

Capacity Building Strategy 2024 - 2030

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1 Introduction

The European Labour Authority ('the Authority' or 'ELA') is a European Union (EU) body established by Regulation (EU) 2019/1149 ('the founding regulation') with the aim 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. ELA's mission is to contribute to ensuring fair and effective labour mobility across the Union and assist Member States and the Commission in the coordination of social security systems within the Union. When quantifying labour mobility, in 2021, the number of working age EU citizens living in another Member State stood at 10.2 million. There were also 1.7 million cross-border workers active in the EU and EFTA, and 3.6 million posted workers, out of which 1.3 million were persons active in two or more Member States.¹

To implement this objective, one of ELA's tasks includes supporting Member States with capacity building regarding the effective application and enforcement of relevant Union law, as well as "improving the capacity of Member States' different relevant authorities and actors to tackle undeclared work with regard to its cross-border aspects [...]" (Article 12). The insufficient capacity of competent national authorities to organise cooperation with other authorities across borders has been identified as one of the main drivers to the efficient and consistent application and enforcement of EU labour mobility law². This is mainly because the staffing and organisation of national authorities are a national competence - however, effective and efficient handling of cross-border issues requires a good operational capacity to cooperate between competent authorities in different Member States.

Since capacity building refers to the process of enhancing the knowledge, skills, and capabilities of individuals, organisations, or systems to perform their functions effectively, this represents one of the areas where ELA can make the greatest impact. The central purpose of ELA capacity building will be that of providing a flexible and comprehensive response to the needs of Member States and other ELA stakeholders through various initiatives, so that they are better equipped to correctly apply and enforce the relevant EU labour mobility law.

Over the past three years, ELA has been in a growth stage, and so was ELA's capacity building offer. During 2022 and 2023, many pilot initiatives were launched, attracting a number of participants from the Member States, with the aim of improving the level of knowledge about EU labour mobility law. As from 2024, ELA would like to do this in a more planned and structural way, and thus the purpose of this document is to lay down the mission and vision of ELA capacity building, as well as the objectives and the strategy to achieve them. Finally, the paper also presents the methods how to measure ELA's performance, as well as an annual plan of activities for 2024. It is the aim to present the annual plan to the Management Board at the last meeting of the year, every year.

2 A multiannual strategy with an annual plan

This strategy has a twofold structure, as it is built along a multiannual timeframe and an annual delivery plan.

¹ Source: Annual Report on Intra-EU Labour Mobility 2022

² As provided in Article 1(4) of the ELA founding regulation.

A **multi-annual plan** which aims at covering the strategic part which will be implemented gradually over the next seven years, from 2024 to 2030, will be aligned with the strategic development of ELA. The synchronisation of the timeframe of the capacity building strategy with that driving the mature development of ELA is the preferred option for several reasons. Aligning the timespan allows for parallel monitoring of progress and ensures a structured approach to the issues at hand. It will also enable a comprehensive understanding of the effectiveness and impact of the initiatives, while organising actions, allocating resources, and maintaining a focused effort towards achieving desired outcomes. This synchronised approach avoids conflicts or overlaps, facilitates stakeholder involvement, and provides a basis for assessing success and identifying areas for improvement.

The multiannual approach will be broken down into **annual plans of capacity building activities**, which will be presented every year to the Management Board. Such an approach will have the benefit of being capable to respond to changing and emerging issues and needs not considered, or evident, in the initial design of the strategy.

3 ELA capacity building strategy

3.1 Mission

The mission of ELA capacity building, which is derived from the founding regulation, is to support Member States with capacity building aimed at promoting the consistent application and enforcement of EU labour mobility law, and improving the capacity of Member States in tackling undeclared work with regard to its cross-border aspects. In practical terms, ELA should ensure that administrations dealing with the application and enforcement of EU labour mobility law are knowledgeable and capable to properly apply such law during the normal course of day-to-day operations. In turn, this will contribute to safeguarding the rights and obligations of mobile workers and their employers and ensuring that the EU labour market and welfare systems for the mobile workers function more efficiently and in a fairer manner. In so doing, ELA capacity building will contribute to ELA's overall mission of strengthening fairness and trust in the internal market.

A strong capacity building framework is also essential in helping national authorities and social partners in addressing the emerging challenges in cross-border labour mobility, in providing the involved actors with a common understanding of the rules that govern labour mobility, as well as the necessary competences to deal with the existing patterns and evolving related trends.

3.2 Vision

Following on from the mission, the vision of ELA capacity building is to become, by 2030, a **point of reference in Europe, a preferred partner**³ for Member States and other stakeholders in matters related to EU labour mobility, that provides application and enforcement of EU labour mobility law, for the benefit of mobile workers, companies and enforcers, and the proper functioning of the internal market. This will progressively make ELA a trusted source of knowledge and guidance for all those involved in labour mobility within Europe.

³ See Section 3.3 Objectives

3.2.1 Translating the mission and vision into principles

The envisaged role of ELA as the preferred partner in Europe requires a more detailed elaboration of the key points involved in such a vision. This will be translated along the following principles:

- a) **Knowledge.** ELA will act as a repository and disseminator of knowledge pertaining to the application and enforcement of EU labour mobility law. It consolidates and shares information on the application of relevant laws, regulations, and CJEU case law. By centralising this knowledge, ELA ensures that Member States and stakeholders have access to accurate and up-to-date information, fostering an informed decision-making and consistent application of labour mobility rules.
- b) **Networking.** ELA will promote networking among Member States and other stakeholders in the realm of labour mobility. A progressively more structured, stable and mature networking will enable ELA to build a sense of community among those involved in labour mobility, that will cultivate a spirit of cooperation and shared responsibility, promoting the development of common goals and approaches.
- c) **Technical focus.** ELA will place an emphasis on a technical approach, focusing on advanced tools and technologies for the electronic exchange of information between national institutions such as, for instance, the Electronic Exchange of Social Security Information (EESSI) system and the Internal Market Information System (IMI).

3.3 Objectives

The overall objective of ELA capacity building is closely linked to the mission, and to implement it, ELA capacity building aims to adopt the role of a *coordinator*⁴ in the shorter term, whilst in the longer term, the role would become one which is more assimilated to *preferred partner*.⁵ While this role is specific for ELA capacity building, the horizontal nature of capacity building will also influence other strategic objectives.

Specifically, capacity building is crucial for achieving a **comprehensive understanding** of the various issues related to labour mobility, a prerequisite for the strategic objective of enhancing the coherence and effectiveness of cross-border enforcement of Union law in this area and for **addressing any abuses** that may occur therein. However, capacity building also plays a significant role in achieving the other strategic objectives, as it will ease cooperation and information exchange among the authorities of Member States, as well as the provision of **intelligence, analysis and foresight** on labour mobility relevant trends and risks, facilitating EU-wide job matching and recruitment and enhancing the ability of the involved stakeholders and of ELA to respond to emerging challenges.

To effectively implement ELA's mandate, a range of activities aimed at transforming our mission and vision into smart objectives will be developed.

By the end of the chosen timeframe, ELA's objectives are:

⁴ It coordinates actors of the European labour mobility ecosystem and leads them by example. It becomes a trusted collaborator for delivery and operation.

⁵ Providing a coherent and integrated portfolio of labour mobility services, focusing on stakeholder needs. It delivers such services with excellence focusing on added value for stakeholders.

- To provide the necessary knowledge and related resources to support Member States in the effective application and enforcement of EU labour mobility law;
- To focus on the development of innovative capacity building activities (see Section 4.4) that meet the analysed needs (see Section 4.2) of ELA's target groups;
- To ensure that capacity building activities are delivered in the most effective manner (see Section 4.6), including through a fully functional E-Learning Platform that is gradually populated with a number of online training courses/activities/material designed to address the identified needs of ELA's target groups, thus reaching a larger and wider audience;
- To ensure that target groups (see Section 4.1) have access to the capacity building opportunities offered by ELA;
- To diversify the source of expertise required to ensure the delivery of all ELA capacity building activities included in the annual plan (see Section 4.5);
- To improve the coordination of capacity building activities within ELA, and the planning of activities for external stakeholders (see Section 4.7);
- To establish a strong and solid cooperation for the implementation of the ELA capacity building strategy (see Section 4.3);
- To promote ELA's capacity building opportunities with all the key stakeholders, ensuring awareness of ELA's capacity building offer, thus enabling target groups to participate in the most effective activity according to their needs.

3.4 Critical success factors

As stated above, the role of ELA capacity building will evolve from coordinator, in 2025, to that of preferred partner in 2030. **By the end of 2025**, the Authority shall adopt a coordinator role, facilitating and overseeing the capacity-building efforts related to the understanding, application and enforcement of labour mobility rules within the EU. Looking ahead to the next five years, in 2030 the role of the Authority is envisioned to be a preferred partner, as by this time, ELA can establish itself as the **reference point in Europe** in the area of capacity building related to labour mobility.

The strategic approach laid down in this document is aimed at facilitating this transition. This is reliant on a number of elements that are necessary for ELA capacity building to achieve its mission. In particular, the following are considered as the main critical factors of ELA's success in capacity building:

- i. Identifying and engaging ELA's stakeholders in capacity-building activities, **ensuring clarity and awareness** about ELA's mandate, role and activities in the field of capacity building.
- ii. Identifying stakeholders' **real training needs** and their preferred formats of training provision.
- iii. Ensuring a holistic approach in capacity-building across all ELA's tasks - **internal coordination** within ELA regarding design, promotion, and overall coordination of capacity building activities.

- iv. **External coordination** with other capacity-building providers at EU and international level, ensuring synergies and avoiding overlaps.
- v. Securing the **necessary resources** (financial, IT and HR capacity) to deliver the various activities in the field of capacity building.
- vi. Capacity-building activities are to be provided in a variety of ways and formats, including **innovative learning solutions** and collaboration platforms.

4 Putting the strategy into action

4.1 Identification of target groups

ELA capacity building aims to target all stakeholders involved in the application and enforcement of EU labour mobility within the scope of the founding regulation. These target groups are diverse and can encompass various stakeholders within different institutions and organisations. While the following list is **not exhaustive**, it provides a good overview of the potential individuals and institutions that may be included:

- a) **Officials from labour/social security/tax/transport authorities** involved in the application of EU labour mobility law. This group primarily consists of government officials who are responsible for labour mobility-related matters within their respective ministries. These officials may also include policymakers, programme managers, and administrators involved in designing and implementing labour mobility policies and regulations.
- b) **National inspectors**, as well as officials from other national authorities and agencies responsible for the enforcement of labour mobility rules. This broader group of individuals may consist of various types of inspectors and enforcement officers, such as inspectors competent for social security, labour law or road transport matters, who play a crucial role in monitoring compliance of labour laws and regulations related to areas such as employment conditions, social security contributions, and workers' rights.
- c) **Officials from other national institutions, authorities and agencies involved in labour mobility**. These institutions could include, amongst others, employment agencies, immigration departments, labour market authorities, road police, tax police, and other law enforcement agencies that specifically deal with combating exploitation and addressing undeclared work. These authorities play a vital role in identifying and addressing instances of illegal employment, and other forms of labour-related violations that may occur (also) in the context of labour mobility.
- d) **Social partners**. Trade unions and employer representatives, as well as bipartite organisations, where representatives of both groups sit together, are a crucial target of ELA capacity building initiatives.
- e) **Networks and platforms**. Training initiatives may target networks and platforms focused on labour mobility. These networks can include professional associations, research institutions, and knowledge-sharing platforms dedicated to labour mobility and related topics.
- f) **Workers and jobseekers**. Workers and jobseekers within the European Union are directly impacted by the activities of ELA, although not directly targeted in the trainings it provides. Nevertheless, the proposed capacity building strategy encompasses all the areas covered

under ELA's mandate and is linked to the provision of information. More generally, its goal is to raise awareness on topics related to safeguarding labour rights, facilitating fair and decent working conditions, and promoting opportunities for those involved in labour mobility across Europe.

- g) **Employers operating in sectors with high rates of labour mobility.** Designing and implementing targeted capacity building activities specifically tailored to the needs of employers in sectors with high labour mobility will help them to navigate mobile workforce complexities, as well as adapting to labour market dynamics, alleviating labour shortages and maximising the benefits of labour mobility. Crucial in this regard will be building skills and knowledge needed to assuring compliance with the EU rules, adapting to different national labour market regulations, managing a diverse and mobile workforce, and assuring a cross-cultural communication. The wide audience targeted by ELA capacity building reflects the all-inclusivity and responds to the need of providing training and support to officials and stakeholders involved in labour mobility, regardless of the specific institutions/actors they represent. This strategy recognises that labour mobility is a multidimensional issue, and it seeks to foster collaboration, knowledge exchange, and skill development among diverse actors within and across different countries and sectors.

4.2 Identification of capacity building needs

Establishing a capacity building strategy that addresses ELA's stakeholders' capacity-building needs in respect of labour mobility and social security coordination is a critical success factor of this strategy.

Therefore, the identification of training needs will be the starting point of the design of specific capacity building activities. This will allow for the customisation of the initiatives proposed. Different individuals and organisations have unique requirements based on their roles, responsibilities, and existing knowledge and skills, therefore training programmes should be tailored to address specific gaps and challenges, ensuring maximum relevance and effectiveness.

Moreover, identifying training needs helps allocate resources effectively towards the areas where they are most needed, and focus efforts on areas that will yield the highest impact and benefit stakeholders the most.

Finally, involving stakeholders in the identification of their training needs promotes engagement and ownership, motivation, and accountability, key success factors for ELA's capacity building strategy. To identify training and other capacity building needs, **several approaches can be adopted**, starting from conducting surveys among stakeholders with the purpose of gathering information about their perceived training needs, challenges, and areas of improvement. Structured questionnaires or interviews can be used to collect data and insights from a wide range of stakeholders. **Pilot research on training needs was carried out by ELA between December 2022 and February 2023.** It was undertaken with the aim of identifying the most pressing needs on capacity building activities for national authorities enforcing labour mobility rules. The research presented a response to the need for a systemised training plan, in accordance with the needs of various groups of officials working in institutions dealing with EU labour mobility across the EU. The findings from this research helped to define the training needs matrix, a comprehensive and systemised overview of the

basic descriptions of training needs based on the target groups and topics of the training. **Focus groups discussions and consultations with stakeholders** allow for more in-depth explorations and an opportunity for stakeholders to share experiences and provide valuable input on the design and content of capacity building initiatives. This includes skills assessments and gap analysis, i.e., objective insights into the existing competencies and areas that require improvement. Any other means of identifying training needs can be used, as for example the **monitoring of national training programmes** for civil servants (particularly those of labour inspectorates).

Engaging in **open dialogues**, in more informal settings, and **collaborations with stakeholders** throughout the capacity building process can also help uncover their training needs. **Workshops, meetings, ELA delegations' visits to Member States, ELA conferences and ongoing communication channels** should be designed keeping an eye on the needs for continuous feedback and refinement of the capacity building strategy.

Information obtained from the European Commission services may also serve as a source of information which highlight certain training and capacity building needs in certain areas. Such sources may include for example specific areas where the Commission would like ELA to assist in improving the knowledge of specific legislation after the introduction of new rules or their implementation. **Information provided by units and sectors within ELA** may also provide a source of information on particular training needs – especially staff members from Units who are in direct contact with particular target groups and certain training needs are identified on the field (e.g., during an inspection).

ELA capacity building intends to systematically analyse training needs of the various target groups identified using different methods on a regular basis, **at least once every two years**.

4.3 Cooperation with stakeholders

Due to the general approach proposed for ELA to become the preferred partner in Europe for capacity building in the area of labour mobility, cooperation with the other stakeholders operating in the field is a necessary condition.

At the EU level, the **European Commission** plays a significant role due to its responsibilities in the establishment and functioning of the Authority. The cooperation with the European Commission is necessary for the provision of legal and technical input during our capacity building activities, such as for example on the labour mobility package, or on Commission owned digital tools for the electronic exchange of information. Cooperation with other EU agencies and bodies such as **Eurofound, EU-OSHA, EUROPOL, ETF and SLIC**, will be also pursued, to coordinate efforts in areas of mutual interest and relevance.

The **International Labour Organization (ILO)**, and particularly its Training Centre is considered a valuable partner due to its comprehensive approach to capacity building and its advanced approach to E-Learning. By 2030, ELA aims to consistently develop technology-enabled learning, and the ITC ILO represents a benchmark in the field, thanks to its online platform designed to provide accessible and flexible multilingual capacity-building opportunities for a global audience.

Social partners play a crucial role in the development of ELA capacity building activities. They are pivotal actors in establishing and influencing labour standards through collective bargaining and - particularly from the perspective of trade unions - collective actions. Their

involvement in shaping regulatory frameworks for labour mobility at the national level, albeit to varying degrees across Member States, positions them as the ideal partners for supporting capacity building initiatives aimed at workers and employers, as well as those directly targeting SPs organisations. Also, for the development of broad-reaching capacity building endeavours they are regarded as ELA's valuable collaborators.

National training centres (NTCs) for labour inspectors – established in France, Poland, Romania and Spain – serve as specialised institutions that provide training, education, and professional development opportunities for labour inspectors, designing and delivering training programmes tailored to their specific needs, and are an essential partner for ELA.

National public administration institutes, present in all the Member States, often offer dedicated trainings to labour inspectors and public employees active in the field of labour/social security law. Synergies within the public administration institutes' network can help ELA complement its offer.

Universities, research centres, think tanks and knowledge-sharing networks are also essential partners for ELA in the conception, design and delivery of its capacity building strategy. Partnering with universities and research centres, ELA can leverage their expertise, foster research collaboration, stay abreast of good practices, enhance capacity building, expand networks, and ensure that its policies and strategies are grounded in research and evidence.

NGOs and civil society organisations active in the field of the protection of labour rights, social justice, and workers' advocacy can be valuable partners in the capacity building activities designed and developed by ELA. They provide valuable input, insights, and feedback on labour-related issues.

It is important to note that the specific partners and their level of involvement may vary depending on the nature of the activities and initiatives undertaken by ELA at different stages of its establishment and operation, at different stages of the capacity building process (multiannual planning, annual planning, design of specific programmes/trainings, implementation, evaluation, follow up).

To-date, a good level of cooperation with some of the above stakeholders has already been established, in particular with the European Commission, other EU agencies, the ILO and also the NTCs, OSCE, albeit on different levels. Several Commission services (EMPL, GROW, MOVE) have participated in various ELA capacity building activities (e.g., Posting 360, IMI-prove, workshops on road transport). Also, expertise from other EU agencies have been used on some occasions. More recently, cooperation has been established with the ILO, where a study visit to the international training centre took place as well as discussions on potential future collaborations, especially in relation to capacity building for labour inspectors. The cooperation with the NTCs from Spain, France and Romania has been established since 2021, with the organisation of joint workshops, the establishment of a roadmap, as well as the organisation of annual training events for labour inspectors from all Member States, taking place in the premises of the NTCs (Madrid 2022 and Lyon 2023). The NTCs' input was also crucial for the design of the pilot research for training needs mentioned above.

4.4 Types of activities

4.4.1 Trainings

Sectoral and cross-sectoral training programmes are aimed at supporting Member States in strengthening the capacity of national administrations in the area of EU labour mobility. These trainings are designed to improve the knowledge on EU labour mobility law, and also to respond to emerging trends, needs and demands in the Member States, in line with Article 11 of ELA founding regulation.

ELA capacity building strategy is built around different types of sectoral and cross-sectoral training programmes, targeted towards specific audiences and tailored to their particular needs. These training programmes will be accompanied, where appropriate, with dedicated training material, and will be delivered by different methods. A non-exhaustive list of training programmes can be found below:

4.4.1.1 *EU Labour mobility trainings (basic/intermediate/advanced)*

To improve cross-sectoral understanding of EU labour mobility issues, support the enforcement of fair labour mobility and build the capacity of junior staff of national authorities, the Authority established an annual training programme in the field of EU labour mobility covering all areas within its scope.

The target audience for this activity is very wide and diverse, covering staff of labour inspectorates, social security bodies, ministries and social partners. Junior staff has been the target of the first two editions of the basic training⁶, however in the coming years the offer of the introductory training will be complemented by other modules – intermediate and advanced, expanding the target audience to include also senior staff members in national authorities and institutions.

This activity's recurrence is **annual**.

4.4.1.2 *Trainings for networks and platforms*

Within the EU, there are several networks and platforms who are involved in the implementation of EU labour mobility law. These are networks which, for example, assist citizens with ascertaining their rights, providing information on obligations arising out of EU labour mobility law, or help with solving cross-border administrative issues. Some of the existing networks include the EURES network, the SOLVIT network, and networks among the national bodies on free movement of workers set up under Directive 2014/54/EU.

ELA already delivered several trainings to these networks⁷, but will get in touch with other networks to discuss the capacity building needs of the members as well as the periodicity of delivering such trainings.

⁶ In 2022, the Authority launched the first edition of the training, that took place in July, in Brussels, and was attended by junior professionals from 27 Member States, from all areas of labour mobility, including social partners, to give them an overview of all areas of EU labour mobility legislation. In May 2023, the second edition of the training took place in Malta, bringing together young professionals from 26 Member States.

⁷ In March 2023, a Training Programme on EU Labour Mobility Rules was delivered for representatives from national SOLVIT Centres, which was aimed at improving cross-sectoral understanding of EU

4.4.1.3 *Trainings provided in a host Member State*

Another type of training possibility which is more tailored to the specific needs of Member States are the **national based trainings**, where ELA offers its assistance, both in terms of content but also logistically, to national authorities to organise national trainings covering a high number of local participants on different areas, such as national inspectorates and social security institutions, on the areas of EU labour mobility law, and also support national trainings on the implementation of national law enacted to transpose EU law. These training courses are specifically designed to address the national needs of the Member State requesting ELA's assistance, and will be demand driven, upon request.⁸ Such trainings could be also multilateral, involving different participants from different Member States who share common geographical or sectoral labour mobility challenges.

This type of training brings the advantages of having a domestic focus, a larger number of participants from the host Member States can be involved, and **delivery of training in the national language of the participants**. Also, the national networking is particularly fostered in these types of trainings, as ELA capacity building promote synergies at national level too, in line with the principles of this strategy.

In the coming years, these dedicated trainings will be offered to every Member State, upon request, through the National Liaison Officers (NLOs), with the goal to cover all requests received every year, on a scale compatible with the resources available at the time of the particular request.

4.4.1.4 *Modular trainings (toolkit for inspectors)*

Modular trainings are trainings comprised of different modules and are directed towards inspectors in all areas of EU labour mobility law, but also other personnel in charge of enforcing EU labour mobility rules at Member State level (road transport police, tax authorities, etc.). They are initiatives dedicated to the pool of inspectors, and aimed at fostering networking, through structured synergies and cooperation on the most relevant cross-border topics for national enforcement bodies (letterbox companies, supply chains, procedures/tools for tackling frauds, etc.).

The nominated officials will be offered specialised training on multiple key topics within ELA's remit, that will enable them to make use of the tools and procedures to effectively carry out cross-border inspections. To this end, ELA will design a comprehensive toolkit for cross-border inspections and will deliver a modular training. This holistic approach also aims at developing ELA's own capacity building capabilities, with a view to offer participants a more integrated, predictable, and targeted training programme, as opposed to the ad-hoc sessions that have been delivered during previous years.

The modular training will be held **annually** with the longer-term aim that this training will eventually evolve into a fully-fledged professional training with formal recognition from the education partners.

labour mobility rules, and strengthening the capacity of SOLVIT Centres. Also, in its role of ECO, ELA has been running the EURES training since mid-2021.

⁸ In June 2023, ELA organised an induction training for Bulgarian labour inspectors. The General Labour Inspectorate Executive Agency (GLI) in Bulgaria benefited from the capacity building support offered by ELA for the training of newly appointed inspectors on issues related to ensuring effective and fair implementation of labour mobility rules in the EU.

4.4.1.5 Trainings for actors involved in the ELA mediation procedure

ELA offers comprehensive training sessions on its mediation procedure, primarily targeting representatives of national authorities and institutions involved in the mediation process, SOLVIT representatives, mediators, experts from the Mediation Board and social partners. The objective of these training sessions is to equip relevant national authorities with a practical understanding of the key aspects of ELA's mediation procedure, enabling them to actively make use of it⁹.

These training sessions are organised upon request from Member States and can be conducted in either a half-day or full-day format. They may also be integrated into wider events facilitated by the NLOs. In the coming years, mediation trainings will be offered to every Member State, upon request, through the NLOs, with the goal to cover all requests received every year, on a scale compatible with the resources available at the time of the particular request.

4.4.1.6 Ad-hoc trainings upon request

As from the start of this strategy, trainings and other capacity building activities will be organised in a more structural, forward planning manner. This approach will ensure better programming, as well as better planning and a better use of resources in relation to specific activities.

However, other thematic training programmes on different topics can be envisaged on a more ad-hoc basis and will continue to be organised upon request with due regard to any emerging identified trends and the needs expressed by Member States and other stakeholders, such as social partners.

Therefore, the possibility for ELA capacity building to accommodate a limited number of requests for ad-hoc trainings will continue to exist, on a scale compatible with the resources available at the time of the particular request.

4.4.2 Staff exchanges/study visits and secondment schemes

The staff exchanges/study visits programme is part of ELA's efforts to strengthen cross-border cooperation and the exchange of information within its mandate. The aims of this programme are to facilitate cooperation mechanisms, mutual learning and information exchange about different national systems and legislation related to EU labour mobility, and to contribute to building up mutual trust and networking opportunities, which is important for successful bilateral and multilateral day-to-day cross-border cooperation. Staff exchanges may be accompanied by other joint actions, such as inspections. During this programme, ELA covers the travel and accommodation costs of the visiting delegation, as well as interpretation if necessary.

The programme can focus on different areas, such as for example the four different areas on which the 2023 staff exchange call was based: (1) information, (2) cooperation and/or enforcement related to labour mobility, (3) social security coordination and (4) undeclared work. In the future, other focus areas could/might be included, depending on the needs identified and other emerging topics of interest.

⁹ In 2022-2023, training sessions on mediation were provided to the relevant national authorities of Belgium, Finland, Poland, Slovakia and Latvia

This activity's recurrence is annual with the aim to cover **a minimum of 40 staff exchanges/study visits per year, depending on the demand.**

ELA is also considering the launch of a **secondment scheme** in the medium-term, although it doesn't currently provide such opportunities. Secondment schemes involve temporarily assigning an employee from one national authority to work in another Member State's authority. The employee remains employed by their original organization but works in a different location for a defined period. Secondments have various purposes, including skill development, broadening perspectives, and supporting organizational development. The duration can range from weeks to months. ELA is working on the details and criteria for these schemes, but during secondments, employees will still receive their salary, benefits, and employment rights from their original employer, with ELA offering support for the scheme's implementation.

4.4.3 Mutual learning and understanding programmes

With a view to improve the cooperation and effective application and enforcement of EU rules in the EU labour market, various units within ELA developed several programmes under its Mutual Learning and Understanding Framework, aiming at achieving a coherent understanding and practical application of EU law within the scope of the founding regulation. These initiatives are indented as **sequential, multiannual activities, to follow up with continuity on topics at the core of ELA's mandate.** These programmes are instrumental for bringing national authorities and relevant stakeholders closer together in their understanding on the coherent application of EU legislation under ELA's legal scope.

4.4.3.1 Programmes under the Cooperation pillar

Under the cooperation pillar, a number of programmes have been launched, which will continue with their implementation over the next years to respond to the needs of the participants, mainly being users and experts in each of the respective fields on which the programme is based. Moreover, other programmes may be considered in the future, depending on the needs identified, such as for example, on other digital tools for the exchange of information in the area of labour mobility. To-date the below programmes have been launched or are in the process of being launched:

- **IMI-PROVE Programme (2022)** aims at strengthening cooperation and mutual assistance between Member States by fostering a stronger and more effective use of the IMI system modules for posting of workers and road transport. In 2022, the IMI-PROVE MLUP developed several activities to support Member States in the coherent and effective use of the IMI system tool, also gathering feedback on its functionality.

These activities resulted in the set-up of a stable forum of national users of the IMI modules on the posting of workers and road transport, and the launch of four parallel mutual learning pillars to share practices and improve the use of the IMI modules, combined with practical workshops on tackling letterbox companies in road transport.

- **POSTING 360 Programme (2023)** aims at strengthening extensive cooperation between the relevant stakeholders with a view to improve the exchange of information, enhance administrative cooperation and increase knowledge on EU and national rules on the posting of workers. The objectives of the programme are to examine outstanding or complex implementation and enforcement challenges in the field of posting; to promote, share and contribute to disseminating good practices between the Member States, also

with the contribution of the social partners; to promote and support mutual assistance; and to explore synergies and cooperation with other EU bodies, including the Administrative Commission for the Coordination of Social Security Systems, Agencies or social partners on specific projects.

Posting 360 aims to address these objectives through a variety of instruments and activities, and by convening experts from the labour law and the social security coordination areas, also to reflect the tight interaction between the two dimensions in the daily practice of enforcement authorities, posted workers and their employers.

- **TRANSPORT SUPPORT Programme (2023)** dedicated to enhancing cross-border cooperation in the transport sector. The transport sector includes different transport modes (road transport, civil aviation, inland waterway navigation, railway) facing specific challenges but characterised by relevant levels of cross-border operations and workers' mobility, subject to EU labour mobility and social security coordination legislation. The road transport sector further constitutes an explicit area of ELA's mandate and a key area of interest for ELA's stakeholders.

Under the TRANSPORT SUPPORT Programme, ELA aims at providing a coherent set of actions to improve and strengthen cross-border cooperation and exchange of information, improving knowledge and building capacity in the Member States, and bringing together different stakeholders to discuss cooperation practices and challenges related to EU labour mobility in the transport sector. This programme focuses on enhancing administrative cooperation and the exchange of practices and complements other ELA activities in the information and enforcement areas.

- **PROGRESS Programme (2024)** is a new programme which is being developed under the cooperation pillar in the social security coordination area. A first action under this programme will aim at assisting the Member States and the European Commission on various aspects related to the ongoing work pertaining to the EESSI system. As such, it will be supporting continuous improvements in relation to both the enhancements of the system, and the use of the same system by the users of the competent national institutions. The activities are structured across four types of work streams and one horizontal activity. These are the (i) the organisation of business and technical trainings; (ii) good practices and awareness raising; (iii) assistance in the initial implementation of Service Level Agreements; (iv) the creation of user communities; and (v) the mapping and assessment of national information systems which are relevant to labour mobility. These activities will be designed on a scale compatible with the resources assigned to the Authority and in line with the requirements and priorities of the Member States. This programme will be further developed in the future to include other actions in the area of social security coordination.

4.4.3.2 Programmes under the Information pillar

Next to supporting national and European stakeholders in their provision of relevant information to individuals and employers engaging in cross-border mobility, and conducting own respective activities (e.g., information and awareness raising campaigns), ELA also aims to offer capacity building related to effective and efficient information provision to its stakeholders. Amongst others, this is to be done through the facilitation of mutual learning and exchange workshops. The following provides a non-exhaustive list of examples which will be adapted and extended based on stakeholder needs and available resources.

- **Mutual learning and exchange events on effective information provision related to seasonal work:** In 2022, ELA organised a series of three workshops with participants from a wide variety of different types of stakeholders from 10 Member States to jointly discuss information needs of mobile seasonal workers and their employers, most effective information channels, tools and messages, challenges and good practices in information provision for this target group. The interactive workshops comprised a mix of different capacity building methods/session formats. The workshops are planned to be continued every year, with varying topics and formats. To complement the physical meetings, ELA is also working on establishing a 'digital exchange forum' where workshop participants can meet, exchange and discuss, share and comment material on an online platform.
- **Mutual learning and exchange events on effective information provision related to posting in construction:** Building on the experiences of the seasonal work workshops and the findings of the call for good practices launched in 2023, from 2024 onwards, ELA plans to launch a workshop series that brings together representatives from selected Member States to exchange on information provision, including good practices, to posted workers in the construction sector. In the future, depending on stakeholder needs, the series can be adapted/extended to other sectors in which posting of workers is prominent and/or to other labour mobility forms in the construction sector.
- **Mutual learning and exchange events on effective information provision related to virtual labour mobility (telework, platform work):** These events, planned for 2024 onwards, will also follow the format explored for the workshops in the area of seasonal work. Due to the relative newness of this emerging labour mobility type and respective information activities, the workshops are expected to have a stronger focus of jointly exploring issues and solutions, and deriving lessons learnt.
- **Information dissemination roadshows.** These events aim to bring accurate information on a given topic to the end user by making direct contact with relevant audiences through online or onsite events. The key messages in Mobility Package 1 for the heavy goods vehicles sector were promoted and clarified through the Road Transport Roadshow for 2022 and 2023 and will continue into 2024.
- **Website reviews.** This activity offers Member States the opportunity to have their relevant websites reviewed and recommendations for improvements are made. So far this has been used in relation to national websites on posting. It is planned to offer this capacity building activity for national websites in relation to road transport.

The above activities are complemented by a **translation facility**, a service supporting the translation of information on national websites which encompasses a wide range of information pertaining to the EU Internal Market and which can be complemented by a similar service focusing specifically on information on labour mobility and social security coordination.

4.4.3.3 *Programmes under the Enforcement pillar*

Under the Enforcement pillar tackling undeclared work¹⁰, a wide range of activities supporting mutual learning among the Member States have been put in place. The aim of the mutual learning activities is to improve the capacity of Member States' different relevant

¹⁰ The activities listed will be implemented by the Platform UDW according to the respective work programme and supported, where applicable, by the CB sector (e.g. on the joint call on staff exchanges)

authorities, social partners and actors for **tackling undeclared work** more effectively, **and to transform undeclared work into declared work**, including to establish tools for efficient sharing of information and experiences:

- **Seminars:** Platform seminars aim at exploring specific thematic issues and emerging practices, as well as key sectors affected by undeclared work.
- **Thematic review workshops:** aim to support Platform representatives in improving their efficiency through more in-depth mutual learning and problem-solving.
- **Webinars** can be used as stand-alone or as a complementary activity to other activities. Topics are decided according to needs of Platform members.
- **Follow-up and study visits** enable a smaller group of representatives to explore a topic in more detail. They can be organised following a thematic review workshop, a subgroup meeting or upon request from Platform representatives and will generally be hosted by a Platform member.
- **Subgroup meetings** are organised on different practical aspects of tackling undeclared work (prevention, detection, deterrence). Giving Platform representatives an active role in shaping the network's activities and a flexible way to accommodate Platform requests or emerging needs.
- **Staff exchanges and joint activities** are demand-driven staff exchange programmes, helping to build deeper knowledge on a topic, practice or process or to prepare joint activities. Among other, staff exchanges can promote regional initiatives, multiauthority cooperation or involve national social partners.
- **Mutual assistance projects (MAPs)** are demand-driven projects giving Platform representatives the opportunity to be counselled by peers in strategic areas. Mutual assistance projects should be tailored to the needs of the hosting country.
- **Peer learning dialogues** pursue demand-driven approach supporting cooperation in a smaller setting around specific topics or in regional areas or test new approaches and methods.

4.4.4 Good practices: exchange and dissemination of experiences

ELA promotes the exchange and dissemination of experiences and good practices, including examples of cooperation between the relevant national authorities in the areas of EU labour mobility and undeclared work. For this purpose, every year ELA launches a call for good practices, aiming at collecting good practice examples on various areas in which the Authority is operational¹¹. In addition, the Authority collects good practices during the activities of the Platform tackling undeclared work.

The good practices collected will be listed in the ELA Good Practice Library which will be available on the new ELA website, while the exemplary practices can be presented and receive a certificate of recognition during an ELA event.

¹¹ In 2022, ELA launched the first edition of the Call for Good Practices with two thematic focuses, namely (1) enforcement of the legislation on road transport and (2) the provision of information on seasonal work. In 2023, the Call for Good Practices was focused on (1) challenges related to posting of workers, free movement, coordination of social security systems and dissemination of information to workers and employers in the construction sector, and (2) tackling fraud in social security benefits.

The Call for Good Practices will be repeated **annually**, with the aim to collect and disseminate information on the exemplary practices adopted by the Member States. The ELA Good Practice Library will be a source of information for all ELA on which other activities can be based.

4.4.5 Workshops, seminars and events

4.4.5.1 *National events facilitated by the NLOs*

The organisation of ELA national events has been key to promote enhanced cross-border cooperation and to improve ELA's outreach in the Member States. A total of fourteen events took place in 2022-2023.

For the organisation of these events, ELA relies on the NLOs to take the initiative for the selection of the topics and participants and for setting of the agenda and the format, in line with national priorities and cooperation needs. ELA provides the necessary resources, assistance, and participation in the respective events. ELA aims to regularly organise national events in all 27 Member States.

4.4.5.2 *Ad-hoc thematic workshops*

The cooperation between Member States is also enhanced through different capacity building activities, such as workshops, structured events that focuses on a specific theme¹², bringing together individuals who share a common interest or expertise in that particular area¹³, with the purpose of exchanging knowledge, collaborating, and exploring relevant issues. Thematic workshops will be used in various contexts and may have specific outcomes, helping to translate the discussions and insights into concrete actions or deliverables, such as the creation of a white paper, the development of collaborative projects or initiatives, or action plans¹⁴.

4.4.5.3 *Workshops with National Training Centres and other stakeholders*

National Training Centres (NTCs) play a crucial role in enhancing the capacity of labour inspectors and other stakeholders in the context of the European Labour Authority (ELA). They conduct workshops and collaborative initiatives as part of ELA's capacity building strategy, leveraging their expertise in tailoring training programmes to the specific needs of enforcement authorities. These programs cover various aspects of labour inspection, such as legal frameworks, inspection methodologies, investigation techniques, and enforcement strategies. Additionally, NTCs may address emerging labour market issues and legislative changes in their training modules.

¹² For example, the workshop dedicated to road transport, which was held online on the 7 March 2023. This event took stock of the results of ELA activities from 2022 dedicated to promoting the effective implementation of the Mobility Package I.

¹³ Also intended as geographical area, as different EU regions deal with the same/similar issues, and/or implement the same/similar juridical framework and tools. For example, the Nordic and Baltic countries Workshop was held on 12 April 2023 in Riga (LV) with the aim to create awareness amongst labour inspectorates on the added value of international (and particularly regional) cooperation.

¹⁴ In the area of road transport, an Analytical Report on Cooperation Practices and Challenges was delivered. The report aims at mapping EU legislation under ELA's mandate concerning road transport operations, identify challenges and cooperation measures and obligations by the Member States.

NTCs are also actively involved in research activities related to these fields, including conducting studies, collecting data, and analysing trends.

ELA capacity building aims to organise such workshop on an **annual** basis.

4.4.5.4 Social partners workshops

Social partners have a pivotal role as ELA stakeholders, therefore they will also be targeted by specific capacity building activities. Social partners at EU level are engaged in international cooperation initiatives to enhance the exchange of knowledge and experiences in the field of labour mobility, and ELA aspires to become a dedicated forum for these exchanges. Social partners will be invited to contribute towards the planning/design of specific social partner focused capacity building activities, collaborating with ELA in delivering training programmes, and as ultimate goal contributing to the development and implementation of **EU standards and guidelines in the field**.

ELA capacity building aims to organise such workshop on an **annual** basis.

4.4.6 Other capacity building activities

Beyond the design and organisation of trainings and capacity building activities, ELA will also aim at strengthening the **administrative capacity** of its stakeholders through other means. In the mid-term, ELA aims to assist them in implementing their own capacity building, through different approaches:

- Implementing a consistent communication, as its role is vital in building collaboration and networking opportunities, and for engaging and involving stakeholders in organisational initiatives, effectively gathering feedback, and addressing concerns;
- Developing (but also gathering and collecting) resources and materials, tools, and templates for each area of capacity building, while ensuring the latter are accessible, user-friendly, and relevant to the specific topics or skills being addressed; Leveraging existing resources, as the rich repository of the UDW Platform Library and the EURES training materials, as well as supporting partnerships or external expertise;
- Developing an evaluation framework to assess the effectiveness of the capacity building initiatives in each area, by collecting feedback from participants and stakeholders and monitoring the application of acquired skills and knowledge and measuring the progress toward desired outcomes;
- Using the evaluation results to refine and improve future capacity building efforts in each area;
- Reviewing and updating the annual capacity building plan of activities and the overall strategy based on changing needs, emerging trends, and feedback, to encourage a culture of innovation and continuous improvement within the organisation;
- Exploring new approaches, technologies, innovations and methodologies to enhance capacity building in each area, through pilot projects to be further developed at national level;
- Providing data driven services aimed at the analysis of the metrics generated by the activities/trainings held online, integrated with any other relevant information from participants to understand patterns, discontinuity, etc., and gather insights on the plausible future development of the activities.

4.5 Expertise to deliver on the activities

For the delivery of capacity building and training activities, to-date ELA has relied mainly on internal expertise and the use of external experts, mainly through a contracting. The use of contracted experts was required to supplement the ELA competent workforce who could be utilised during training activities.

The supply and securing of necessary resources for the delivery of ELA capacity building activities has been identified as a critical success factor, and thus this needs to be ensured under this strategy. The reliance on contractors for delivering capacity building activities is seen as to be progressively decreased in the coming years, along with the increasing of ELA's ownership on training offers. In this regard, the initial choice made in the first years of the activity of the Authority was intended to ensure the delivery of its core business activities, including through the use of external expertise and specialisation that was not available internally, or granting flexibility in terms of scaling up or down resources based on the organisation's needs and first outcomes.

In order to diversify further the source of external expertise, in 2023 ELA capacity building already started a process to establish a list of experts, from both academia and national institutions, who would like to be engaged by ELA to offer their expertise for specific capacity building activities. In June 2023 ELA launched the call for the creation of a database of experts¹⁵ in labour mobility, that will be decisive to progressively developing a more corporate approach to capacity building.

The database of experts will allow ELA to identify individuals who have specialised knowledge and expertise in various aspects of labour mobility, and who will contribute – on an ad-hoc basis – to capacity building activities. Their expertise will ensure that the training content is comprehensive, accurate, and up to date.

The involvement of experts from various backgrounds, including academia, research, policy-making, and practical implementation, gives a diversity of perspectives and experiences, expected to enrich the training programmes by offering different viewpoints and approaches to labour mobility, and helping participants gain a comprehensive understanding of the subject matter and engage in critical thinking and innovation.

4.6 Delivery methods

Meetings which allow physical participation will always remain crucial for the unparalleled opportunities that they offer. These are networking, collaboration, and interactive learning experiences. Moreover, they also have a higher impact from a didactical perspective. For instance, through face-to-face interactions, participants can engage in meaningful discussions, share experiences, and develop relationships that will surely enhance the overall learning process.

Even though many people affirm that meetings with physical presence are in principle more effective, one cannot deny the fact that there is still a substantial demand for online participation, and this is expected to remain the case. For this reason, the ELA capacity building strategy will continue to develop on recent experiences and will continue offering the

¹⁵ <https://www.ela.europa.eu/en/call-expression-interest-experts>

possibility to attend meetings which secure the highest number of participants, whether fully with a physical presence, fully online, or in a hybrid manner.

Apart from this core package, the ELA capacity building offer will also rely on a robust online learning platform designed to complement its activities with a wealth of learning resources, including interactive modules, e-learning courses, webinars, and other educational materials. This platform will enable ELA to reach a broader audience, including individuals who may face geographical constraints or who have limited access to live training opportunities. The combination of live trainings and the online learning platform reflects ELA's commitment to deliver high-quality training while ensuring accessibility and scalability. Indeed, it allows the Authority to tailor its approach to the specific needs of different audiences, maximise the impact, and create a vibrant learning ecosystem that supports the advancement of labour mobility practices throughout Europe.

4.7 Internal coordination within ELA

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 ELA, namely the information, cooperation, and enforcement areas. It therefore covers all tasks under ELA's mandate and also covers the scope of activities of the Authority.

For this reason, ELA Capacity Building sector will ensure coordination with all ELA units in the execution of this strategy and will also ensure complementarity in the activities. Thus, every year, the Capacity Building sector will consult with all the Units in relation to their needs related to capacity building activities for the following year. All requests will be assessed and thereafter will be then included in the annual plan of activities. The latter will be presented to the Management Board at the last meeting of the year.

The delivery of activities included in the annual plan of activities will be supported by the Capacity Building sector – with input from all Units in relation to the provision of expertise, or to the content which is within the knowledge of the particular Unit. The Units will also be asked to nominate a contact person for specific activities, who will serve as liaison between the activity handler from the Capacity Building sector and the Unit.

This approach will ensure better programming of capacity building activities and better planning and a more efficient use of resources in relation to specific activities. It will also contribute towards a better understanding, by offering a more comprehensive picture to ELA's stakeholders.

The European Coordination Office (ECO) for EURES is the responsibility of ELA since mid-2021. A main capacity building activity is the coordination of the “common training programme” established by the EURES Regulation 2016/589. This combination of onsite, online classrooms, webinars, eLearning, mutual learning events and workshops that make up the EURES Academy is available to all EURES staff in the 31 EURES countries. The framework through which this programme is delivered is very effective however participation in the programme is limited to those delivering a EURES service. The programme is only provided in English.

In the longer-term, ELA capacity building will also explore possible synergies and complementarities with the EURES capacity building framework.

4.8 Resources

The successful execution of this strategy will require a stable and reliable source of resources, both from a financial as well as from a human perspective. More details of the resources allocated to capacity building will be included in Single Programming Document.

5 Measuring performance

ELA will regularly set goals for its capacity building activities and monitor its performance in reaching these goals. The regular feedback received will be examined against the objectives set and will be considered to enable ELA to adapt to changing needs, revisit its approach if needed and increase the quality of outcomes and the overall success of the ELA capacity building strategy.

The monitoring is to be both:

- **quantitative** – e.g., number of capacity-building activities developed by ELA (sector/cross-sectoral) as included in the annual work programme, participation rate of Member States and other stakeholders in ELA's capacity building activities, number of activities or initiatives developed under the Mutual Learning and Understanding Framework as depicted and planned in the annual work programme.
- **qualitative** – e.g., feedback from events and initiatives, surveys.

Based on considerations regarding the purpose of this strategy, the monitoring activities will be conducted per event and annually. ELA will also systematically collect lessons learnt from the initiatives, through debrief sessions aimed at fine tuning the capacity building offer.

Key Performance Indicators (KPIs) for capacity building have been developed and included in the Single Programming Document 2023-2025 with targets to be reached until 2025 (reproduced below).

Key performance indicators	Target by 2025
Ratio of completed capacity-building activities to the 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

6 Further exploration and development of ELA capacity building

As part of this strategy, ELA will further explore the development and improvement of capacity building activities. One such area for further explorations includes possible partnerships with other capacity building providers, such as educational institutions and universities. These partnerships can be leveraged to create specialised training programmes that lead to **international certification of competences**, such as a diploma in labour mobility. To this end, ELA aims at a proper **integration** of its different trainings, to build **curricula** through different learning paths based on its offer and on the specific needs and goals of participants/organisations. The final purpose of the proposed integration is the design of the activities as **modules** within a longer and more comprehensive itinerary, where competences can be assessed, and official certifications can be awarded. This, in return, will prevent randomness in the development of the capacity building system, and rather ensure **consistency and rationality** among the modules designed, at the same time leaving room for some stand-alone initiative that would be needed on ad-hoc basis.

Building partnerships with universities and collaborating with Member States are essential steps in this process, as these partnerships ensure the credibility and value of the certifications offered under the EU framework. By working together with universities and **aligning the certification process with national regulations**, ELA can establish/follow recognised standards and enhance the overall quality and relevance of its offer.

In addition to traditional approaches, the use of emerging technologies like **Artificial Intelligence (AI)**, **Virtual Reality (VR)**, and other innovative tools which can enhance the effectiveness and efficiency of capacity building activities will be explored. These technologies can be leveraged to provide interactive and immersive learning experiences, simulate real-life scenarios, and offer personalised training solutions. Incorporating AI, VR, and other technological advancements can make the capacity building offer more engaging, accessible, and impactful for participants, and help create an environment which is more future-proof, inclusive and adaptable to the evolving needs of participants.

7 Annual plan of activities 2024

Capacity Building Activity	Q1	Q2	Q3	Q4
Trainings				
EU Labour mobility trainings (basic/intermediate/advanced)				
Trainings for networks and platforms				
Trainings provided in a host Member State				
Modular trainings (toolkit for inspectors)				
Mediation trainings				
Mutual learning and understanding				
IMI-PROVE Programme				
POSTING 360 Programme				
TRANSPORT SUPPORT Programme				
PROGRESS Programme				
Good practices: exchange and dissemination of experiences				
Launch of the call				
Collection of good practices				
Presentation at ELA conference				
Workshops, seminars and events				
National events facilitated by the NLOs				
Thematic workshop				
Workshop with National Training Centres and other stakeholders				
Social partners workshop				
Staff exchanges/study visits and secondment schemes				
Launch of the call				
Actions				

