



Summary of deliberations

Meeting of the European Platform tackling undeclared work

9 November 2022, European Labour Authority (Landererova 12, Bratislava)

ITEM 1: Opening remarks by Pedro Assares, ELA's Head of Unit - Enforcement & Analysis

The Chair welcomed Platform members and observers. The agenda was adopted.

ITEM 2: Adoption of outputs from Platform meeting on 23-24 March

The following documents were adopted:

- Thematic report on Operationalising holistic approaches to tackling undeclared work from plenary discussion on 23 March 2022;
- Summary of deliberations from Platform meeting on 24 March 2022.

ITEM 3: Selection of thematic focus for 2023 plenary meetings

The Platform discussed a number of possible topics for future Plenary meetings, following suggestions from the Chair. Platform members signalled the most interest in the following four topics, which could be covered by plenary meetings in 2023 and 2024 (to be confirmed by ELA):

- Teleworking (possibly to be combined with other aspects of the changing world of work);
- Cooperation between enforcement authorities and NGOs as well as other private partners;
- Approaches to encourage and support compliance by employers;
- Improving KPIs and data collection to tackle undeclared work.

Some Platform members mentioned that cooperation with NGOs may be a sensitive subject while others acknowledge the importance of this topic. The Platform agreed with the Chair's proposal to discuss teleworking in the plenary meeting and not to dedicate a specific seminar/thematic review workshop to this topic, as initially planned for 2023. The 2023 planning will be adjusted accordingly.

ITEM 4: Reporting back from the working groups on day one of the plenary

Two rapporteurs presented the discussions held at the workshops at the previous day on 'measuring the effectiveness of different policy measures for tackling undeclared work' and on 'measuring the performance of enforcement authorities'. The findings and main conclusions of the thematic discussions will be presented in a separate Thematic Report.

ITEM 5: Update by the European Commission, DG EMPL

The European Commission (EC) informed the Platform members about the main priorities of the EU as outlined by EC President Ursula von der Leyen in her annual State of the Union speech and key social/employment policy initiatives. DG EMPL will continue working on skills shortages as this follows the EC proposal to make 2023 the European Year of Skills, which will aim to ensure that people can adapt to the changing labour market.

The EC envisages a conference on the digitalisation in social security coordination (ESSPASS) and Labour Cards/Social ID cards on 1 March 2023. Given ELA also plans a subgroup meeting on evaluating social ID cards, ELA and DG EMPL will coordinate regarding the two events to ensure synergy. Furthermore, DG EMPL will publish (publication envisaged for Q1 2023) a new call for proposals which foresees support to projects tackling undeclared work. This call shall co-finance



projects which add value to the work of the Platform. Platform members were invited to start thinking about projects they might want to put forward.

ITEM 6: Fundamental Rights Agency (FRA) trainers manual on the protective elements of Employers Sanctions Directive and of the Seasonal Workers Directive

FRA presented its work on labour exploitation and the ‘trainers manual’ which is currently conceptualising targeting labour inspectors and inspection authorities of other monitoring bodies. FRA invited members to reflect on how labour inspectorates could embed the manual in their training activities as well to express their interest in providing feedback on the manual (i.e. by revising the final draft, sharing practices and examples of their national context; advising on the training format, etc.). Several countries expressed their interest in joining this work. ELA offered to organise a meeting to facilitate the discussion on the manual among the Platform.

ITEM 7: Reporting from the Platform subgroup on alert mechanisms to identify undeclared work at an early stage

The leader of the subgroup provided information on the meeting that took place on 12 October 2022. The aim was to share learning on existing alert mechanisms and data used; explore innovative data mining at the aggregated level and predictive methods and; discuss data access and suggestions for designing alert mechanisms. The report from this subgroup will be shared with the platform members shortly.

ITEM 8: Preventing undeclared work among displaced persons/refugees from Ukraine

The leader of the subgroup on tackling undeclared work among displaced persons/refugees from Ukraine summarised the main conclusions from the subgroup discussions that took place in May and September 2022. Some members expressed the concerns that challenges such as undeclared work may be on the rise as an increasing share of displaced persons enters the labour market. ELA, with agreement of the Platform members, expressed its willingness to continue the work of the subgroup (envisaged was short and flexible format, e.g. a half-day meeting early 2023).

ITEM 9: Adoption of the mandate for a future subgroup on evaluating social ID cards as a tool for tackling undeclared work, including in subcontracting chains

The Platform agreed to the mandate of the subgroup and joint leadership by the representatives of EFBWW and FIEC.

ITEM 10: Staff exchanges – experiences in 2022

The budget for staff exchanges has been fully used in 2022. Platform members shared that they have been a great opportunity to learn from each other and have in-depth discussions. ELA sees great benefit in staff exchanges and will continue supporting them. A new call for applications will be issued around January/February 2023. This year, interpretation has been available for staff exchanges and has been well received by the members, so ELA will continue offering this service.

ITEM 11: Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)

A number of members reported on new developments in their respective administrations such as staff increases and training, challenges in hiring inspectors; digital tools and equipment to facilitate the work of the inspectors; legislative changes as well as increased cooperation between various authorities (e.g. setting up regional centres) and with social partners.



AOB:

ELA proposed to remove the bi-annual report from the 2022 Work Programme, which was endorsed. Platform repository will be moving from SharePoint to CIRCABC¹ by the end of 2022. This is to harmonise the approach to storing documents across various working groups and the Management Board at ELA.

ELA sought feedback from Platform members on exploring the possibility of holding joint sessions between the Platform and the Working Group on Inspections (as a bridge between the two meetings which are currently back-to-back) on a topic of relevance for both groups. Some member expressed their concerns about holding joint sessions between the two working groups. Among others, they stated that such sessions would require careful planning and that it is necessary to clarify the decision-making processes in such cases, if any decisions are to be made. No final decision was taken on the subject of joint sessions. The Chair mentioned this would be raised also at the Working Group on Inspections. Some members have also advocated having hybrid meetings to allow a wider group of colleagues from the national authorities to follow the discussions. The Chair emphasised that the format could be hybrid in the future plenary meetings as long as it does not undermine the commitment for physical participation among the Platform members. Physical participation is vital for the success of such meetings.

¹ [CIRCABC \(europea.eu\)](https://europea.eu) accessed 9/11/2022