



Cosmin Boiangiu, ELA's Executive Director

Speech at Belgian Presidency Conference on ELA

Introduction

Dear Deputy Prime Minister Vandenbroucke,

Dear Acting Director-General Ms Andriana Sukova

Dear Chair Pislaru,

Dear Guests,

Let me start by wholeheartedly thanking the Belgian Presidency for the organisation of this Conference on Fair Mobility and the European Labour Authority.

During the different panel and breakout sessions we have heard a lot of enthusiasm and good ideas on how to ensure fair mobility in Europe and how ELA can further support this.

Belgian cooperation with ELA

The Belgian authorities have been supporting ELA from the very beginning. At the end of last year, I had the honour of welcoming Deputy Prime Minister Dermagne and colleagues from his ministry at our premises in Bratislava. We discussed ELA activities and the experiences from the first years of operation, and as part of this we also presented an overview of the activities of ELA where the Belgian authorities and social partners actively participated. I am not going to mention everything now, but I can guarantee you that it was a long and impressive list.

ELA experience with the regulation

In March it will be 6 years ago that the Commission put forward a legislative proposal for a European Labour Authority with the aim of ensuring fair labour mobility in Europe.

Thanks to the efforts of the Council and the European Parliament the establishment of an ambitious ELA was a fact in June 2019.

The fast adoption of a new regulation showed the commitment and need for ELA's work. Since then, ELA has been setting up its operational activities and delivering on the objectives to respond to the expectations put on our shoulders.

From the very beginning, we have worked on the improvement of the information provision for individuals and employers as well as social partner organisations.

We had a closer look at the European sources of information and invested our efforts in the improvement of the Your Europe and EURES websites to ensure increased accessibility and quality of the information available at EU level.

The work of ELA became more and more visible through our information and awareness raising campaigns. We started with addressing the precarious conditions of seasonal workers in 2021. In 2022 we reached out to drivers and operators with the Road2FairTransport campaign, informing them about their rights and obligations. For example, the informative campaign videos had almost 10 million views. This good work continued in 2023, where we focused on our campaign on posting rules and the construction sector.

The results are impressive, but they would not have been possible without the involvement and close cooperation of the national administrations and the social partners. Their hands-on experience and expertise are vital to create successful messages to the right audience.

Clear information about labour mobility is for millions of European individuals a gateway to pursue opportunities in other Member States.

While we will always work towards fair mobility, we also want to see mobility in the EU as an effective tool of the EU Single Market. By taking EURES under our wings, we have been working to improve the matching at the labour market.

I am therefore glad that this year is not only the 5th anniversary of ELA but also the 30th anniversary of EURES. With EURES we have supported contacts between over 5,5 million workers and nearly 400 000 employers since 2020. EURES will remain high on our agenda as labour mobility needs to be used more frequently to fully exploit its potential for single Market. We are determined to make the EURES portal a modern and technology driven tool that is fit for the future.

This brings me also to the second field of work where ELA delivered the past years: Strengthening the Enforcement of applicable legislation.

With the establishment of ELA, a new legal instrument was created where the Authority can coordinate and support cross-border inspections.

This has been a long-awaited feature. Due to the Covid pandemic there were some practical hurdles to manage, but nevertheless, ELA delivered.

With the support of the Working Group on inspections, ELA built the procedures and tools to establish a comprehensive framework for the execution of inspections through ELA.

The first inspections organised by ELA took place in 2020, and since then 120 cross-border joint and concerted inspections have taken place in numerous sectors, with the participation of almost all Member States.

We have been growing and expanding our activities every year. We are proud of the results so far, and eager to continue.

ELA is not only here to coordinate and support the inspections, we also want to empower the national authorities with new tools and the relevant know-how to execute and follow up on cross-border concerted and joint inspections.

Thirdly, ELA has shown that there is vast room to improve the cooperation between Member States' administrations in the field of labour mobility, and ELA can bring great added_value in this respect.

For example, there was a clear need from Member States' authorities to have a forum to exchange views on the posting of workers. ELA created the Posting 360 programme, which includes a Forum on the Posting of Workers enabling closer cooperation of over 60 labour and social security experts from the national authorities and social partners.

The ELA network of National Liaison Officers is proving crucial to promote the activation of and networking between the national authorities and stakeholders.

The NLOs work shoulder-to-shoulder to ensure quick responses to requests for information and cooperation.

In two years, we have had over 270 cases of exchanges of information between NLOs to facilitate solutions in all mobility areas, including posting, road transport and social security coordination.

In a growing set of instances, these exchanges have turned into meetings between the competent authorities, or further investigations that led to joint inspections.

The way forward

All this work, and more would not have been possible without our biggest asset: the highly motivated and dedicated staff we have at ELA who built up all these activities from scratch.

Being asked the question whether ELA managed to deliver on the mandate it was given in 2019. I can clearly say without reservations: Yes, we did.

Does that mean that from now on our mission is fulfilled?

No, not at all. We might be fully up to speed and have implemented all our tasks, but we have not lost our ambition.

Although I would be happy to announce that we have reached our objective of fair labour mobility, I am afraid we are not there yet. If there is one thing we can take away from the past 5 years, it is that there is a lot of potential and work to do for ELA. We are eager to further contribute to fair mobility in Europe.

The past years have given us hands-on experience on what works well in practice, and where we see room for improvement.

Where we, together with the national authorities and the social partners can further make a difference.

I am very pleased that I have the opportunity today to set out our achievements, but also highlight the areas where ELA could provide better support or make more impact.

I have mentioned the tremendous steps we have taken with the coordination and support for

inspections. But there is an opportunity to do more.

For example, ELA is well placed to analyse and connect information from different Member States with the aim of suggesting cross-border cases and preventive or thematic cross-border inspections, based on our own intelligence coming from the operational risk analysis.

The operational risk analysis done at EU level by ELA would enable better identification of problematic practices and involved entities, which may not be easily visible at national level alone.

This would be a significant value added for the national authorities in their enforcement efforts, and would enable better targeting of enforcement activities.

While we are fully committed to use this part of our mandate, we have not enough ammunition to do so. We will need a helping hand from the co-legislators to operationalise our competence to propose inspections on our own initiative

In addition, we are convinced that we can strengthen our enforcement capabilities if ELA would have a broader and stronger task in collecting and analysing data.

Also data from the relevant national inspections and cross-border inspections organised without ELA's involvement would enable a more comprehensive picture on the enforcement of the labour mobility rules.

Our aim is to further build on a strong and efficient mediation tool that helps national authorities to resolve their disputes in all areas of labour mobility. We are only standing at the beginning of our work here, but we are convinced that with the right promotion and creating awareness about the mediation procedure we can show Member States the benefits of this tool. In this regard I would also like to thank the Belgian Presidency for their support, as is clearly visible in their report.

Third country nationals play a more important role on the EU labour market. (this has been mentioned several times today).

We see that the number of third country citizens working in Europe is increasing every year. The ageing population of Europe, as well as the need for more green and digital jobs that require new skills make that employers are struggling to find the qualified workers they need.

To provide an answer to these needs the Commission recently put forward measures improving legal migration.

Currently, there is no EU agency responsible for dealing with the labour rights of Third Country nationals regularly or irregularly staying inside the EU, and ELA does not have a direct mandate to deal with labour migrants. Meanwhile, we know that migration is in an overwhelming proportion related to the field of labour.

ELA could bring added value to the European Commission, Member States and other EU Agencies in providing a comprehensive analysis of challenges and opportunities concerning third country workers in the EU. And to contribute to a holistic approach for enforcement cooperation between national authorities to ensure fair conditions for all workers on our labour market.

The European Parliament echoes this in their recently adopted resolution on the mandate of ELA where they call to expand the scope of ELA's mandate on labour mobility to cover third country nationals.

We have started a cooperation with the Commission and national experts on the posting of third

country nationals which is working very well and could serve as a basis for future activities.

I put an ambition forward to build ELA not only as a practical, action-oriented institution but also as a digitally-advanced Agency.

Digitalisation and AI are not only buzz words for me, but concrete steps on how we can contribute to smoother mobility with quicker exchange of information between national authorities, workers and businesses.

We have already set our Authority on the forefront of digitalisation – the support for existing digital tools mentioned earlier has been coupled with our support for digital innovation.

Our ambition remains high – I want the ELA TECH conference to be transformed to a permanent platform bringing together national authorities and interested stakeholders to exchange good practices and concrete solutions to augment digital innovation in the labour mobility field.

Our ambition is also clearly visible in the current objectives of our mandate. We have put forward robust long-term plans to implement the tasks that were given to us, and further expand towards the future.

The newly adopted Capacity Building Strategy provides a vision for ELA to become a point of reference in Europe and a preferred partner for Member States and other stakeholders in matters related to EU labour mobility by 2030.

Also, for the EURES Portal we have put forward a strategy for 2030. I see the potential of further developing the EURES Portal into a technologically advanced tool to enable better labour circulation across the EU and subsequently a better functioning of the Single Market.

With EURES we want to enhance our European level activities, to further increase EURES' visibility and functionality. A service with rich content and usability that is well known by millions of jobseekers, employers and institutions can contribute greatly to fair and effective labour mobility, and a more flexible and adaptable labour market in Europe.

Concluding remarks

Let me conclude by applauding the tremendous work the Belgian Presidency has put in their evaluation and promotion of ELA's work through their report.

I very much welcome the support they give to our activities and the future outlook they present.

I am certain that their findings will be very valuable input for the official evaluation that will be published later this year.

And I look forward to our continued cooperation.

Cosmin Boiangiu
ELA's Executive Director