



Record of proceedings

13th Meeting of the Management Board of the European Labour Authority (ELA)

(Joint with the Stakeholder Group)

21-22 June 2023, Bratislava, Slovakia

1. INTRODUCTION BY THE CHAIR

The Chair opened the proceedings and welcomed all the Members of the ELA Management Board (MB) and the ELA Stakeholder Group to the 13th Management Board meeting, informing about an ad hoc replacement for the Members and Alternates of the Stakeholder Group.

2. ADOPTION OF THE AGENDA

The Chair presented the final draft of the agenda of the 13th ELA Management Board meeting.

Conclusion: The agenda of the first day of the 13th ELA Management Board (joint meeting of the Management Board and the Stakeholder Group) was adopted by consensus during the first day – 21 June 2023. The agenda for the second day of the 13th ELA Management Board meeting (Management Board meeting only) was adopted during the second day 22 June 2023.

3. ADOPTION OF THE MINUTES OF THE 12th ELA MANAGEMENT BOARD MEETING

The adoption of the final draft of the minutes of the 12th ELA Management Board Meeting was moved to the agenda of the second day (Management Board only). The minutes were approved after the meeting (no objections were raised to the final version shared by email on 22 June 2023).

Conclusion: The Management Board adopted the minutes of the 12th ELA Management Board meeting.

4. FOLLOW-UP ON PREVIOUS MEETINGS AND WRITTEN PROCEDURES

The Chair informed that two written procedures were launched since the last meeting related to implementing rules on the Data Protection Officer and the updated Procurement Plan for 2023 set out in Annex 3 of the Single Programming Document (SPD) 2023-2025. The MB decisions related to these were taken by consensus. **The Chair** indicated that all the MB decisions adopted at the meeting and via written procedure will be published on ELA's website in the following week.

Conclusion: The Management Board took note of the written procedures since the last meeting.

5. APPOINTMENT OF MEMBERS AND ALTERNATE MEMBERS OF THE ELA STAKEHOLDER GROUP

The Chair introduced the point and invited the Members to adopt the decision appointing the Members and the Alternates of the ELA Stakeholder Group. For the sake of legal clarity, it was proposed to adopt a new decision with all the Members and Alternates of the Stakeholder Group.

Conclusion: The Management Board adopted the decision on the appointment of Members and Alternate Members of the ELA Stakeholder Group. The decision was approved by consensus.

6. SHORT UPDATE FROM THE EUROPEAN COMMISSION ON THE LATEST POLICY DEVELOPMENTS RELEVANT FOR ELA'S WORK

The Chair introduced the point and then passed the floor to the representative of the European Commission to give a brief oral update on the latest policy developments relevant for ELA's work.

The European Commission highlighted that the EU unemployment rate is at 6% and the youth unemployment at 14.4% (the lowest rates ever). It was also stressed that labour markets have continued to perform strongly, and the outlook is that they will remain tight in 2023 and 2024. The presentation continued with the European Year of Skills – a flagship initiative for 2023, with around 500 events scheduled across the EU around the topic of skills. The European Commission will run a pilot project of the European Digital Skills Certificate, together with several Member States

The European Commission provided an update on the negotiations of the Proposal for the Directive on working conditions of platform workers, where trialogues are foreseen to commence in July 2023. The state-of-play of the Proposal for the Regulation on the Single Market Emergency Instrument (SMEI) was also presented. Here trialogues are foreseen to start in September 2023.

An update on the posting of workers directives was also provided, including details about the ongoing infringements proceedings on the enforcement directive (Directive (EU) 2014/67) and the implementation report of the revised posting of workers directive (Directive (EU) 2018/957). The transposition checks in relation to the Mobility Package I were also mentioned, indicating that the checks were carried out and the infringement procedures against two countries were initiated.

It was also indicated that a Multilateral framework agreement on cross-border telework will be in place as of 1 July 2023, concluded under Article 16 of the social security coordination Regulation (883/2004). It concerns the determination of the applicable legislation in case of habitual telework in the Member States of residence. It brings the usual threshold of less than 25% of telework in the Member State of residence to less than 50% of total working time. It covers employees (not self-employed), who are employed in one signatory state and telework in their state of residence, which is also a signatory state.

It was mentioned that the European Commission is preparing a Communication on digitalisation of social security coordination, which should be presented in September 2023. Finally, it was also indicated that the European Commission is working on the facilitation of international recruitment and attraction of talents to the EU from the third countries to work in sectors of EU interest, including through the preparation of Talent Pool proposals and talent partnerships (Morocco, Tunisia, Egypt, Bangladesh, Pakistan), and recognition of qualifications of third country nationals.

A Member asked the European Commission to give an update on the evaluation of ELA and suggested that this aspect is put on the agenda for one of the next Management Board meetings.

Another Member urged the European Commission to adhere to the existing procedures (via Permanent Representations) when seeking information from Member States, particularly the questionnaire on the implementation of the Posting of Workers Directive or the Mobility Package.

Replying to the question from a Member on the evaluation of ELA, **the European Commission** highlighted that the work on this matter was already launched. It was also indicated that the evaluation will be performed by a contractor, the process is ongoing, and an interim report is being prepared. Some of the Members were contacted by the contractor for the initial scoping interviews and the public questionnaire, which would feed into the evaluation, will be also launched shortly.

Conclusion: The Management Board took note of the update from the European Commission on policy developments relevant to ELA's work.

7. UPDATE OF ACTIVITIES

The Chair introduced the regular Update on ELA's activities and then passed the floor to the ED.

The ED started the presentation by detailing the new approach for this agenda item. ELA prepared and distributed the second edition of the ELA Newsletter before the Management Board meeting. It provides an overview of the most relevant activities carried out by ELA since the last meeting of the Management Board of 22 March and should provide a well-structured update of activities.

On inspections, activities have been growing constantly thanks to the active participation and engagement of national authorities. This year ELA started to focus on the construction sector and the challenges it entails, with the first Week of Action devoted to construction held in April and the next is planned for October. ELA will continue supporting enforcement actions in other areas, e.g., road transport and seasonal work, HORECA (hotel, restaurant, and catering). ELA is exploring possibilities to start enforcement actions in other sectors and would like to support targeted inspections in areas such as inland waterways, aviation, or target aspects such as posting third-country nationals. ELA is still flexible and open to concerted and joint inspections requests from Member States in priority areas/ sectors.

On undeclared work, ELA started focusing on IT solutions for tackling undeclared work. Following the high interest on the implementation of the process to detect and penalize under-declared work by using big data and new technology, which was presented in June, the Spanish Labour and Social Security Inspectorate will host a one-day study visit in Spain in 2024.

On the analytical work, the ELA Report on the Construction Sector will be completed by the end of June. It offers a comprehensive account of challenges of EU labour mobility in the construction sector (information provision, labour mobility legislation enforcement, social security coordination regulations, and cooperation among EU Member States). The launch of the report is scheduled for the end of September in Berlin (Germany).

On EURES, ELA is planning to go beyond business continuity. ELA will work towards the implementation of the EURES portal strategy and the design of an overall EURES strategy. The goal is to create a future-proof strategy with a dynamic character, i.e., not static but constantly updated as per the fast pace of change in the labour market. ELA also plans to modernise the flagship report of EURES, the Annual report on labour shortages and surpluses, and transform it

into an interactive web application updated regularly. Also, the future reports will have a sectorial focus, for instance, the 2023 report will pay closer attention to shortages in the construction sector.

On information, ELA is planning a joint project with the Administrative Commission (AC) to ease the improvement of information resources for employers in the field of registering for insurance and payment of social security contributions in the cross-border context, both at EU and national level. ELA is also finalising a report on an awareness survey amongst social partners and the EURES network on EU-level labour mobility services to understand the level of awareness, use and satisfaction with the existing labour mobility services and to find out the needs of workers and employers in terms of information and services provision. ELA is also exploring new and innovative ways to ease direct access to information. ELA is exploring the possibility of introducing a chatbot solution for an improved user experience and launched a survey on chatbots and how they could help users in their search for information.

On mediation, ELA continues promoting and increasing the visibility of the mediation function. During the past months four information sessions were held in Belgium, Finland, Poland and Slovakia, and others are already being planned. A mediation leaflet was recently published in all languages and a promotional video is under preparation. The aim is to encourage Member States to understand the support that ELA provides in mediation and encourage them to use the service.

On capacity building, following the call to establish a virtual pool of labour/social security inspectors, ELA started receiving nominations of inspectors from the Member States. In the second half of this year, the first group of nominated inspectors will be invited to join the first specialised training on EU labour mobility and other topics within ELA's remit to enable them to make use of the tools and procedures and effectively carry out cross-border inspections. ELA is launching a Call for expression of interest to set up a database of capacity building experts to support ELA with knowledge and expertise during training and other capacity building activities¹.

On cooperation, the IMI-PROVE Programme continues with its successful implementation. The next meeting of the programme is scheduled for November, focused on road transport modules.

ELA started exploring the *possibility of cooperation with third countries*. This will have to be within the mandate, for ELA's benefit – to support effective and fair labour mobility in the EU and support efforts to tackle undeclared work. ELA would like to start cooperating with third countries (e.g., Moldova) to see how their nationals move in the EU internal market and what problems they face.

The ED also informed about preparation of the *second ELA TECH Conference*. Building on the last year's pilot, this year's event will focus on opportunities, but also challenges of Artificial Intelligence (AI) for labour mobility, bringing together IT specialists and decision makers.

On human resources, ELA is well on track to reach its full capacity by the end of 2023. Human resources challenges include a high decline rate and attractiveness issues, among others due to lower grades and a low correction coefficient. *On finance and budget*, ELA plans to enhance the performance in Q3-Q4 in 2023 by streamlining workflows and adapting contracts to ELA's needs.

Finally, **the ED** informed about the plan to organise a *Management Board Away Day*, as an informal meeting to discuss ELA's future and strategic priorities, also considering the upcoming review of the ELA Regulation. The meeting is foreseen to be held on 12-14 September in Slovakia.

¹ <https://www.ela.europa.eu/en/call-expression-interest-experts>

Conclusion: The Management Board took note on the Update of ELA's Activities.

8. DISCUSSION ON THE ELA WORK PROGRAMME 2024 AND 2025 (FOCUS AREAS AND OBJECTIVES IN THE THEMATIC AREAS OF WORK)

The Chair briefly introduced the item, reminding that the Management Board adopted the Initial Draft of the SPD 2024-2026, which included the draft Work Programme for 2024, and concluded that a follow up discussion on this will be held during the year to plan concrete activities in 2024.

The ED indicated that the discussion note complements the previous discussions on the planning of activities and programming documents. In 2022, ELA defined five strategic areas of work (information, cooperation, enforcement, intelligence and foresight, and capacity building) and formulated the high-level strategic objectives for the period 2023-2026, which were reflected in the SPD 2023-2025 and were translated in the planning of activities for 2023 Work Programme, structured around ten operational and six horizontal activities.

The ED explained that the identified focus areas are built around the main regulatory areas under ELA remit (posting, free movement, road transport, social security coordination, and undeclared work). Key projects proposed are based on considering the four main criteria: (i) identification of main categories and characteristics of workers exercising labour mobility in the EU, (ii) key issues for each type of worker, (iii) the screening of national priorities of the Member States' enforcement authorities, and (iv) ELA's tasks, objectives and tools. Using these sources, possible focus areas were identified to ensure that all types of mobility, relevant sectors and key issues are covered and addressed with suitable tools to ensure that priorities and activities are aligned among ELA and relevant national authorities and enable more structured long-term planning of ELA activities.

The ED reminded that the SPD documents will be sent to MB Members, for comments, after the outcome of the discussion at the meeting will be incorporated to enable ELA table the SPDs (final draft 2024-26 and initial draft 2025-27) – to be submitted for adoption at the November meeting.

The Head of the Governance and Coordination Unit presented the document in more detail, highlighting the main objectives in the five main thematic areas, and more horizontal area of digitalisation, which includes the support for using existing EU digital tools, the facilitation of digital innovation and new forms of labour mobility. The specific objectives under each thematic area and the proposed projects and focus of ELA's work were explained using a 'matrix approach,' placing the activities under a strategic area in one dimension and the regulatory area in the other.

Several Members welcomed the approach and expressed support for the proposed focus areas.

One Member anticipated a proposal by his Member State for actions in the field of social security coordination, most notably to fight fraud in this area. A more detailed proposal will be shared with the Management Board in the coming months. The Member proposed that the Work Programme includes references on the need to increase the sharing of information among national authorities and the involvement of social security inspectors.

Another Member explained that the key element missing in the discussion is the question on the new role of temporary work agencies, which could be tackled through inspections and capacity building, and should be more prominent in the Work Programme.

Another Member indicated that for seasonal and posted workers the focus should be more on enforcement activities and recommend looking at sectors which employ women (i.e., care sector).

A Member welcomed the proposal to focus more on the HORECA sector, indicating that an information campaign on this sector should be designed in a more user-oriented way (workers and employers). The Member also highlighted the importance of producing a campaign on tackling undeclared work in the agricultural sector, and of involving social partners more.

Several Members welcomed the paper and the approach, in particular the mapping of national priorities and work programs, the data driven evidence prospective, the importance of data collection and ELA's increasing role in this respect. **Some Members** expressed hesitations about the mapping exercise, since some national strategic priorities might not be available, which can pose a risk that not all relevant priorities will be considered, or explaining that it is difficult to understand the results of this exercise as labour inspectorates have different competencies in every Member States, and suggested to focus more on using the existing reports and studies.

Another Member welcomed the proposal to focus on healthcare, highlighting the importance of concentrating more on sectors with vulnerable workers, including a suggestion to consider how to tackle the element of the domestic work when it comes to health care, but also for other sectors.

A Member welcomed the focus on social security coordination, highlighting that on posting there is often an overlap with social security coordination. The Member also indicated that it might be beneficial to focus on fewer more targeted activities to ensure that objectives are clearly defined.

Another Member reminded the importance of tackling undeclared work more comprehensively, not only from the prospective of posted workers, but also migrant workers. The Member also expressed that ELA should strive to focus more on the issue of posting of third-country nationals.

The European Commission welcomed all the work performed by ELA for restructuring the Work Programme and its priorities, declaring that it is now clearer and reads more comprehensively in terms of activities. In terms of priorities, the importance of working on social security coordination aspects was stressed, also considering the discussions with the Administrative Commission. The question of how to integrate and align this better with the work of the European Platform tackling undeclared work was also raised. On inspections and enforcement activities it was stressed that the sectorial focus is important. Furthermore, the number of inspections should not decrease.

Several Members expressed the view that the proposal includes too many actions and priorities, and ELA should do less because some Member States have difficulties to follow all the activities.

The ED explained that the discussion note is only an orientation note to steer the debate and a strategic discussion with the ELA Management Board, and the outcome will be reflected in the finalisation of the Work Programme 2024 and 2025. ELA has a complex mandate with multidimensional interests and tasks. Also, everything related to ELA is voluntary and Member States should focus only on what is of their interest and their involvement in ELA's work should not represent a burden. ELA wants to look for results, to be very operational and more practical.

The ED also addressed some of the remarks on specific matters. On social security coordination, this is a new dimension for ELA's work, which will be done in close cooperation with the AC and the EC. On the mapping, the analysis was performed in-house, from publicly available sources. On domestic care and health, ELA knows the sensitiveness of the topic and will consider this. On finding synergies between tackling undeclared work and inspections, this is already envisaged.

Concluding the discussion, **the Chair** explained that the objective was to get the input of Members on the proposed focus areas of ELA work in the field of posting, free movement, road transport,

social security coordination and undeclared work, which will be reflected in the concrete activities under the Annual Work Programme of ELA for the years 2024 and 2025, when finalising the Single Programming Documents (SPDs) 2024-2026 and preparing the first draft SPD 2025-2027.

Conclusion: The Management Board discussed the priorities and focus areas to be reflected for the finalisation of the Work Programme for 2024 and preparation of the Work Programme 2025.

9. PRESENTATION OF THE MUTUAL LEARNING PROGRAMME ON TRANSPORT

The Chair introduced the next point on the agenda – the Presentation of the Mutual Learning Programme on Transport, which aims to continue engagement with stakeholders in the field of transport and to improve the cooperation and the capacity building in the field of transport.

The ED indicated that the road transport sector was at the forefront and at the centre of ELA's activities in 2022 with the Framework of Action in the transport sector, which produced tangible results. In addition to continuing with information and enforcement activities in the field of transport and gradually covering more transport sectors, ELA is proposing a cooperation mutual learning and understanding programme dedicated to transport – Transport Support. The programme will cover all modes of transport. Under this programme, ELA will promote cooperation initiatives in the field of road transport and other transport sectors, within the limits of ELA's mandate.

The Chair gave the floor to **the Head of Cooperation Support Unit, and to the Head of Cooperation and NLOs Office** to present the proposed programme. The presentation highlighted that the cooperation programme is a way to continue ELA's work in the transport sector to give a structure to the cooperation of relevant authorities with a multiannual approach.

It was indicated that the *Transport Support Programme has the following main objectives*: to improve knowledge in Member States and encourage using electronic tools for exchanging information; to promote a common understanding of the applicable EU and national rules in the area of transport by the competent Member States authorities and social partners; and to bring together different stakeholders to promote dialogue and exchange of practices on the application of the legislation. Finally, it was indicated that ELA will seek further input for future activities within the programme via a questionnaire to be distributed to stakeholders in the second half of 2023.

Several Members welcomed the programme and expressed full support for its planned activities.

A Member remarked on the character of the transport sector, which is diversified, e.g., the train sector is characterised by specific working conditions established in the sector.

A Member stressed the need to focus on working conditions and letterbox companies. **Another Member** asked to work more on the statistical evaluation of data, e.g., number of posted workers.

In his reply, **the ED** emphasised that the transport sector has many specificities, with different legislation on road transport, but the same legislation on posting, social security as for the other sectors applies, so the application is more complex. That is why ELA wants to have a specific cooperation programme for transport.

Conclusion: The Management Board took note on the new Mutual Learning and Understanding Programme in the area of transport and provided feedback and suggestions in relation to this programme which will be launched in the second half of 2023.

12. PRESENTATION OF MAIN FINDINGS OF THE FINAL REPORT ON THE COOPERATION ON THE POSTING OF THIRD-COUNTRY NATIONALS

The Chair briefly presented the point and passed the floor to the Cooperation Support Head of Unit for details on the findings of the report and to illustrate ELA's plans for action in this area.

The Cooperation Support Head of Unit presented the main findings of the ELA Report on the Cooperation Practices, Possibilities and Challenges between Member States, specifically in relation to the posting of Third-Country Nationals, which will constitute the basis for the further work on the topic, in the framework of the Posting 360 programme. The focus of the report is on the administrative cooperation practices, but the legal and social security angle are also present. Following the conclusions of the report, ELA has already set up a dedicated work stream under the Posting 360 programme and a first online workshop took place on 24 May 2023 to take stock of the report and the existing cooperation projects between some Member States and the social partners in the construction sector. Further follow up is envisaged, including the development of a learning resource for national authorities, the update of the European Commission's practical guide on the posting of workers, as well as some dedicated trainings for national authorities.

A Member raised a question about the possibility to verify the accuracy of data in the report. The Member encouraged ELA to engage with third countries via contact points, like the NLOs, a possibility foreseen in the posting directive, which would help address any questions and issues. **Another Member** made a reflection on the problematic relation between migration law, national law, and the free movement of workers, that is EU level, explaining the need to address this issue.

A Member explained that not all third-country nationals are in problematic situations, but there are problems which need to be tackled. If there are problems in certain sectors, inspections could be the tool to tackle them. **Another Member** stated that third-country nationals will become more important in the near future, so something should be done on this at legislative level. **A Member** mentioned that one of the main problems is to define what is genuine posting or not. **Another Member** expressed the need to have a special contact point for third-country nationals.

In his reply, **the ED** stressed that ELA cooperation with third countries should follow Article 42 of the ELA founding regulation. ELA will discuss with the European Commission (in particular DG NEAR and DG EMPL) to see how to develop further actions in this respect, within ELA's mandate. The cooperation with third countries is only emerging and ELA will start with Moldova as a pilot.

Conclusion: The MB took note on the main findings of the Report on Cooperation Practices, Possibilities and Challenges between Member States on the Posting of Third-Country Nationals.

11. UPDATE ON THE OUTCOME OF THE WORKSHOP ON AVIATION, FOLLOWED BY A SHORT DISCUSSION ON POSSIBLE NEXT STEPS

The Chair introduced the point consisting of an update about the outcomes of the Workshop on Aviation held on 18 April with sectoral social partners. The Chair explained that the update will be followed by a brief discussion with Members about the possible next steps to take in this sector.

The ED explained that the workshop provided forum for EU-level and national social partners to discuss the main labour mobility challenges, patterns and issues and possible future activities with focus on pilots and aircrew. Social partners organisations were invited to participate and actively contribute to the agenda. The event was structured around the application of the labour

mobility legislation falling within ELA's mandate in aviation sector. It identified several areas where ELA's activities can provide added value, given the scope of its mandate, in particular: the mutual learning and understanding of the application of labour mobility rules in the aviation sector via the exchange of experience between national authorities, trainings or other capacity building activities; enhanced cooperation between the different authorities, be at national or European level; improve the enforcement of legislation (including cross-border enforcement); and improve the accessibility of the information on the labour mobility rules in the sector.

A Member welcomed the initiative, and underlined the need to understand better the situation, increase capacity building activities and cooperation with civil aviation authorities (e.g., EASA).

A Member suggested to focus also on social security coordination matters (e.g., legislative loopholes, state of affiliation where there are several bases, clarification of applicable legislation).

A Member underlined that due to the naturally cross-border nature of flying, many issues could be happening under the radar of national authorities. The Member stressed that the main problems could be in the field of social security and safety, and asked ELA to follow up on these matters.

Another Member expressed the view that social partners were at the basis of the problem and are also the best source of sectorial information and thus involving them first was a pertinent idea.

Some Members expressed the view that the Member States should have been involved in the workshop on this topic for a collective understanding among Member States and social partners.

A Member pointed out that aviation is not the most problematic sector and should not be a priority.

In his reply, **the ED** highlighted that ELA is still in the exploratory phase and the focus of the workshop was to learn more about a complex sector. That is why ELA started with social partners because they have information which can help ELA identify problems and challenges. ELA will be happy to invite Member States to the next workshop or activity in the aviation sector. On the choice of sector, ELA is competent to deal with general labour mobility rules applicable to all sectors to the extent there is not a sector specific legislation. In this context the social security coordination rules, the framework on free movement and the posting rules also applies to aviation. ELA is ready to support the application of rules but will not deal with any issues outside its remit.

Conclusion: The Management Board took note on the Outcome of the Workshop on Aviation.

12. PRESENTATION OF MAIN FINDINGS FROM THE TRAINING NEEDS ANALYSIS FOR NATIONAL AUTHORITIES CARRIED OUT IN Q4 2022-Q1 2023

The Chair presented the next point of the agenda – the presentation of the main findings from the training needs analysis for national authorities enforcing labour mobility rules carried out at the end of 2022 until beginning of 2023. The Chair passed the floor to the Head of Cooperation, Support Unit and to the Capacity Building Officer – to present the main findings of this analysis.

Over the past years, capacity-building activities in ELA were organised based on perceived needs of stakeholders and some activities were delivered upon specific request. As of 2023, ELA would like to start the design of capacity building activities based on the findings from the training needs analysis of national authorities, targeting such activities toward the most relevant training needs.

The main topics required by respondents include concerted and joint inspections (CJIs), EU legislation on posting, temporary work agencies, EU legislation on road transport and platform economy. Furthermore, need to provide interpretation was highlighted by half of participants.

One Member asked what is ELA's intent with this study, what are the concrete actions based on the findings of this study and how the impact of trainings which will be organised will be evaluated. **Another Member** mentioned that one of the basic capacity building elements is transnationalism, which is necessary for cooperation, and expressed full support for organising trainings.

Replying to these remarks, **the Head of the Cooperation Support Unit** explained that ELA is planning a 5-days training in December 2023 based on this research, to be repeated every year, keeping track of evolving needs. The training will be based on the data analysis on training needs.

Conclusion: The Management Board took note on the presentation of the main findings from the report on the training needs analysis for national authorities carried out in Q4 2022-Q1 2023.

13. CONCLUDING REMARKS BY THE CHAIR – FIRST DAY

The Chair closed the first day of the meeting – the joint meeting with the Stakeholder Group.

14. INTRODUCTORY REMARKS BY THE CHAIR – SECOND DAY

The Chair welcomed the participants to the second day of the ELA Management Board meeting.

The Chair reminded that a Member requested to adopt the minutes during the second day of the meeting, considering that the last meeting was a Management Board meeting only. A Member submitted additional comments to the minutes, which led to a few modifications of the final text. **The Chair** suggested to adopt the minutes of the 12th ELA Management Board on 22 June 2023 with the additional changes and explained that the updated version will be distributed by e-mail after the meeting, with an opportunity to raise any objections to the updated text. The minutes were adopted on 23 June since no Member expressed any written concerns with the final text.

A Member expressed concerns that adding to the final minutes such detailed views of only one Member is not consistent with the overall approach to the minutes, since not all the individual interventions are included, and these changes reflect the point of view of a few Members.

15. APPROVAL OF THE NEW EURES PORTAL STRATEGY

The Chair indicated that several Members requested that the Management Board does not “approve” the Portal Strategy given the EURES governance. **The Chair** suggested as a compromise that the Management Board decides on the “endorsement” of the New EURES Portal Strategy submitted by ELA, which would also reflect the strategic nature of this “living” document. The endorsement would allow for the work to go ahead, not to lose time and budget, and respect the roles of both the Management Board and the EURES Coordination Group, while the **Chair** also asked ELA to continue consulting with the EURES Coordination Group for future steps.

Based on the compromise proposal made by the Chair, the Management Board discussed first on the procedural aspects. **Several Members** expressed their strong reservations, while others supported the compromise. **The Chair** suggested to keep the agenda item for “endorsement” and invited all the Members, who do not support the proposal to vote against or to abstain from voting.

Furthermore, **the Chair** invited the ED, the Information and EURES Head of Unit and the EURES Portal Business Manager to make a short presentation on the New EURES Portal Strategy.

The ED mentioned that in 2024 EURES will celebrate 30 years and the portal has not changed substantially for a long time. It is static, so it needs to be updated to reflect the trends in digital transformation. It can constitute an opportunity to add new functionalities to help the EURES network and end users. This is why ELA presents this strategy as a vision document with directions for the change to be taken, making EURES a main hub of information on labour mobility.

The Information and EURES Head of Unit reminded that the EURES European Coordination Office (ECO) was transferred to ELA in 2021, and ECO is the system owner of the EURES portal. The proposed strategy is an opportunity to enhance the portal to align it with new responsibilities and goals, to adapt to changing environments and labour markets, and to meet operational needs. A summary of the undertaken actions was presented, including updates at the Interoperability Contacts (IOC) and the ECG meetings, in consultation with the European Commission. A presentation on the initiative was made at the Ad-hoc ECG Meeting on April 19, 2023. Another presentation took place at the IOC meeting on May 17, 2023. The initiative was also discussed at the ECG meeting of 31 May 2023. Written input from the EURES National Coordination Offices (NCOs) was requested, received, and incorporated in the current version of the document. By 2030, the EURES portal shall continue being a strong component and contributor to the network, while establishing as a central hub for EU labour mobility. It shall also provide constant value and state-of-the art experiences by being developed on four essential pillars: AI-driven job matching capability, dynamic and real-time information and analysis on labour shortages and surpluses, AI-driven interactive provision of information on living and working conditions, and labour markets, and rich content and portal functionalities which relate with users and their needs.

The New EURES Portal strategy will implement the mission statement through three strategic objectives: increase usability (better service), increase usage (more active users), and increase performance (greater outcome). These objectives will be achieved in 3 phases (2023-2024, 2025-2027, 2028-2030), with 23 strategic actions grouped in 7 areas. At the beginning, ELA will put a lot of effort to understand the features which users are missing to make the portal more attractive.

Several Members expressed support for the strategy, which will increase the visibility of the portal. **A Member** raised a point on data protection and asked ELA and the European Commission to follow up on GDPR aspects (email communication between applicants and public employment services). **Another Member** made a remark on the European labour shortages, indicating that EURES is not able to match the shortages with CVs, and asking this aspect to be considered. **A Member** asked for clarifications about the view of the ECG on the New EURES Portal Strategy.

Replying to the comments, **the ED** explained that ELA is working on synergies with the European Commission as a main partner, without duplicating existing initiatives or programmes. ELA will also work closely with the EUROSTAT to obtain further data on shortages and surpluses. **The ED** also explained that the overall reaction of the ECG was positive. ELA is also thankful for the support of the ECG and of the European Commission to deliver on the portal's technical operation. **The ED** explained that GDPR is fundamental and will be at the core of the work on the new portal. ELA would like to build a system which would respond to the needs of GDPR from the beginning.

Conclusion: The Management Board endorsed the New EURES Portal Strategy presented by ELA, noting that five Management Board Members (representing Estonia, Austria, Luxembourg, Malta, and Sweden) did not express support for the endorsement of New EURES Portal Strategy.

16. APPROVAL OF THE UPDATED ELA COMMUNICATION STRATEGY

The Chair introduced the agenda point briefly and **passed the floor to the Head of Governance and Coordination Unit** to present the ELA Communication Strategy more in detail.

The Governance and Coordination Head of Unit explained that the ELA founding regulation requires ELA to present a communication and dissemination plan for Management Board's approval. The first ELA Communication Strategy was prepared 3 years ago, and expires at the end of 2023, hence it is time to for an update to allow for a continued, efficient, and effective work.

The main elements of the new strategy are to: implement ELA's mandate through communication; manage the complex audience landscape by adopting targeted means of communication; increase ELA's visibility and reputation and the awareness on the impact of ELA's work; establish relations with media and influencers; and strive for more approachability in all communications.

The Chair concluded the point by expressing support for the ELA Communication Strategy and congratulated ELA for the impressive results in its communication activities over the past year.

Conclusion: The Management Board adopted the New Updated ELA Communication Strategy.

17. OPINION OF THE MANAGEMENT BOARD ON THE FINAL ACCOUNTS

The Chair introduced the point, explaining that the European Court of Auditors (ECA) has provided a clean opinion on ELA's final accounts for 2022. The Management Board should give its opinion on the Final Accounts for 2022, so that ELA can share them by 1 July 2023 to the different institutions, the Commission, the Parliament, and the Council. The Chair invite the ELA Accountant, to present the report and provide more information about this point on the agenda.

The ELA Accountant introduced the ELA Annual Accounts for 2022 and indicated that European Court of Auditors (ECA) has expressed a positive opinion on the ELA Final Accounts for 2022.

A Member explained that the documents on this item were shared only on 19 June evening and asked to share them with more advance next time to give Members enough time to analyse them.

The ED clarified that the late submission of the document was already flagged to all Members by email. The MB secretariat explained that the document will be delayed since the external auditor which needs to audit the accounts had to submit the report to ECA on 15 June. Therefore, the document could be distributed only on 19 June to reflect any changes in the figures or in the text.

The ED announced that ELA is in the process of changing the arrangement on the accountant. ELA shares the accountant with Eurofound, but is in the process of changing this arrangement. ELA will be sharing the accountant with the Fundamental Rights Agency (FRA). The change must be approved by the Management Board, so a written procedure on this is foreseen in the next months. **The ED** took a moment to thank the current accountant for his work and professionalism.

Conclusion: The Management Board adopted the Opinion on the Final Accounts of the Authority for the year 2022, with an abstention from one Member (Luxembourg).

18. APPROVAL OF THE CONSOLIDATED ANNUAL ACTIVITY REPORT 2022

The Chair introduced the point briefly, explaining that it is a point which was discussed in the previous meeting, and MB Members were already provided with the opportunity to send their written comments after the previous meeting. All the comments received from one Member were incorporated in the final text. They were only minor and of editing nature, so when it comes to the substance it is the same document as discussed at the last MB meeting on 22 March 2023.

The Chair suggested to approve the document in its final version, without any further discussion.

Conclusion: The Management Board approved the Consolidated Annual Activity Report 2022.

19. APPROVAL OF NEW HR IMPLEMENTING RULES

The Chair introduced the point briefly and passed the floor to the ED to provide further details.

The ED explained that, according to the ELA founding regulation, the Staff Regulations, and the Conditions of Employment of Other Servants of the EU (CEOS) also apply to ELA staff. Therefore, ELA has the obligation to adopt implementing rules which are in line with the Staff Regulations and the CEOS. The Decision is other piece of Implementing Rules, which need to be adopted.

One Member asked for clarifications on the number of advisers needed and if they will be part of the ELA staff. The Member also asked what their role is and if they are just hired for specific tasks.

The ED explained that the rules provide for peculiarities concerning the parties involved in the selection procedure and the eligibility of temporary staff and a legal framework, and ELA is just providing a regulatory framework to be able to implement these rules. For the actual hiring, ELA will need have a post authorised by the ELA Establishment Plan, which is not the case for the moment. The proposed decision is a further step in adopting a package of model Implementing Rules to ensure a harmonised approach, legal correctness, and alignment with the rules in place.

The Human Resources Head of Sector clarified that the post of advisor is a temporary agent post, part of the organisational structure of the agency. ELA does not have advisors in its current Establishment Plan, and this decision gives only the framework for opportunities for the future. In terms of job description, an advisor has very specific duties, explained in more details in the set of rules. An advisor does not have a managerial function, but could bring some expertise and knowledge, and could be part of the workforce of the agency, if needed in the future.

Conclusion: The Management Board approved the decision concerning the function of adviser.

20. PRESENTATION OF THE ELA OPERATIONAL PLAN TOOL

The Chair introduced the last agenda point, consisting of a presentation of the development of an internal tool – the ELA Operational Plan, which aims to enable better planning, monitoring and reporting on ELA's activities. **The Chair** passed the floor to the ED to give further clarifications.

The ED explained that the development of the tool ELA Operational Plan is part of ELA's internal effort to build an effective and fully digital organisation. The number of actions and projects increases every year, and tracking their implementation requires automation. The tool presented at the meeting is only a prototype of the future tool, but it shows already some useful results, including a dashboard with the progress on the implementation of the Work Programme.

The Governance and Coordination Head of Unit provided further information about the tool, highlighting that it is a tool to prepare, implement and monitor the delivery of the Work Programme. The purpose of the tool is to be a single point of reference for the organisation to plan and to keep track of the actions/projects/events and connect them to the Work Programme objectives, actions, KPIs and financial planning. It should also reduce the risk of errors, streamline the data flow for activities across the organisation and allow comparison between planning and implementation.

The Chair took note of the Operational Plan. No Member requested to intervene in the discussion.

Conclusion: The Management Board took note on the ELA Operational Plan tool – for planning and monitoring the implementation of the Work Programme.

21. NEXT MANAGEMENT BOARD MEETING

The Chair informed that the next Management Board meeting will take place on 14-15 November 2023, explaining that it will be a 1.5-day meeting to cover all the relevant points, and further details will be provided at later stage. ELA also intends to organise a Management Board Away Day on 12-14 September 2023. More information about this event will be also communicated in due time.

The Chair mentioned the tentative topics for the agenda of the 14th ELA MB meeting, as follows:

- Adoption of the SPD 2024-2026;
- Adoption of the budget for 2024;
- Approval of initial draft SPD 2025-2027;
- Adoption of initial budget for 2025;
- Report on Concerted and Joint Inspections;
- Debriefing from the ELA TECH Conference.

The Chair informed Members about the incoming written procedure on the draft SPD 2024-2026. ELA's intention is to send it for consultation at the end of July 2023, asking for comments until 22 September 2023. The initial draft SPD 2025-2027 will be sent for comments in September 2023.

The Chair also informed that the only written procedure foreseen at this stage is to adopt the decision to change the ELA accountant, which was already announced in the agenda item 17.

Conclusion: The Management Board took note of the planning and agenda of the next meeting.

22. AOB

A Member informed that Belgium would organise on 25 January 2024 a conference dedicated to ELA during the Belgian Presidency and invited the Members to attend. **Several Members** asked for clarifications about the date of the next ELA Management Board meeting, which could coincide with the DGs of Industrial Relations meeting, and asked the Chair and ELA to avoid any overlaps.

Conclusion: The Management Board took note on the items discussed during the point on AOB.

23. CONCLUDING REMARKS

The Chair closed the MB meeting at 12.30 pm, wishing everyone happy and relaxing summer holidays, thanking the MB Secretariat, the organisers, the interpreters, and the technical team.