title 3 (infrastructure and operating expenditure) and the amount allocated per activity in Title 3.

## Annex III. Financial resources, 2023–2025

**Table 25. Revenues (EUR)**

Revenues	2022	2023
	Revenues estimated by the Authority	Budget forecast
EU contribution	34 689 842	39 973 330
Other revenue	p.m.	p.m.
<b>Total revenue</b>	<b>34 689 842</b>	<b>39 973 330</b>

NB: p.m., pro memoria.

**Table 26. General revenues (EUR)**

Revenues	General revenues						
	Executed budget	Budget	2023 budget		Variance: N + 1/N (%)	Estimated for 2024	Estimated for 2025
	2021	2022	Agency request	Budget forecast			
1. Revenue from fees and charges							
2. EU contribution	24 219 500	34 689 842	39 973 330	42 843 000	124	49 534 000	50 525 000
<i>of which assigned revenues deriving from previous years' surpluses</i>							
3. Third countries' contribution (including EEA/EFTA and candidate countries)	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
<i>of which EEA/EFTA countries (excluding Switzerland)</i>	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
<i>of which candidate countries</i>							
4. Other contributions							
5. Administrative operations							
<i>of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Article 61)</i>							
6. Revenues from services rendered against payment							
7. Corrections of budgetary imbalances							
<b>Total</b>	<b>24 219 500</b>	<b>34 689 842</b>	<b>39 973 330</b>	<b>42 843 000</b>	<b>124</b>	<b>49 534 000</b>	<b>50 525 000</b>

NB: EEA, European Economic Area; EFTA, European Free Trade Association; FRR, Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (OJ L 122, 10.5.2019, p. 1); p.m., pro memoria.

**Table 27. Expenditure (EUR)**

Expenditure	2022		2023	
	Commitment appropriations	Payment appropriations	Commitment appropriations	Payment appropriations
Title 1 – staff expenditure	12 982 842	12 982 842	13 916 330	13 916 330
Title 2 – infrastructure and operating expenditure	3 772 000	3 772 000	5 615 000	5 615 000
Title 3 – operational expenditure	17 935 000	12 133 691	20 442 000	10 221 000
<b>Total expenditure</b>	<b>34 689 842</b>	<b>28 888 533</b>	<b>39 973 330</b>	<b>29 752 330</b>

Table 28. Expenditure – commitment appropriations

Expenditure	Commitment appropriations						
	Executed budget (EUR)	Budget (EUR)	2023 budget (EUR)		Variance: N + 1/N (%)	Estimated for 2024 (EUR)	Estimated for 2025 (EUR)
	2021	2022	Agency request	Budget forecast			
<b>Title 1 – staff expenditure</b>	<b>8 210 380</b>	<b>12 282 842</b>	<b>13 916 330</b>	<b>16 786 000</b>	<b>113</b>	<b>17 799 000</b>	<b>18 155 000</b>
11. Salaries and allowances	5 276 000	8 641 250	10 660 330	12 575 000	123	12 444 000	12 690 000
<i>of which establishment plan posts</i>	2 655 000	4 629 500	6 405 330	7 357 000	138	9 424 000	8 435 000
<i>of which external personnel</i>	2 621 000	4 011 750	4 255 000	5 218 000	106	3 020 000	4 255 000
12. Expenditure relating to staff recruitment	643 000	937 191	533 000	654 000	57	1 050 000	1 070 000
13. Mission expenses	90 000	158 400	160 000	196 000	101	180 000	184 000
14. Sociomedical infrastructure	1 350 000	1 050 457	1 380 000	1 864 000	131	1 920 000	1 959 000
15. Training	199 980	516 300	328 000	503 000	64	400 000	409 000
16. External services	630 646	927 764	775 000	945 000	84	1 665 000	1 699 000
17. Receptions and events	15 000	51 480	80 000	49 000	155	60 000	62 000
18. Other staff-related expenditure	5 754	0	0	0	—	80 000	82 000
<b>Title 2 – infrastructure and operating expenditure</b>	<b>2 754 498</b>	<b>4 472 000</b>	<b>5 615 000</b>	<b>5 615 000</b>	<b>126</b>	<b>5 835 000</b>	<b>5 952 000</b>
21. Rental of buildings and associated costs	375 898	295 000	356 500	356 500	121	408 000	415 000
22. Information and communication technology	1 162 230	2 343 860	2 417 000	2 417 000	103	3 680 000	3 140 000
23. Movable property and associated costs	332 872	183 140	70 000	70 000	38	73 000	75 000
24. Current administrative expenditure	378 256	240 000	611 000	611 000	255	149 000	40 000
25. Postage/telecommunications	8 660	100 000	30 000	30 000	30	30 000	30 000
26. Meeting expenses	69 498	300 000	265 000	265 000	88	40 000	307 000
27. Information and publishing	323 519	680 000	630 000	630 000	93	1 000 000	669 000
28. Other administrative expenditure	103 565	330 000	1 235 500	1 235 500	374	455 000	1 276 000
<b>Title 3 – operational expenditure</b>	<b>12 237 674</b>	<b>17 935 000</b>	<b>20 442 000</b>	<b>20 442 000</b>	<b>114</b>	<b>25 900 000</b>	<b>26 418 000</b>
31. Enforcement	2 205 174	3 275 000	3 321 320	3 321 320	101	4 835 100	4 933 000
<i>of which concerted and joint inspections</i>	831 757	1 525 000	1 267 253	1 267 253	83	2 291 000	2 335 000
<i>of which analysis and risk assessment</i>	20 000	450 000	982 366	982 366	218	1 360 000	1 388 000
<i>of which tackling undeclared work</i>	1 353 417	1 300 000	1 071 701	1 071 701	82	1 184 100	1 210 000
32. Cooperation	616 100	2 515 000	3 141 606	3 141 606	125	3 805 000	3 875 000
<i>of which cooperation – NLOs</i>	381 686	765 000	928 336	928 336	121	1 100 000	1 120 000
<i>of which capacity building</i>	138 995	1 350 000	1 918 560	1 918 560	142	2 355 000	2 400 000
<i>of which mediation</i>	95 419	400 000	294 710	294 710	74	350 000	355 000
33. Information	9 030 400	11 020 000	11 984 869	11 984 869	109	13 945 000	14 225 000
<i>of which EURES</i>	7 960 400	9 900 000	10 295 199	10 295 199	104	11 460 000	11 690 000
<i>of which information and services</i>	1 070 000	1 120 000	1 689 670	1 689 670	151	2 485 000	2 535 000
34. Governance	386 000	1 125 000	1 994 205	1 994 205	177	3 314 900	3 385 000
<i>of which social partners and committees</i>	0	0	157 179	157 179	—	160 000	164 000
<i>of which governance and policy coordination</i>	0	150 000	392 947	392 947	262	400 000	410 000
<i>of which communication and awareness-raising campaigns</i>	386 000	975 000	1 178 840	1 178 840	121	2 434 900	2 484 000
<i>of which facilitation of digital tools</i>	0	0	265 239	265 239	—	320 000	327 000
<b>Total expenditure</b>	<b>23 202 552</b>	<b>34 689 842</b>	<b>39 973 330</b>	<b>42 843 000</b>	<b>115</b>	<b>49 534 000</b>	<b>50 525 000</b>

Table 29. Expenditure – payment appropriations

Expenditure	Payment appropriations						
	Executed budget (EUR)	Budget (EUR)	2023 budget (EUR)		Variance: N + 1/N (%)	Estimated for 2024 (EUR)	Estimated for 2025 (EUR)
	2021	2022	Agency request	Budget forecast			
<b>Title 1 – staff expenditure</b>	<b>5 979 672</b>	<b>12 282 842</b>	<b>13 916 330</b>	<b>16 786 000</b>	<b>113</b>	<b>17 799 000</b>	<b>18 155 000</b>
11. Salaries and allowances	4 645 315	8 641 250	10 660 330	12 575 000	123	12 444 000	12 690 000
<i>of which establishment plan posts</i>	2 414 207	4 629 500	6 405 330	7 357 000	138	9 424 000	8 435 000
<i>of which external personnel</i>	2 231 108	4 011 750	4 255 000	5 218 000	106	3 020 000	4 255 000
12. Expenditure relating to staff recruitment	134 344	937 191	533 000	654 000	57	1 050 000	1 070 000
13. Mission expenses	57 818	158 400	160 000	196 000	101	180 000	184 000
14. Sociomedical infrastructure	472 662	1 050 457	1 380 000	1 864 000	131	1 920 000	1 959 000
15. Training	45 915	516 300	328 000	503 000	64	400 000	409 000
16. External services	621 396	927 764	775 000	945 000	84	1 665 000	1 699 000
17. Receptions and events	988	51 480	80 000	49 000	155	60 000	62 000
18. Other staff-related expenditure	1 235	0	0	0	—	80 000	82 000
<b>Title 2 – infrastructure and operating expenditure</b>	<b>2 148 783</b>	<b>4 186 072</b>	<b>5 615 000</b>	<b>5 615 000</b>	<b>134</b>	<b>5 835 000</b>	<b>5 952 000</b>
21. Rental of buildings and associated costs	375 898	295 000	356 500	356 500	121	408 000	415 000
22. Information and communication technology	959 668	2 343 860	2 417 000	2 417 000	103	3 680 000	3 140 000
23. Movable property and associated costs	204 753	104 208	70 000	70 000	67	73 000	75 000
24. Current administrative expenditure	372 912	33 004	611 000	611 000	1 851	149 000	40 000
25. Postage/telecommunications	0	100 000	30 000	30 000	30	30 000	30 000
26. Meeting expenses	14 148	300 000	265 000	265 000	88	40 000	307 000
27. Information and publishing	117 838	680 000	630 000	630 000	93	1 000 000	669 000
28. Other administrative expenditure	103 565	330 000	1 235 500	1 235 500	374	455 000	1 276 000
<b>Title 3 – operational expenditure</b>	<b>7 758 848</b>	<b>12 133 691</b>	<b>10 221 000</b>	<b>10 221 000</b>	<b>84</b>	<b>12 950 000</b>	<b>13 209 000</b>
31. Enforcement	409 530	2 215 659	1 660 660	1 660 660	75	2 417 550	2 466 500
<i>of which concerted and joint inspections</i>	342 314	1 031 719	633 627	633 627	61	1 145 500	1 167 500
<i>of which analysis and risk assessment</i>	15 679	304 442	491 183	491 183	161	680 000	694 000
<i>of which tackling undeclared work</i>	51 537	879 498	535 851	535 851	61	592 050	605 000
32. Cooperation	62 005	1 701 490	1 570 803	1 570 803	92	1 902 500	1 937 500
<i>of which cooperation – NLOs</i>	46 226	517 551	464 168	464 168	90	550 000	560 000
<i>of which capacity building</i>	5 493	913 325	959 280	959 280	105	1 177 500	1 200 000
<i>of which mediation</i>	10 286	270 615	147 355	147 355	54	175 000	177 500
33. Information	7 070 524	7 455 437	5 992 435	5 992 435	80	6 972 500	7 112 500
<i>of which EURES</i>	6 558 530	6 697 716	5 147 600	5 147 600	77	5 730 000	5 845 000
<i>of which information and services</i>	511 994	757 721	844 835	844 835	111	1 242 500	1 267 500
34. Governance	216 790	761 104	997 103	997 103	131	1 657 450	1 692 500
<i>of which social partners and committees</i>	0	0	78 590	78 590	—	80 000	82 000
<i>of which governance and policy coordination</i>	0	101 481	196 474	196 474	194	200 000	205 000
<i>of which communication and awareness-raising campaigns</i>	216 790	659 624	589 420	589 420	89	1 217 450	1 242 000
<i>of which facilitation of digital tools</i>	0	0	132 620	0	—	160 000	163 500
<b>Total expenditure</b>	<b>15 887 303</b>	<b>28 602 605</b>	<b>29 752 330</b>	<b>32 622 000</b>	<b>104</b>	<b>36 584 000</b>	<b>37 316 000</b>

## 2023 procurement plan

The 2023–2025 SPD, including the 2023 ELA annual work programme, is equivalent to a financing decision for the activities it covers in line with Article 72 of ELA's financial rules <sup>(25)</sup>.

The implementation of the decision is subject to the availability of budget appropriations for the 2023 financial year.

Administrative appropriations will be implemented without a prior financing decision in line with Article 72(1) of ELA's financial rules.

The estimated global budgetary envelope reserved for procurements related to the operational activities referred to in Part III of this document for the 2023 financial year is EUR 4 660 000.

**Table 30. Procurement plan**

Annual work programme	Type of procurement service	Type of contract	Estimated amount (EUR)
Activity reference			
Activity 1: information and services	Service	FWC, SC	350 000
Activity 2: EURES	Service	FWC, SC	1 050 000
Activity 3: cooperation and NLOs' office	Service	FWC, SC, DC	200 000
Activity 5: concerted and joint inspections	Service	FWC, SC, OF	1 150 000
Activity 6: tackling undeclared work	Service	FWC, SC, OF	1 090 000
Activity 7: labour mobility analysis and risk assessment	Service	FWC, SC, OF	550 000
Activity 10: facilitation of digital tools supporting labour mobility	Service	FWC, SC	270 000

NB: DC, direct contract; FWC, framework contract; OF, order form; SC, specific contract.

<sup>(25)</sup> Decision No 21/2020 of 15 December 2020 of the Management Board on ELA's Financial Rules.

## Annex IV. Human resources: quantitative

**Table 31. Staff population and its evolution; overview of all categories of staff: statutory staff and SNEs**

Staff	Year N – 1 (2021)			Year N (2022)	Year N + 1 (2023)	Year N + 2 (2024)	Year N + 3 (2025)
Establishment plan posts	Authorised budget	Filled as of 31 December 2021	Occupancy rate	Authorised staff	Planned staff	Planned staff	Planned staff
Administrators (AD)	27	25	93 %	40	52	52	52
Assistants (AST)	11	7	64 %	17	15	15	15
Assistants/secretaries (AST/SC)	0	0	—	0	2	2	2
<b>Total establishment plan posts</b>	<b>38</b>	<b>32</b>	<b>84</b>	<b>57</b>	<b>69</b>	<b>69</b>	<b>69</b>
External staff	Authorised budget for FTEs	FTEs as of 31 December 2021	Execution rate	Planned FTEs	Planned FTEs	Planned FTEs	Planned FTEs
CAs	15	11	73%	15	15	15	15
SNEs	45	41	91%	60	60	60	60
<b>Total external staff</b>	<b>60</b>	<b>52</b>	<b>87</b>	<b>75</b>	<b>75</b>	<b>75</b>	<b>75</b>
<b>Total staff</b>	<b>98</b>	<b>84</b>	<b>86</b>	<b>132</b>	<b>144</b>	<b>144</b>	<b>144</b>

**Table 32. Staff population and its evolution; overview of all categories of staff: other HR – structural service providers**

	Actually in place as of 31 December 2021 / N – 1
Security	
ICT	3.25
Other (specify)	

NB: Service providers are contracted by a private company and carry out specialised outsourced tasks of a horizontal/support nature.

**Table 33. Staff population and its evolution; overview of all categories of staff: other HR – interim workers**

	Total FTEs in year N – 1 (2021)
Number	8



**Table 34. Multiannual staff policy plan for year  $N + 1$ , year  $N + 2$  and year  $N + 3$** 

Function group and grade	Year $N - 1$ (2021)						Year $N$ (2022)				Year $N + 1$ (2023)		Year $N + 2$ (2024)		Year $N + 3$ (2025)	
	Authorised		Actually filled as of 31 December 2021		Modifications in 2021 (flexibility rule)		Authorised		Modifications in 2022 (flexibility rule)		Planned		Planned		Planned	
	Perm. posts	Temp. posts	Perm. posts	Temp. posts	Perm. posts	Temp. posts	Perm. posts	Temp. posts	Perm. posts	Temp. posts	Perm. posts	Temp. posts	Perm. posts	Temp. posts	Perm. posts	Temp. posts
AD 16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AD 15	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AD 14	—	1	—	1	—	—	—	1	—	—	—	1	—	1	—	1
AD 13	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AD 12	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AD 11	—	—	—	1	—	1	—	1	—	1	—	3	—	5	—	5
AD 10	—	6	—	4	—	-1	—	5	—	-1	—	3	—	1	—	1
AD 9	—	—	—	—	—	—	—	—	—	—	—	1	—	7	—	7
AD 8	—	—	—	1	—	—	—	5	—	2	—	14	—	18	—	18
AD 7	—	13	—	9	—	—	—	14	—	-1	—	10	—	—	—	7
AD 6	—	—	—	—	—	—	—	8	—	-1	—	18	—	20	—	13
AD 5	—	7	—	9	—	—	—	6	—	—	—	2	—	—	—	—
<b>AD total</b>	<b>0</b>	<b>27</b>	<b>0</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>52</b>	<b>0</b>	<b>52</b>	<b>0</b>	<b>52</b>
AST 11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 5	—	—	—	—	—	—	—	—	—	1	—	1	—	2	—	4
AST 4	—	2	—	2	—	—	—	7	—	-1	—	6	—	13	—	11
AST 3	—	8	—	5	—	—	—	10	—	—	—	8	—	—	—	—
AST 2	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST 1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
<b>AST total</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>0</b>	<b>15</b>	<b>0</b>	<b>15</b>
AST/SC 6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST/SC 5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST/SC 4	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
AST/SC 3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2
AST/SC 2	—	—	—	—	—	—	—	—	—	—	—	2	—	2	—	—
AST/SC 1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
<b>AST/SC total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>Total</b>	<b>0</b>	<b>38</b>	<b>0</b>	<b>32</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>57</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>69</b>	<b>0</b>	<b>69</b>	<b>0</b>	<b>69</b>
<b>Grand total</b>	<b>38</b>		<b>32</b>		<b>0</b>		<b>57</b>		<b>0</b>		<b>69</b>		<b>69</b>		<b>69</b>	

NB: AD, administrator; AST, assistant; AST/SC, assistants/secretaries; perm., permanent; temp., temporary.

## Contract agents

Table 35. External personnel

CAs	FTEs corresponding to the authorised budget: $N - 1$ (2021)	Executed FTEs as of 31 December 2021 / $N - 1$	Headcount as of 31 December 2021 / $N - 1$	FTEs corresponding to the authorised budget: $N$ (2022)	FTEs corresponding to the authorised budget: $N + 1$ (2023)	FTEs corresponding to the authorised budget: $N + 2$ (2024)	FTEs corresponding to the authorised budget: $N + 3$ (2025)
FG IV	7	4	4	9	9	9	9
FG III	8	7	7	6	6	6	6
FG II	—	—	—	—	—	—	—
FG I	—	—	—	—	—	—	—
Total	15	11	11	15	15	15	15

NB: FG, function group.

## Seconded National Experts

Table 36. External personnel

SNEs	FTEs corresponding to the authorised budget: $N - 1$ (2021)	Executed FTEs as of 31 December 2021 / $N - 1$	Headcount as of 31 December 2021 / $N - 1$	FTEs corresponding to the authorised budget: $N$ (2022)	FTEs corresponding to the authorised budget: $N + 1$ (2023)	FTEs corresponding to the authorised budget: $N + 2$ (2024)	FTEs corresponding to the authorised budget: $N + 3$ (2025)
Total	45	41	41	60	60	60	60

## Annex V. Human resources: qualitative

### Recruitment policy

Table 37. Implementing rules in place

		Yes	No	If no, which other implementing rules are in place?
Engagement of CAs	Model Decision C(2019)3016	x		
Engagement of TAs	Model Decision C(2015)1509	x		
Middle management	Model Decision C(2018)2542	x		
Type of post and post titles	Model Decision C(2018)8800	x		

### Appraisal and reclassification

Table 38. Implementing rules in place

		Yes	No	If no, which other implementing rules are in place?
Appraisal of TAs	Model Decision C(2015)1513	x		
Appraisal of CAs	Model Decision C(2015)1456	x		
Reclassification of TAs	Model Decision C(2015)9560	x		
Reclassification of CAs	Model Decision C(2015)9561	x		

Table 39. Reclassification of TAs / promotion of officials

Grades	Average seniority in the grade among reclassified staff			
	Year <i>N</i> – 1 (2021)	Year <i>N</i> (2022) <sup>(1)</sup>	Actual average over 5 years (grade at 1 January 2021) <sup>(2)</sup>	Average over 5 years (according to Decision C(2015)9563)
AD07	1		4	2.8
AD10	1		3	4

<sup>(1)</sup> ELA's first reclassification exercise was carried out in 2021. Reclassification data for 2022 are not final.

<sup>(2)</sup> Interagency mobility.

### Gender representation

Table 40. Data on 31 December 2021 – statutory staff (only TAs and CAs)

		TAs		CAs		Grand total	
		Staff	%	Staff	%	Staff	%
Female	Administrator level (AD and FG IV)	11	34	3	27	14	33
	Assistant level (AST and FG III)	5	16	4	36	9	21
	<b>Total female</b>	<b>16</b>	<b>50</b>	<b>7</b>	<b>64</b>	<b>23</b>	<b>53</b>
Male	Administrator level (AD and FG IV)	14	44	1	9	15	35
	Assistant level (AST and FG III)	2	6	3	27	5	12
	<b>Total male</b>	<b>16</b>	<b>50</b>	<b>4</b>	<b>36</b>	<b>20</b>	<b>47</b>
<b>Grand total</b>		<b>32</b>	<b>100</b>	<b>11</b>	<b>100</b>	<b>43</b>	<b>100</b>

NB: AD, administrator; AST, assistant; FG, function group.

**Table 41. Gender evolution of middle management**

	Year N – 1 (2021)		Year N (2022)	
	Number	%	Number	%
Female managers	2	40	2	40
Male managers	3	60	3	60

NB: 'Middle management' refers to staff defined as 'middle managers' by the applicable general implementing provisions on middle management.

## Geographical balance

**Table 42. Data on 31 December 2021 – statutory staff (only TAs and CAs)**

Nationality	AD + CA FG IV		AST/SC- AST + CA FG I/CA FG II/CA FG III		TOTAL	
	Number	% of total staff members in AD and FG IV categories	Number	% of total staff members in AST, SC/AST and FG I, FG II and FG III categories	Number	% of total staff
Belgium	1	3	0	0	1	2
Bulgaria	3	10	2	14	5	12
Germany	1	3	0	0	1	2
Greece	1	3	1	7	2	5
Italy	3	10	0	0	3	7
Lithuania	1	3	2	14	3	7
Hungary	1	3	1	7	2	5
Malta	1	3	0	0	1	2
Austria	3	10	0	0	3	7
Poland	4	14	0	0	4	9
Portugal	3	10	0	0	3	7
Romania	2	7	3	21	5	12
Slovakia	4	14	5	36	9	21
Finland	1	3	0	0	1	2
<b>Total</b>	<b>29</b>	<b>100</b>	<b>14</b>	<b>100</b>	<b>43</b>	<b>100</b>

NB: AD, administrator; AST, assistant; AST/SC, assistant/secretary; FG, function group.

## Schooling

**Table 43. Schooling**

Agreements in place with European Schools				
Contribution agreements signed with the European Commission on type I European schools	Yes		No	x
Contribution agreements signed with the European Commission on type II European schools	Yes		No	x
Number of service contracts in place with international schools	6			
Description of any other solutions or actions in place:				
Schooling is a key factor in fostering multilingualism and enabling ELA to attract and retain diverse qualified staff. The Authority will continue recruiting on the broadest possible geographical basis from among nationals of EU Member States.				
In the area of the seat of the Authority, there is no European school. To that end, the Authority is continuing to implement the Management Board decisions on schooling and preschool facilities costs for the children of ELA staff.				

## Annex VI. Environmental management

While the overall environmental policy and management system is to be further defined, specific actions related to environmental management will continue.

The seat of the Authority is in a newly constructed building, Landererova 12, completed in 2018. This building received the LEED gold certificate. The building uses 32 % less primary energy and 50 % less drinking water than conventional buildings, resulting in a total consumption of energy of 75 kWh/m<sup>2</sup>.a, with primary energy: 116 kWh/m<sup>2</sup>.a; CO<sub>2</sub> emissions 13.9 kg/(m.a). Features include recharging stations for e-cars, showers and changing rooms for cyclists, and good connections to surrounding cycle routes.

As a joint tenant of the building, the Authority intends to integrate with the certified management systems already installed by the landlord and within the context of the Authority's sustainability strategy as an effective way of managing resources more efficiently. It will simplify several activities associated with these systems' maintenance and improvement. Those integrated management systems could have the following certifications: International Organization for Standardization (ISO) 9001 (quality), ISO 27001 (information security), ISO 10002 (complaints handling), Occupational Health and Safety Assessment Series (OHSAS) 18001 (health and safety), European Norm (EN) 170001 (universal accessibility) or ISO 14001 (environmental management). They could also be registered with the EU Eco-Management and Audit Scheme.

In an effort to maintain a sustainable environment, the Authority has already implemented some initiatives contributing to limiting its environmental impact. Examples are as follows:

- > The Authority has adopted a printing policy that discourages physical printing and aims to reduce colour printing, by limiting the number of colour printers to one. Personal printers are not permitted at the premises.
- > The Authority avoids ICT infrastructure on the premises, taking greater advantage of cloud services, thereby sharing power consumption with other customers.
- > The Authority promotes digitalisation and enabling technologies that promote online collaboration, thus reducing the reliance on missions and the toll these have on the environment.
- > Technical equipment meets the requirements of LEED certification parameters such as efficiency of cold production or water consumption in sanitary facilities.
- > The Authority promotes the sorting of recyclable waste, setting up adequate collection containers in the premises for the collection of the several types of recyclable waste.
- > The Authority aims to reduce its carbon footprint. It is tracing the carbon footprint of its missions. The establishment of the Brussels Liaison Office should also offset several missions carried out to Brussels.
- > The Authority supports green modes of transport by contributing to the expenses incurred by its staff for the use of such transport.
- > Green public procurement will be anchored in the Authority's calls for tenders, to engage service providers and vendors in the aim for environmental excellence.

In 2023, the Authority will design its comprehensive environmental strategy, which will set out the actions required to maintain a high-quality and sustainable physical environment by maximising the efficiency of its facilities and services; minimising the environmental impact of its operations, particularly in the areas of production of waste, consumption of resources and greenhouse gas emissions; and providing staff with improved working conditions. The strategy will contain concrete objectives to reduce the environmental impact, including in relation to consumption of resources, transport, recycling, etc.

## Annex VII. Building policy, 2023

**Table 44. Details of rented ELA premises in 2022**

Building name and type	Location	Surface area (m <sup>2</sup> )			Rental contract					Host country (grant or support)
		Office space	Non-office space	Total	Rent (EUR/year)	Duration of the contract (years)	Type	Breakout clause (yes/no)	Conditions attached to the breakout clause (if applicable)	
Landererova 12, administrative building	Landererova 12, Bratislava 1, 81109, Slovakia	3 436.70	1 282.40	4 719.10	1 200 <sup>(1)</sup>	20	Sublease	Yes	If ELA ceases to exist, if ELA relocates, if Slovakia ceases to be an EU Member State <sup>(2)</sup>	Slovakia

<sup>(1)</sup> As of the 11th year of the contract, ELA will pay regular rent.

<sup>(2)</sup> According to the 'termination clause', ELA may terminate the sublease agreement if ELA ceases to exist without a successor, if ELA's seat is relocated outside Slovakia or if Slovakia leaves the EU. There are further conditions attached to these events depending on whether they occur in the first 10 years of the sublease or not.

The provisions for the seat of the Authority have been established by Decision (EU) 2019/1199 <sup>(26)</sup> and the Headquarters Agreement between ELA and the Government of the Slovak Republic. ELA moved to its permanent location in Bratislava, Slovakia, in September 2021. In the premises of Landererova 12, ELA has a lettable floor space of 4 719.1 m<sup>2</sup>, of which approximately 1 282.4 m<sup>2</sup> are dedicated to a conference centre for ELA. The building was newly constructed in 2018 and ELA is the first tenant of its assigned floors. The building fits the Authority's needs for its specific installations, equipment, conference centre and office space. The office space and infrastructure were gradually made available during 2021, while the conference facilities were finalised in Q2 2022. Possible future adjustments of the premises will take into account the experience with its current use and further calibration to the Authority's needs.

The lease for Landererova 12 lasts 20 years, with an option to break the lease under certain circumstances.

The building has a shared tenancy arrangement, with the Authority occupying 4 of the available 14 lettable floors.

<sup>(26)</sup> ELA takes note of the decision of the court in Case C-743/19, *European Parliament v Council*. ELA will respect all future steps taken by the competent EU institutions on that matter.

## **Annex VIII. Privileges and immunities**

The negotiations for the Headquarters Agreement with the Slovak Republic as the host Member State were finalised in mid July 2021. Both sides initiated the internal approval procedures. For ELA, the Management Board approved the agreement at the end of July 2021. The mutual signature of the agreement took place on 4 October 2021. Under its provisions, Slovakia provides full compliance with the protocol on the privileges and immunities of the European Union in terms of ELA staff and their relatives, and Slovakia also granted temporary tax measures that will facilitate the integration of ELA staff in Bratislava.



## Annex IX. Evaluations

ELA's evaluation policy currently consists of a mixture of ex ante and ex post controls (involving following the four eyes principle, verification of the financial circuits, operational and financial verification functions, and exceptions reporting) and a modular approach rather than the conventional ex ante / interim / ex post evaluation approach, focusing in particular on the activity level of the work programme, and relying on narrative reports linked to the specific activities.

ELA collects and reports on various other metrics to support efficient and effective operations at process and functional levels, notably regarding its communication and its financial performance.

Monitoring is carried out internally, including by the Management Board, which is informed at least two times per year on the status of the implementation of the annual work programme. Finally, the Management Board conducts an annual analysis and assessment of the Executive Director's activity report.

Key performance indicators are used to evaluate the overall and long-term success of ELA. Indicators are in place to evaluate the success of a particular objective of an activity ELA is engaged with, linked to the work programme.

## Annex X. Strategy for organisational management and internal control

### Organisational management

ELA is headed by the Executive Director, who is accountable to the Management Board. The Management Board consists of a member from each Member State, two members from the European Commission, an independent expert appointed by the European Parliament and four members from EU-level social partners, two representing the trade unions and two representing the employer organisations. The Management Board also has several observers from European Free Trade Association (EFTA) Member States and ELA's EU sister agencies.

The Management Board provides the strategic orientation of ELA and adopts ELA's SPD, the annual budget, the consolidated annual activity report on ELA's activities and other activities related to working groups and expert panels. The Management Board meets at least two times a year to ensure good governance of ELA's activities.

### Internal control

The Executive Director – supported by managers and the internal control and legal functions – oversees the internal control systems within each unit/function. At the level of units, all managers are accountable for the achievement of objectives, and report in accordance with the applicable reporting arrangements within ELA.

ELA carries out an annual risk assessment taking into account the inherent risk environment in which the Authority operates, and specific activities and processes. At the corporate level, the assessment exercise involves the Executive Director and senior management supported by the internal control and audit assistant function. For each of the identified risks included in the risk register, a coordinator is appointed to draft action and coordinate its implementation. The internal control function monitors and reports to senior management quarterly through the risk register. During the year, the risk register and related reporting are regularly reviewed, with feedback provided to senior management.

In 2022, ELA took part in the peer review exercise on risk management in decentralised agencies launched by the European Commission. As part of this exercise, ELA joined a working group of agencies belonging to the same cluster. The Authority expressed its interest in continuing to be part of this peer review exercise in the coming years. ELA implements the internal control framework adopted by the Management Board in December 2020. The framework comprises five internal control components and 17 principles and is based on the internal control framework of the European Commission. Key performance indicators for monitoring the internal control framework will be developed and adopted. In 2023, ELA will further strengthen its internal control system based on the recommendation of the Internal Audit Service.

ELA has in place an internal procedure to report and register nonconformity events, which are reported yearly to the Executive Director.

Annual audits implemented by external auditors (European Court of Auditors) allow the Authority to demonstrate that it has an effective internal control and management system.

In order to support the ethical and organisational values, ELA adopted and is implementing the following key ELA documents: Management Board Decision No 5/2022 on the code of good administrative behaviour, Management Board Decision No 3/2021 on ELA's anti-fraud strategy and Management Board Decision No 11/2021 on guidelines on whistleblowing. The objective of ELA's anti-fraud strategy is to maintain a high standard of ethics and a high level of fraud awareness. The implementation of the strategy is monitored using a dedicated action plan.

Every staff member is to submit a certificate of good conduct or lack of a criminal record before taking up their duties.

## **Annex XI. Plan for grant, contribution or service-level agreements**

Not applicable.

## Annex XII. Strategy for cooperation with third countries and/or international organisations

After the consolidation and growth stage of previous years, ELA continues its cooperation with the European Economic Area (EEA) countries and Switzerland, and has also commenced working-level cooperation with some other third countries and international organisations, in close coordination with the European Commission and in line with the applicable rules.

The ELA regulation stipulates that representatives from third countries that are applying EU law in areas covered by the regulation may participate in the meetings and deliberations of the Management Board as observers. Therefore, the EEA/EFTA countries have been invited to ELA Management Board meetings from the outset.

Regarding EEA countries, the process of incorporating the ELA regulation into the EEA agreement has not been completed, although it started in 2020. ELA has had several exchanges with EEA countries and the Commission to speed up the incorporation. However, due to the importance of EEA countries' continued and active participation in the area of labour mobility, and following a request by the EFTA Secretariat, EEA countries have recently been allowed to participate in the ELA working groups (inspections, mediation, information) prior to the incorporation of the ELA regulation into the EEA agreement. EEA countries are also participating as observers in the Working Group 'European Platform to enhance cooperation in tackling undeclared work'. Finally, as ELA manages the EURES European Coordination Office, EEA countries and Switzerland are participating in EURES activities.

Financial contributions by the EEA/EFTA countries are set by the EEA agreement (Protocol 31) and based on annual proxies. Pending confirmation of any such contributions, the ELA budget indicates what is pro memoria. It could also be the case that the countries will not be willing to contribute to the ELA budget. This cannot be known until the EEA agreement, in particular Protocol 31, is amended. Until the incorporation of the ELA regulation into the EEA agreement, any costs incurred for any of the activities in which EEA countries have been allowed to participate on an ad hoc basis prior to incorporation of the ELA regulation into the EEA agreement should be borne by the countries concerned.

The participation of Switzerland in ELA activities beyond the Management Board can only take place once the EU–Switzerland agreement on the free movement of persons is amended. Advance participation such as that granted to the EEA countries is thus not possible at this stage.

Third countries that have entered into agreements with the EU could propose SNEs to ELA. In the case of the EEA/EFTA countries, this will be possible once the Joint Committee adopts the decision. In the case of Switzerland, this will be possible once the EU–Switzerland agreement on the free movement of persons is amended. The ELA Management Board will then need to make the necessary practical arrangements when the issue arises.

Beyond the EEA countries and Switzerland, ELA has established ad hoc working relations with other third countries and international organisations. This cooperation includes meetings with international organisations or third countries and joint organisation of events (e.g. with the International Labour Organization), strictly following ELA's mandate. Some activities have been intensified, particularly regarding the war in Ukraine. ELA will develop its strategy regarding third countries and international organisations in 2023, in close coordination and cooperation with the European Commission and the ELA Management Board and respecting the applicable legal framework, particularly Article 43 of the founding regulation.





