#EULabourAuthority

European Platform tackling undeclared work

Agendas and summaries



ELA
EUROPEAN LABOUR AUTHORITY

EUROPEAN LABOUR AUTHORITY

Agenda

3-4 November 2026, Bratislava, Slovakia

The 21st plenary meeting of the European Platform tackling undeclared work

3 November 2026: Governance session

09:00 – 09:30	**Registration**
09:30 – 09:40	**Opening remarks, ELA Executive Director** • Document 1: Draft agenda
09:40 – 09:45	**Adoption of the summary of deliberations from the previous Platform meeting** • Document 2: Summary of deliberations from 13 May 2026
09:45 – 10:15	**Update by the European Commission** • *DG EMPL, European Commission* Q&A
10:15 – 10:25	**Evaluation of the Employers Sanctions Directive** • *DG HOME, European Commission* Q&A
10:25 – 10:55	**Coffee Break**
10:55 – 12:25	**Planning ELA activities on undeclared work for 2027 - 2028 and update on past activities** • Document 3: Activities in the area of tackling undeclared work planned by ELA for 2027 • Annex to document 3 - All written input received from Platform members and observers (anonymised) Discussion and Q&A
12:25 – 12:50	**The role of a labour inspector in light of the amendment to the Act on the State Labour Inspection concerning civil law contracts, which came into force on 8 July 2026,** *Labour Inspectorate, Poland* Q&A
12:50 – 13:00	**AOB**

13:00 – 14:00	**Lunch**

3 November 2026: Thematic session on tackling undeclared work in subcontracting

14:00 – 14:10	**Introduction by ELA to the thematic session**
14:10 – 14:35	**Presentation on the work of the Posting 360 program on subcontracting** • National liability mechanisms in subcontracting chains: National legislation, enforcement and cooperation practices in a cross-border context, *Labour Mobility Officer, Cooperation and Support Unit, ELA* Q&A
14:35 – 15:55	**Member States' initiatives, policies, and practices on tackling undeclared work in subcontracting** • The Act on Contractor's Obligations and Liability when Work is Contracted – Finland's Due Diligence Approach and Policy Context, *Ministry of Economic Affairs and Employment, Finland* • Financial Liability: Securing Subcontracting Chains, *Ministry of Labour and Solidarity, France & Unions for the Recovery of Social Security Contributions and Family Allowances (URSSAF), France* • The Spanish system on subcontracting, *National Antifraud Office, Spain* Q&A
15:55 – 16:25	**Coffee break**
16:25 – 17:30	**Working group session 1: Subcontracting frameworks** *This session will examine different types of **liability legal schemes** in subcontracting, including their potential, key features, limitations and restrictions to tackle undeclared work. It will consider ways to improve transparency and simplify procedures, while also addressing **due diligence** and soft or voluntary measures. These may include user-friendly reporting mechanisms and social partner initiatives that support fair subcontracting.* **Questions for discussion:** ➢ What due diligence and liability schemes requirements do you impose by law on contractors and subcontractors? What features have proven most effective or most challenging? ➢ What are the measures to improve transparency in subcontracting chains and simplify administrative procedures for compliant businesses? ➢ Which soft-voluntary or mandatory initiatives - such as awareness campaigns, codes of conduct, or social partner agreements - promote fair subcontracting? ➢ Does your authority operate user-friendly reporting channels for suspected undeclared work in subcontracting chains? Have the improvements increased accessibility and responsiveness?
19:30	**Networking dinner – Roland, Slovak restaurant**

4 November 2026: Thematic session on tackling undeclared work in subcontracting

08:30 – 09:00	**Registration**
09:00 – 10:00	**Member States' approaches on tackling undeclared work in subcontracting, and how they work in practice.** • The case for a classical free market approach: does "each to their own" work? *Permanent Representation of Hungary, Hungary* • Recent inspections by the Financial Control of Undeclared Work (FKS) in the aviation sector as a case study for the legal assessment of abusive subcontracting structures and instruments to tackle them. *Central Customs Authority, Germany* Q&A
10:00 – 11:00	**Social partners' perspective on tackling undeclared work in subcontracting, with practical examples.** • Subcontracting is not the problem. Irresponsible subcontracting is*, CEO of Byggsvängen, Sweden and BusinessEurope* • Temporary Agency Work & Labour Market Regulation in Cyprus*, Cyprus Workers' Confederation, Cyprus* • The qualification of contracts in the Italian Logistics Supply Chain, *Italian Federation of Transport Workers, Italy* Q&A
11:00 – 11:30	**Plenary session** Discussion
11:30 – 12:00	**Coffee Break**
12:00 – 13:00	**Working group session 2: Subcontracting in enforcement practice** *This session will examine cooperation and enforcement challenges in tackling undeclared work in subcontracting. It will explore enforcement authorities' applied approaches for* ***identifying and certifying key actors****, including employers, subcontractors, intermediaries and letterbox companies, as well as for exchanging and verifying information. It will also focus on enforcement and compliance monitoring, including how liability and due diligence schemes are implemented and enforced* ***in practice****.* **Questions for discussion:** ➢ How does your authority identify and verify employers, subcontractors, intermediaries, potential letterbox companies and "moonlighters" within subcontracting chains, and what tools or criteria support this process? ➢ Which enforcement approaches (e.g., risk-based inspections, joint operations, data-matching) are applied to detect undeclared work in subcontracting chains in your country? What challenges do you face in their implementation? ➢ How are liability schemes and due-diligence obligations enforced in practice? What obstacles arise when holding contractors or intermediaries accountable for breaches within subcontracting chains? ➢ Does your authority collaborate, at national and cross-border level, with other enforcement bodies, social partner organisations and NGOs when investigating undeclared work in subcontracting? If so, what mechanisms or procedures does your authority use to exchange and verify information with other national bodies?
13:00 – 14:00	**Lunch**

Summary of deliberations

3-4 November 2026, Bratislava, Slovakia

The 21st plenary meeting of the European Platform tackling undeclared work

[Will be adopted at the 22nd plenary meeting]

Agenda

13 May 2026, Larnaca, Cyprus

The 20th plenary meeting of the European Platform tackling undeclared work

THEMATIC SESSION

Bridging policy and practice to propose solutions for tackling undeclared work

9.00 – 9.15 EET	**Welcome and introduction, ELA Executive Director**
9.15 – 9.30 EET	**Keynote speech – Matching regulation with labour market realities: effective solutions for tackling undeclared work,** *Secretary of State, Ministry of Labour and Social Protection,* Moldova
9.30 – 9.50 EET	**"The future of tackling undeclared work: integrating policy, practice and research",** *University of Iași, Romania*
9.50 – 11.00 EET	**Panel discussion**: From policy to practice – Promoting fair transitions towards declared work. Moderator: *Head of Enforcement and Analysis Unit a.i., European Labour Authority* • *Director for Labour Mobility and International Affairs,* DG Employment, Social Affairs and Inclusion (EMPL), European Commission • *Director of Priority Action Program "Transition from the informal to the formal economy" AP/Formalization*, ILO • *Head of the Financial Police*, Austria Q&A
11.00 – 11.30 EET	**Coffee break**
11.30 – 13.00 EET	**Parallel working groups session** **Working Group 1 – English/Greek interpretation**: Bridging policy and practice – social dialogue and the role of social partners in tackling undeclared work. Moderator: *Director- General*, *Social Information and Investigation Service (SIOD)*, Belgium • *General Secretary, Federation of the Building Contractors Associations of Cyprus (OSEOK)*, Cyprus • *General Secretary of the Cyprus Building, Metal, Electrical, Wood, Mine & General Workers Trade Union PEO*, Cyprus • Director of territorial office–Modena, Italian Labour Inspectorate, Italy Q&A and Group discussion

	Working Group 2: **Interpretation from/to English, French, Italian, Portuguese, Spanish** Bridging policy and practice – smarter use of data on undeclared work. Moderator: ELA Coordinator for Tackling Undeclared Work, European Labour Authority • *Director General*, *Labour Inspectorate of Estonia,* Estonia • *Legal Expert, Ministry of Labour*, France • *Director of the National Anti-fraud Office, State Labour and Social Security Inspectorate,* Spain Q&A - Slido Poll and Group discussion
13.00 – 14.15 EET	**Lunch break**

GOVERNANCE SESSION*

Shaping the Platform's future and the mainstreaming of tackling undeclared work across ELA

14.15 – 14.25 EET	**Welcome and overview of the day, Jan Drahokoupil, Head of Enforcement and Analysis Unit a.i.** • Adoption of the agenda **Adoption of outputs from Platform meeting on 4-5 November 2026** • Document 1. Summary of deliberations *(for adoption)* • Document 2. Output paper from the plenary thematic discussion on tackling undeclared work amongst third-country nationals *(for adoption)*
14.25 – 15.45 EET	**Shaping the Platform's future and the mainstreaming of tackling undeclared work across ELA** **Opening remarks, ELA Executive Director** **Discussion** • Document 3. Discussion note - The European Platform tackling undeclared work and the mainstreaming of tackling undeclared work across the Authority *(for discussion)*
15.45 – 16.15 EET	**Coffee break**
16.15 – 17.30 EET	**Continuation of the discussion: shaping the Platform's future and the mainstreaming of tackling undeclared work across ELA**
17.30 – 17.45 EET	**Feedback for the thematic discussion at the November 2026 Platform plenary meeting** • Document 4. Selected topic for the thematic discussion at 21st Platform plenary meeting in November 2026 *(for discussion)*
17.45 – 17.55 EET	**AOB**

17.55 – 18.00 EET	**Closing remarks, ELA Executive Director**

** Restricted to Platform Members, Alternates and Observers*

NETWORKING DINNER

Happy birthday European Platform tackling undeclared work!

20.00 EET	**Anniversary dinner*** Golden Bay Hotel (inside)

***Restricted to Platform Members, Alternates and Observers*

Summary of deliberations

13 May 2026, Larnaca, Cyprus

The 20th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Jan Drahokoupil, Acting Head of Enforcement and Analysis Unit, ELA

The Chair welcomed members and observers of the European Platform tackling undeclared work ('the Platform'). The agenda was adopted.

ITEM 2: Adoption of the outputs emerging from the Platform meeting held on 4-5 November 2025

The following documents were adopted:

- Summary of deliberations from the Platform meeting held on 5 November 2025
- Output Paper from the plenary thematic discussion on "*tackling undeclared work amongst third-country nationals"*

ITEM 3: Shaping the Platform's future and the mainstreaming of tackling undeclared work across ELA

The ELA Executive Director presented the internal reorganisation implemented at the Authority on 1 May. The number of operational sectors was streamlined to six. All operational units were grouped in a newly established Operations Department to enhance internal coordination, planning, and the delivery of activities. The sector "Tackling Undeclared Work" was incorporated into the Cooperation Sector to maximise synergies with other mutual learning programmes and activities. The intention is not to change the level and nature of Platform activities.

To enhance internal coordination, prevent work in silos, and realise economies of scale, tackling undeclared work will be mainstreamed at ELA and become one of the horizontal priority thematic areas (next to, for instance, posting of workers and social security coordination). Consequently, while activities supporting Member States in tackling undeclared work will be implemented by the relevant sectors of the Authority, the Platform will retain a central role in shaping priorities and guiding activities.

The Platform will continue to serve as the European forum for relevant authorities and social partners to share experiences in tackling undeclared work, and as a central hub for cooperation and mutual learning on this issue. It will work on high-profile, strategically relevant topics across the Union. The Platform will also continue to be supported by the Secretariat, which

will be located in the Cooperation Sector (the Cooperation Support Unit). A formally separate Platform work programme will be discontinued.

Platform Members inquired about the consequences of this reorganisation and expressed concerns about its potential impact. Among others, they stressed the importance of the task on tackling undeclared work and that undeclared work challenges is not limited to cross-border situations; highlighted the importance of ensuring the autonomy and visibility of the Platform; mentioned the potentially cumbersome nature of inputting into the ELA Single Programming Document; expressed the preference to discuss strategic topics at the Platform instead of other ELA working groups; highlighted the cross-cutting nature of undeclared work and its close link with other thematic areas; and expressed a concern about the risk of fragmentations linked with the mainstreaming.

The ELA Executive Director addressed the comments raised and, among others, clarified that the Platform will maintain its role and core functions. The essence of the Platform's functioning and operations will not change, while the mainstreaming of tackling undeclared work is expected to increase the resources, budget, and attention dedicated to it. The Platform's visibility will also increase, as it will be able to propose activities to tackle undeclared work to be implemented by all ELA operational units. ELA will put in place a procedure to ensure that the Platform continues to shape the activities in this area. The Platform will also continue to serve as a central hub for discussing strategic issues related to undeclared work. Furthermore, the revision of ELA's mandate will provide an opportunity to enhance the Platform's role in supporting national measures to tackle undeclared work.

ITEM 4: Consultation on the thematic discussion planned for the November 2026 Platform plenary meeting

ELA informed Platform members and observers that "tackling undeclared work in subcontracting" has been selected as the topic for the 21st Platform plenary meeting, scheduled for 3-4 November 2026, and collected ideas for how to approach this subject.

Agenda

4-5 November 2025, Bratislava

The 19th plenary meeting of the European Platform tackling undeclared work

4 November 2025: Thematic day: Tackling undeclared work among third country nationals.

9.00 – 9.30	**Registration**
9.30– 9.45	**Welcome and introduction by ELA** • Document 1: Draft agenda
9.45 – 10.25	**Interventions from the European Commission** • *DG EMPL*, European Commission • Employers Sanctions Directive 2009/52/EC: State of play and preliminary findings of the forthcoming Implementation Report (2021-2024), *DG HOME,* European Commission. Q&A
10.25 – 10.45	**Presentation of the discussion paper by the thematic expert** • Document 2: Tackling Undeclared Work among Third-Country Nationals: Trends and Challenges for the enforcement authorities, *University of Venice,* Italy. Q&A
10.45 – 11.15	**Coffee break**
11.15 – 12.30	**Panel discussion**: Enforcement initiatives and challenges in tackling undeclared work among third country nationals. Moderated by Bart Stalpaert. • *Netherlands Labour Authority,* the Netherlands • *Icelandic Confederation of Labour,* Iceland • *National Labour Inspectorate,* Italy **Follow-up discussion with all participants**
12.30 – 13.30	**Lunch break**
13.30 – 15.00	**Policy measures and enforcement authorities' activities to tackle undeclared work among third country nationals, and among third country nationals in the agricultural and forestry sectors.** • *Title TBC, Identitá Malta Agency, Ministry of Home Affairs, Security and Employment,* Malta • Tackling undeclared work among third country-nationals in the forestry and berry picking sectors in Finland, *Regional State Administrative Agency for Western and Inland Finland, Occupational Safety and Health Administration*, Finland

	• *Title TBC, URSSAF, Ministry of Labour,* France Q&A
15.00 – 15.30	**Coffee break**
15.30 – 17.00	**Working groups session (only in-person participation)** ***Questions for discussion*** ➢ *From your experience, could you notice specific trends and patterns regarding the recruitment of third country nationals?* ➢ *Agriculture and forestry sectors are considered as particularly sensitive sectors and often involve a high number of third country nationals. Do you have in place specific inspections plans or policy measures to address undeclared work in these sectors?* ➢ *What are the main challenges and enforcement issues in relation to posting of third country nationals?* ➢ *Are penalties or sanctions – for employers and/or intermediaries – effective deterrents in practice? Do you make use of other instruments – for example nudging, raising awareness campaigns – to prevent undeclared work among third country nationals?* ➢ *Do you receive specialised guidance and training for tackling undeclared work among third country nationals in sectors such as agriculture, forestry (e.g., checklists, multilingual materials, etc.)? Do you use specific tools?* ➢ *Do you collaborate at national and international level with other enforcement authorities, social partners organisations and NGOs to tackle undeclared work among third country nationals?* ***Questions for discussion*** ➢ *Are there specific rules in place in your country ensuring safe reporting in case of undeclared work or labour exploitation?* ➢ *Are there in your country measures to tackle undeclared work among third country national when labour intermediaries are involved?*
17.00	**End**

5 November 2025

8.30-9.00	**Registration**
9.00-9.25	**Opening remarks by ELA** • Adoption of the agenda **Adoption of outputs from Platform meeting on 08-09 April 2025** • Document 3: Summary of deliberations *(for adoption)* • Document 4: Output paper from the plenary thematic discussion on Addressing employment status' misclassification of persons performing platform work: legal frameworks, enforcement strategies and the new Platform Work Directive *(for adoption)*
9.25-9.45	**Election of the Co-Chair for the Platform Bureau**
9.45-11.15	**Platform Workplan for 2026-2027** • Updates on past and future activities • Document 5: Topics for Platform Workplan for 2026-2027 *(for decision)* Q&A
11.15-11.45	**Coffee break**

11.45-12.05	**ELA Annual Conference on Declared Work 2026 & small communication campaign.** • Document 6: Update 10 years anniversary of the Platform *(for information)* • Presentation on the current preparations for the 10-year anniversary, including the upcoming conference and the small communication campaign on declared work Q&A
12.05-12.10	**Small break and starting of the joint session with the WG Inspections**
12.10-12.40	**Update by the European Commission** • *DG EMPL,* European Commission Q&A
12.40-12.55	**Week of action on undeclared work** • *Concerted and Joint Inspections sector,* ELA
12.55-13.30	**Updates from ELA on labour inspectorates' websites review and capacity building activities**, *ELA* • *Information and Services sector,* ELA • *Capacity Building sector,* ELA Q&A
13.30-14.30	**Lunch**

Summary of deliberations

4-5 November 2025, Bratislava

The 19th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Jan Drahokoupil, Acting Head of Enforcement and Analysis Unit, ELA

The Chair welcomed members and observers of the European Platform tackling undeclared work ('the Platform'). The agenda was adopted.

ITEM 2: Adoption of the outputs emerging from the Platform meeting held on 8-9 April 2025

The following documents were adopted:

- Summary of deliberations from the Platform meeting held on 8-9 April 2025.
- Output Paper from the plenary thematic discussion on "Addressing employment status' misclassification of persons performing platform work: legal frameworks, enforcement strategies and the new Platform Work Directive".

ITEM 3: Election of the Co-chair of the Bureau

ELA and the Platform members welcomed the election of Tomislav Markota (HR) as Platform Co-Chair, elected by consensus for a two-year term (until 5 Nov 2027).

ITEM 4: Updates on the Work Plan - past and future activities of the Platform

ELA outlined activities organised since the last plenary meeting. Among others, two study visits took place – one in Lithuania related to the QR code cards and drones for inspections, and the second one in Norway on the model of cross-agency cooperation. A webinar on undeclared work in the reallocation sector was held and a successful Peer Learning Dialogue (PLD) on "Bogus posting and social security rules" was organised (due to high demand, a second edition of the PLD will be organised in February 2026). Following a written consultation launched earlier this year, the Platform held an informal meeting in Oslo. The objective of the meeting was to advance the ongoing strategic reflection on the Platform's role and future. ELA also published good practice fiches, a PLD report on evaluating communication campaigns to prevent undeclared, and a study on undeclared work in logistics and parcel delivery.

ELA presented the upcoming activities planned for late 2025 – early 2026, including: a joint ELA-ILO workshop on measuring undeclared work showcasing statistical and

operational perspectives (Turin, December 2025); a workshop on undeclared work in the private security sector, linked to an ongoing study (Bratislavaa; February 2026); a webinar on undeclared work in courier and parcel delivery sectors; and the second edition of the PLD on Bogus posting and social security rules. towards the end of Q1 in 2026.

ITEM 5: Adoption of Topics for Platform Workplan for 2026-2027

In September, ELA launched a survey aimed at consulting Platform members on the Work Plan for 2026-2027. Due to a relatively low response rate, the input collected was not sufficient to design a draft document. Therefore, at the meeting, Platform members and observers were requested to indicate their preferences for future activities, including by ranking the proposals circulated ahead of the meeting. 'Undeclared work at digital labour platforms' was selected as the highest priority for future mutual learning activities, and 'penalty measures for undeclared work' as the top priority for future studies. In addition, ELA presented the activities of the Analysis and Risk Assessment Sector planned for 2026-27 that could complement the Work Plan.

ELA proposed that the preferences expressed by the Platform will guide the Authority in determining topics for mutual learning and studies, while maintaining some flexibility needed to promote synergies and avoid overlaps between activities of the Platform and other ELA sectors and the Commission. The appropriate sequencing of Platform activities also needs to be ensured (e.g. studies would ideally lead to mutual learning activities or plenary discussions). Therefore, the timing of activities and the final list of topics will be determined at a later stage. The Platform agreed to the proposed approach to determining the thematic focus of activities as well as to maintaining the current general structure of the Work Plan.

ITEM 6: Planning of the 10 years Anniversary Conference of the Platform in 2026 & a targeted communication campaign

In 2026, the Platform will celebrate its 10th anniversary, marking a decade of cooperation on tackling undeclared work among the EU/EEA countries. The celebration will be highlighted with the ELA Annual Conference on Declared Work 2026, a Week of Action on Undeclared Work and a communication campaign on the benefits of declared work.

The conference will take place on 11 March 2026 in Larnaca, and around 150/200 participants with different backgrounds are expected to attend, representing national enforcement authorities, EU institutions, social partners, as well as international organisations and third countries. The objective of the conference is to honour 10 years of joint efforts while launching a reflection on the past achievements to set future priorities. The 20th plenary meeting of the Platform will be held the day after, 12 March: it will include the thematic discussion in the morning and governance-focused sessions in the afternoon.

To reinforce Platform's visibility and its impact, a dedicated communication campaign, whose slogan is “Declared work benefits all”, will be launched between February and April 2026. The highlights of this campaign will be the conference, a testimonial video with Platform members and two live footage videos, aiming to promote the benefits of declared work. The campaign will also feature leaflets and communication on social media, with targeted advertising.

ITEM 7: Update by the European Commission, DG EMPL

European Commission representative informed the Platform on the following points:

- **Quality jobs** are one priority of this Commission. Following the **Quality Jobs Roadmap**, to be published in December 2025, the Commission aims to adopt a **Quality Jobs Act** in the 4th quarter of 2026. These activities aim to create and save quality jobs, including the promotion of declared work in a rapidly changing economy.
- **Labour mobility** is another priority topic. The Fair Labour Mobility Package, foreseen for the 3rd quarter 2026, will include: a chapeau Communication on labour mobility, a proposal for a digital European Social Security Pass (ESSPass), a proposal for a revision of the ELA Regulation and a Skills Portability initiative.
- ‘Housing’ has recently gained substantial attention and has also become an element of the **anti-poverty strategy**. The strategy shall be adopted in the first quarter of 2026.
- Negotiations between co-legislators on the EU Talent Pool (a voluntary instrument to organise the access of non-EU citizens to the EU labour market in areas with labour shortages) and the E-Declaration (a tool to facilitate prior declarations for posting situations) are progressing.
- The Commission received 14 applications for Horizon Europe projects on undeclared work (major research projects running for about 3 years); 3-4 will be awarded in 2026.

ITEM 8: Presentation on the ELA Week of action on undeclared work

The Week of Action on Undeclared Work will be held on 16-22 February 2026. It will include both concerted and joint inspections (CJIs) across all the sectors; the deadline for requests to support for CJIs is 9 January. Some preliminary outcomes of the week of action will be reported at the Conference on Declared Work in March 2026 and discussed at the meeting of the Working Group on Inspections in April 2026. As usual, ELA publish a press release where the key results of CJIs as well as national inspections will be communicated.

ITEM 9: Updates from ELA on labour inspectorates’ websites review and capacity building activities

The ELA Information and Services Sector presented the main activities on how they support national authorities in facilitating access to information. Some key initiatives are the evaluations of national authorities' websites, a translation service for all EU and EEA countries, and the creation of a unified glossary of ELA terms.

The ELA Capacity Building Sector provided an overview of how initiatives such as modular/national trainings, good practices, study visits, E-learning platform and secondment schemes (new initiative to upgrade inspectors' skills while supporting enforcement and cooperation between the Member States.

Agenda

8-9 April 2025, Bratislava

The 18th plenary meeting of the European Platform tackling undeclared work

<u>8 April 2025</u>: Thematic day: Addressing employment status' misclassification of persons performing platform work: legal frameworks, enforcement strategies and the new Platform Work Directive

9.00 – 9.30	**Registration**
9.30 – 9.50	**Welcome and introduction by Cosmin Boiangiu, ELA** • Document 1: Draft agenda • Document 2: Discussion paper
9.50 – 10.30	**The Platform Work Directive and employment misclassification in platform work** • The Platform Work Directive: a rebuttable legal presumption of employment and other means to support enforcement, *European Commission, DG EMPL* Q&A
10.30 – 11.00	**Addressing persons performing platform work' employment misclassification: legal frameworks, enforcement strategies and the new Platform Work Directive** • Addressing persons performing platform work' employment misclassification: legal frameworks, enforcement strategies and the new Platform Work Directive, *University of Valencia, Spain* Q&A
11.00 – 11.30	**Coffee break**
11:30 – 12.10	**Slido poll and plenary discussion**
12:10 – 13.00	**Panel discussion**: Legal frameworks and enforcement authorities' approaches to tackle bogus self-employment on digital labour platforms. Moderated by *University of Valencia, Spain* • *Social Information and Investigation Service, Belgium* • *State Inspectorate, Croatia* • *Labour and Social Security Inspectorate, Spain* Questions for discussions: ➢ *Is the misclassification of work in digital labour platforms a big challenge for your institution / country? Why?* ➢ *What elements / specific criteria would you recommend making a legal presumption of employment effective and useful in determining the employment status of persons performing platform work?*

	➢ *Do you experience or expect differences in tackling undeclared work and bogus self-employment between direct contractual relations with digital platform or contractual relations with intermediaries? Why?* **Follow-up discussion with all participants**
13.00 – 14.00	**Lunch break**
14.00 – 15.30	**Two workshops in parallel (only in-person participation)** • **Workshop 1** *(provided **with** interpretation):* ***Guiding questions for discussion for parallel workshop 1*** ➢ *Are the inspectors in your country trained to assess the automated monitoring or decision-making systems used by digital work platforms to obtain evidence and proof to determine whether they are employers based on the control, direction and organisation of work?* ➢ *Does your authority (or other national authorities in your Member State) cooperate or plan to cooperate with digital labour platforms and their intermediaries to promote the correct determination of employment status?* ➢ *Does your authority (or other national authorities in your Member State) have any programmes/communication plans to raise awareness among people performing platform work on the correct determination of the employment status? Which resources, including non-binding guidelines, information campaigns, self-assessment tools, can be used by workers and employers to facilitate the correct classification of the employment status?* • **Workshop 2** *(provided **without** interpretation):* ***Guiding questions for discussion for parallel workshop 2*** ➢ *Does your country have specific criteria to determine if digital labour platforms should be considered as employers according to specific criteria of dependent work (e.g., control over working time, income and work organisation)? If so, do you have any guidelines or best practices you could share?* ➢ *Do you cooperate with other public authorities when tackling the misclassification of the employment status? Do you have any plans of domestic and international coordination with other authorities in case of cross-border provision of platform work? What could be the best tools to be used to ensure a correct classification of employment in cross-border platform work?* ➢ *How does your authority (or other authorities in your Member State) plan to check compliance with the Directive's provisions on the transparency of automated monitoring or decision-making systems, including human oversight, and on the information and consultation of the rights of workers and their representatives?* ***Guiding questions to be addressed in both workshops:*** ➢ *When applying the legal presumption of employment, is your authority competent to only establish facts (e.g., instances of misclassification) or also to reclassify the employment status of persons performing platform work?* ➢ *The Directive places particular emphasis on safe reporting without the risk of reprisals and it establishes the digital labour platforms' obligation to designate a person that should discuss and clarify with the persons performing platform work the facts, circumstances and reasons leading to the automated decisions determining the employment status of the individual concerned as self-employment.* *Do you think that these channels and procedures will serve as parallel channels for complaints to your authorities? Do you think that requiring these channels to be*

	exhausted before taking action is beneficial? Can the explanations be used as evidence in future sanctioning proceedings?
15.30 – 16.00	**Coffee break**
16.00 – 16.55	**Approaches of social partners and the International Labour Organization** • The Platform Work Directive and employment misclassification in platform work, *BusinessEurope* • Effective Presumption of Employment, *European Trade Union Confederation* • Classification in the platform economy and the ILO standard setting process, *International Labour Organization* Q&A
16.55 – 17.00	**Closing remarks**
17.00	**End**

9 April 2025

8.30 – 9.00	**Registration**
9.00 – 9.05	**Opening remarks by ELA** • Adoption of the agenda
9.05 – 9.10	**Adoption of outputs from Platform meeting on 20-21 November 2024** • Document 3: Summary of deliberations *(for adoption)* • Document 4: Output paper from the plenary thematic discussion on current and future roles of enforcement authorities relevant for tackling undeclared work *(for adoption)*
9.10 – 9.20	**Election of the Co-chair of the Bureau** Q&A
9.20 – 9.45	**Next steps of the discussion on the future of the Platform** Q&A
9.45 – 10.20	**Planning of the 10-year anniversary of the Platform: ELA 2026 Conference** • Document 5: Update – 10 Years of the European Platform tackling undeclared work *(for discussion)* **Establishment of a Platform Subgroup dedicated to the communication campaign promoting declared work** • Document 6: Mandate – Platform Subgroup on the communication campaign promoting declared work *(for adoption)* Q&A
10.20 – 10.55	**Work plan – past and future activities** • Document 7: Peer Learning Dialogue on 'Bogus posting under social security rules' concept note *(for consultation)* • Document 8: Topic for November 2025 plenary thematic day *(for decision)* Q&A
10.55 – 11.20	**ELA's service for targeted analytical support to Member States** • Update on the applications received

	• Presentation of the draft report "Risk-based Inspections Strategy for Malta", Compliance, CEOs Office • Q&A
11.20 – 11.30	**AOB**
11.30 – 12.00	**Coffee break**
12.00 – 12.30	**Update by the European Commission,** *DG EMPL* Q&A
12.30 – 13.00	**Updates on activities in Member States by members of the Platform and the Working group on inspections**
13.00 – 13.30	**Information and Analysis & Risk Assessment Sectors' updates, ELA** Q&A
13.30 – 14.45	**Lunch**

Summary of deliberations

8-9 April 2025, Bratislava

The 18th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Pedro Assares, Head of Enforcement and Analysis Unit, ELA

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

ITEM 2: Adoption of outputs from Platform meeting on 20-21 November 2024

The following documents were adopted:

- Summary of deliberations from Platform meeting on 20-21 November 2024.
- Output paper from the plenary thematic discussion on current and future roles of enforcement authorities relevant for tackling undeclared work.

ITEM 3: Election of the Co-chair of the Bureau

ELA and the Platform members welcomed the nomination of Bart Stalpaert, Social Information and Investigation Service, Belgium for another term as co-chair of the Platform.

ITEM 4: Next steps of the discussion on the future of the Platform

ELA informed the participants that a thorough discussion on the Platform's future will be postponed until after the publication of the evaluation of ELA by the European Commission.

Following the suggestion made at the Platform Bureau meeting and to support discussions on the Platform's future, ELA proposed holding a dedicated meeting in autumn 2025. This proposal was supported by the Platform. Members suggested to organise it in a hybrid format. Before the meeting, as agreed last year, ELA will launch a survey to gather members' views.

Platform members and observers called for reflecting on Platform's possible role in various areas, including communication, training, capacity building, analysis, strategic planning, and cross-border cooperation. In addition, by maintaining a focus on sector-specific and thematic issues the Platform can continue to provide added value. The discussion further underscored the importance of coordination within ELA as well as between authorities at the national level. ELA also emphasised the importance of respecting the roles and competences of other structures such the Management Board or other ELA working groups.

ITEM 5: Planning of the 10-year anniversary of the Platform: ELA 2026 conference.

ELA is establishing a dedicated subgroup to support the communication campaign to promote declared work. The subgroup will begin its activities shortly, with an initial online meeting scheduled for 13 May 2025.

The campaign is expected to launch in early 2026, with a designated Week of Action on undeclared work aligned with the high-level conference planned for March 2026. The Week of Action will focus on both sector-specific and thematic priorities. Member States will retain flexibility in selecting sectors and will be asked to report on the outcomes of key actions. The campaign will focus mostly on raising awareness on the benefits of declared work.

Platform members expressed support for the campaign. They also emphasised the importance of targeting employers and involving social partners. Furthermore, it was noted that a long-term campaign is necessary to change attitudes, as one-off activities may be insufficient.

Kamil Košik from the National Labour Inspectorate in Slovakia volunteered to chair the subgroup. His nomination was welcomed and accepted by the Platform.

ITEM 6: Work plan – past and future activities

ELA announced that it will continue providing flexible approach to participation in plenary meetings. They welcome and cover the costs for two representatives per Member State attending plenary meetings in person representing different national authorities involved in tackling undeclared work, to promote a holistic and multi-authority approach. In addition, further participants from national authorities can attend online.

Representatives from EU candidate countries may also participate in mutual learning activities, although funding for countries outside the EU is not provided by the Authority. However, various EU programmes can support these efforts.

The planning of the Platform work plan for 2026 will be launched soon, with input expected from Platform members and observers through a short survey which will run over the summer 2025. The final work plan will be discussed and adopted at the next plenary meeting in November.

ELA consulted the Platform on a peer learning dialogue (PLD) on ‘Bogus posting under social security rules’ that will be organised in autumn. The participants showed interest in the project and inquired for more information. ELA thanked for all comments received; they will help structuring the PLD. ELA also clarified, among others, that the use of EESSI is planned to be discussed at the PLD, and mentioned that it may not be possible to address in-depth all relevant issues linked to the bogus posting within a single PLD.

ELA has also launched a call for good practices, focusing on four specific areas, including undeclared work and bogus self-employment.

The thematic day of the November 2025 plenary meeting was previously tentatively planned to focus on improving key performance indicators and data collection. ELA consulted the Platform if this thematic focus should be maintained or a different topic should be selected. ELA also suggested some alternative proposals. Most Platform members indicated a preference for discussing undeclared work among third-country nationals at the next plenary. They also indicated that key performance indicators and undeclared work in the agricultural sector remain important topics that also deserve attention in the future.

ITEM 7: ELA's service for targeted analytical support to Member States

In 2024, ELA launched a pilot initiative to provide on-demand tailored analytical support to Member States, to assist Platform members in tackling undeclared work through tailored analytical reports. Three countries—Belgium, Bulgaria, and Malta—submitted requests for support.

The report developed for Malta focused on a risk-based inspections strategy, and its findings were presented by Bernard Zarb, Principal Executive – Compliance and CEOs Office at Jobsplus, Malta. Jobsplus commissioned an independent auditor to oversee the implementation process and ensure that the report's recommendations are effectively implemented.

The scheme offering targeted analytical support to Member States will continue in 2025. Three applications have been received. Belgium requested support for the development of a risk assessment model to estimate the likelihood of undeclared work violations in specific sectors. Greece sought assistance to enhance digital tools used by labour inspectors. Slovakia requested support aimed at addressing bogus self-employment, focusing on identifying and analysing regulatory loopholes.

ITEM 7: Update by the European Commission

The European Commission shared updates on key initiatives, in particular:

- The quality jobs initiative, for which around the end of 2025 a Roadmap shall be adopted. This initiative could provide an opportunity for the Platform to highlight that being 'declared' is a necessary aspect of job quality.
- The intention to develop a new action plan on the European Pillar of Social Rights.
- Further work on digitalisation to support fair labour mobility is ongoing, with results on the ESSPASS pilot project expected in Mid-2025 and next steps to be announced subsequently, also work on the e-declaration to facilitate the prior notification of postings is continuing.
- Negotiations with the co-legislators on the Regulation for an EU Talent Pool are ongoing.
- A HORIZON call focused on undeclared work will be launched shortly.
- Recent reports published by the Commission include the 2024 Annual Report on Intra-EU Labour Mobility and a study on the satisfaction of returning EU movers.

ITEM 8: Updates on activities in Member States by members of the Platform and Working group on inspections

A number of participants reported new developments in their respective administrations, including the launch of new strategic / action plans to combat social fraud and social dumping, recruitment of additional labour inspectors, and the establishment of analytical groups to support targeted bilateral inspections. Updates also included concerns over illegal immigration and overstaying students, initiatives to inform migrant workers in their countries of origin, enhanced data sharing and planned joint inspections, as well as efforts to address the vulnerability of third-country nationals. Other areas of focus included the use of AI.

ITEM 9: Information and Analysis & Risk Assessment Sectors' updates, ELA

ELA provided updates on upcoming communication activities. The focus for 2025 will be on social security coordination and the new road transport legislation for light commercial vehicles, while the 2026 campaign will concentrate on the long-term care sector. Ongoing work on facilitating access to relevant information on labour mobility includes website reviews, and strategic projects, such as a potential remuneration tool which is being explored based on the report reviewing the application and implementation of Directive (EU) 2018/957.

In relation to Analysis and Risk Assessment, current work includes an on-demand operational risk assessment service, along with several analytical strategic analysis reports planned for 2025. These cover fraud and error in social security coordination (published), posting of third-country nationals (published), aircrew members, and an assessment of digitalisation maturity in social security coordination. Reports planned for 2026 will focus on labour intermediaries, inland waterways (in cooperation with Aquapol), new forms of employment, and the long-term care sector. A number of technical workshops are also planned, including events involving planning of coordinated and joint inspections, an annual event addressing complex cases and enforcement challenges, and a continued series of workshops on the use of AI in risk assessment.

Agenda

20-21 November 2024, Bratislava

The 17th plenary meeting of the European Platform tackling undeclared work

<u>20 November 2024</u>: Thematic day: Current and future roles of enforcement authorities relevant for tackling undeclared work

9.00 – 9.30	**Registration**
9.30 – 9.40	**Welcome and short introduction by ELA** • Document 1: Draft agenda • Document 2: Discussion paper
9.40 – 10.40	**Current and future roles of enforcement authorities relevant for tackling undeclared work** ➢ **Moderated panel-style discussion: Enforcement authorities' approaches on staff recruitment. Perspectives and challenges,** moderated by ELA • Social Information and Investigation Service, Belgium • General Labour Inspectorate, Bulgaria • Urssaf Caisse Nationale Urssaf Caisse Nationale (Union for the Recovery of Social Security and Family Allowances), France • Independent expert, Belgium ➢ **Thematic presentation: Current and future roles of enforcement authorities relevant for tackling undeclared work, *Centre for the Study of Democracy*** Q&A
10.40 – 11.10	**Coffee break**
11.10 – 12.35	**Two workshops in parallel:** **Workshop 1** *(provided **with** interpretation)*: **Existing roles, ongoing and recent initiatives, competencies, organisational structure and objectives of enforcement authorities and of inspectors/supporting staff when tackling undeclared work**. ***Guiding questions for discussion for parallel workshop 1*** ➢ *What recent organisational structure, competences, and roles are currently in use for tackling undeclared work? What are the most important recent changes introduced in your organisation?* ➢ *Is the current organisational structure (in central and peripheral level) of your enforcement authority enabling effectively tackling undeclared work in a holistic way?*

	➢ *What are the existing roles, competencies, skills and objectives of inspectors and supporting staff for tackling undeclared work in your organisation?* ➢ *Are inspections undertaken on a time or risk analysis basis? (e.g. on regular basis or following risk assessment and information received) If you have moved from regular visits to risk based, what change have you seen? Has more non-compliance been identified?* **Workshop 2** *(provided **without** interpretation)*: **Future capacities and competencies required by enforcement authorities. Hard skills (job specific) and future roles, required by inspectors when tackling undeclared work. (Except from soft skills)** ***Guiding questions for discussion for parallel workshop 2*** ➢ *How do you envisage the future profile of enforcement authorities for tackling undeclared work more efficiently? What kind of changes in competences, roles are needed for the enforcement authorities and personnel to reach this future profile?* ➢ *Is there a need of specialised teams to focus on specific areas or types of fraud, or new emerging forms of undeclared work?* ➢ *In countries where tax, labour and social security enforcement authorities are separate entities, should there be a better coordination between them, in terms of sharing a common plan for actions in tackling undeclared work?* ➢ *What specific strategies should or have been developed to tackle the changing nature of work and recruitment practices, respectively the changes in the manner you undertake inspections and prepare for them? Has the effectiveness of those strategic approaches been evaluated? What future changes are / should be planned?*
12.35 – 13.35	**Lunch break**
13.35 – 15.00	**Two workshops in parallel:** **Workshop 3** *(provided **with** interpretation – **hybrid**)*: **Approaches required by inspectors/inspectorates when tackling undeclared work and transform undeclared work to declared, focused on communication that creates behavioural change towards declared work** ***Guiding questions for discussion for parallel workshop 3*** ➢ *What specific skills or competencies should inspectors possess or improve to enhance their performance? What approaches should organisations develop?* ➢ *Beyond detection and imposing sanctions, should inspectors play a significant role in preventing undeclared work?* ➢ *What kind of soft skills inspectors and supporting staff should possess to better fulfil their duties/assignments?* ➢ *Are different interview techniques adopted, and upskilled, for interviews with workers/victims, and potential offending organisations and how do inspectors support enforcement through preventative campaigns?* **Workshop 4** *(provided **without** interpretation - only for physical participants)*: **The challenges involved in making the various changes required and how these can be overcome when tackling undeclared work.** ***Guiding questions for discussion for parallel workshop 4*** ➢ *What are the main challenges involved in making the various changes required and how these can be overcome?* ➢ *How do enforcement authorities adjust their methods and practices to meet new challenges and changes in their work environment or in the labour market?*

	➢ *What technological/organisational change has occurred in your inspectorate, and what is planned? What has been the reaction/resistance to proposed or implemented technological change?* ➢ *What succession planning is undertaken to identify periodic risks when key staff, with specific knowledge may leave (e.g. retire), and what procedures are in place to develop their successors, and ensure knowledge transfer?*
15.00 – 15.30	**Coffee break**
15.30 – 16.40	**ELA-Analysis and risk assessment, Social Partners' and ILO perspectives** *This session aims to showcase Member State policy initiatives as well as of other stakeholders perspectives on the topic.* • Analysis and risk assessment pertaining to ELA's mandate. ELA, *Analysis and Risk Assessment sector* • Social Partners' reflections on the day. Perspective and views regarding the profile of enforcement authorities for better tackling UDW. *Business Europe, FLAI CGIL/Italy* • Effectiveness of labour administration enforcement through labour inspection in the informal economy, *ILO* Q&A
16.40 – 17.00	**Key learning points from workshops and main findings of the thematic day** • Lessons learned and ideas for sharing
17.00	**End**

21 November 2024

8.30 – 9.00	**Registration**
9.00 – 9.10	**Opening remarks by ELA** • Adoption of the agenda
9.10 – 9.15	**Adoption of outputs from Platform meeting on 16-17 April 2024** • Document 3: Summary of deliberations • Document 4: Output paper from the plenary thematic discussion on approaches to encourage and support compliance by employers
9.15 – 9.30	**Update by the European Commission, DG EMPL** Q&A
9.30 – 10.20	**Work plan - past and future activities** • Document 5: 2025 Platform Work Plan (revised) Q&A
10.20 – 10.50	**Ad-hoc analytical reports** • Document 6: ELA's pilot service for targeted analytical support in tackling undeclared work • Presentation: Assessing the effects of national communication campaigns against social fraud and social dumping in Belgium. *Social Information and Investigation Service, Belgium* Q&A, discussion based on guiding questions included in the Document 6
10.50 – 11.05	**Mutual Assistance Projects** • Document 7: Call for applications - mutual assistance projects 2025 • Reporting from the MAP in Cyprus, *Ministry of Labour and Social Insurance* Q&A
11.05 – 11.30	**Planning of the 10 years Anniversary Conference of the Platform on 2026** • Document 8: 10 year-anniversary of the European Platform tackling undeclared work Q&A, discussion based on guiding questions included in the Document 8
11.30 – 12.00	**Coffee break**
12.00 – 13.00	*Open session for attendees of the meetings of the Platform and the Working group on inspections* **Updates on new developments in MSs institutions and organisations (tools, measures, legislative initiatives, awareness campaigns, etc.)** • AOB
13.00 – 13.30	**Presentation on ELA communication campaigns, ELA** Q&A
13.30 – 14.45	**Lunch break**

Summary of deliberations

20-21 November 2024, Bratislava

The 17th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Pedro Assares, Head of Enforcement and Analysis Unit, ELA

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

ITEM 2: Adoption of outputs from Platform meeting on 16-17 April 2024

The following documents were adopted:

- Summary of deliberations from Platform meeting on 16-17 April 2024.
- Output paper from the plenary thematic discussion on approaches to encourage and support compliance by employers.

ITEM 3: Update by the European Commission, DG EMPL

DG Employment updated the Platform on several areas:

- The latest mobility report indicates a slight increase in the number of people moving within the EU compared to previous years. Considerable increase of the number of posted workers and – due to the Russian war of aggression against Ukraine – a strong increase of the number of third-country national workers. In the meantime it is clear that the pandemic has not had a long-term impact on mobility trends.
- On 13 November 2024 the Commission adopted a proposal for an e-Declaration for posted workers, with voluntary participation for Member States. This initiative aims to streamline the notification requirements for postings across Member States, to simplify procedures for companies, enhance registration compliance, and allow for better statistics on postings. The e-Declaration is linked to the established Internal Market Information (IMI) structure. The next step involves discussions with co-legislators to adopt the regulation.
- The Commission evaluation of ELA is expected for Q1 2025.

ITEM 4: Updates on the work plan - past and future activities of the Platform

In 2026, ELA will prioritise the care sector. This focus aligns with various activities and issues within ELA's scope, including tackling undeclared work. ELA also invited Platform members to organise national events on tackling undeclared work that can be organised with the support of the ELA National Liaison Officers (NLOs).

The ELA Management Board will discuss and decide on the simplification of some administrative procedures for the Platform on 27 November. ELA proposed several changes, including simplifying the procedures for appointing members and observers,

and concerning simultaneous participation of Platform members and alternates in meetings. This is a part of a larger review of existing rules for all ELA working groups.

Following the participation of representatives from Moldova at a recent study visit in the Netherlands, ELA proposed to open various activities on tackling undeclared work to representatives of EU candidate countries. There is a growing interest among these countries to be involved in the Platform. The proposal was supported. As a general rule, ELA cannot cover the costs related to participants form EU candidate countries.

ELA briefly outlined past activities of the Platform, and the reports published. These include tackling undeclared work among highly skilled workers, in the cultural and creative sector, or intermediated by digital labour platforms and temporary work agencies. Furthermore, a study visit to the Netherlands took place, to explore some of the Netherlands Labour Authority's strategies and tools for tackling undeclared work.

ELA presented the upcoming activities and the adjusted work plan for 2025, including two webinars (on bogus self-employments and related to public procurement), a peer-learning dialogue on designing and evaluating awareness raising campaigns, two workshops (on international cooperation and the measurement of informality and undeclared work, to be jointly organised with the ILO), and studies (on undeclared work in the parcel delivery sector, on platform workers' employment misclassification - linked with the new Platform Work Directive, and on the private security sector) and the next Platform plenary meeting dedicated to the platform work (link to the study mentioned above). The Lithuanian Platform member announced hosting a study visit, planned for May 2025, dedicated, among others, to the use of drones and the international cooperation and data sharing facilitating risk assessment. The adjusted work plan was endorsed.

ITEM 5: Ad-hoc analytical reports

In December 2023, ELA launched a pilot service to support national authorities in tackling undeclared work by commissioning ad-hoc analytical reports based on requests from Platform members. Requests submitted by Belgium, Bulgaria and Malta were approved for support this year.

The Belgian Platform member provided an outline of their experience with the pilot project. The Belgian authorities sought support to develop a methodology to assess the effects of preventative campaigns to address social fraud and social dumping, which resulted in a report offering practical and user-friendly tools and methods.

A new call for applications for tailored analytical support will be launched soon, with the deadline to request support planned for 31 January 2025.

ITEM 6: Mutual Assistance Projects

ELA invited Platform members to participate in Mutual Assistance Projects (MAPs) in 2025, offering flexible, peer-guided support tailored to the needs of the host country.

In 2024, one MAP took place in Cyprus to support the Centralised Labour Inspectorate of the Cyprus government in improving its effectiveness in tackling undeclared work. The Cypriot Platform member presented the activities of the MAP, which had a particular focus on exploring the feasibility of introducing a social/labour ID card and improving the identification of businesses engaged in undeclared work in the construction sector.

ITEM 7: Planning of the 10 years Anniversary Conference of the Platform in 2026

In 2026, the European Platform tackling undeclared work will celebrate its 10th anniversary, marking a decade of collaborative efforts across the EU/EEA countries. The Platform members were informed about a broad range of activities that could fall under the anniversary campaign collectively raising awareness and highlighting EU actions on tackling undeclared work, also announcing further consultation. The highlight of the anniversary would be a Conference on Declared Work, provisionally scheduled for March 2026. These efforts would bring together key stakeholders across EU/EEA countries to make declared work a central focus in public discourse. Platform members welcomed the idea to invest in the anniversary, indicating that this will increase visibility, and help the goals of the Platform.

Cyprus expressed an interest in hosting an event to celebrate the Platform's 10th anniversary, which could be organised during the first half of 2026, when Cyprus will hold the rotating presidency of the Council of the European Union.

ITEM 8: Updates on new developments in Member State institutions and organisations

A joint session was held between the Platform and the Working Group on Inspections. A number of participants reported on new developments in their respective administrations, including progress reports on digital card implementation, a joint project on social ID cards, risk analysis and crime prevention systems, operational inspections, social insurance law modifications, inter-institutional cooperation centres, parliamentary rulings on third-country nationals, and nationwide inspections on bogus self-employment.

ITEM 9: Presentation on ELA information and awareness campaigns

ELA provided an update on the content development for ELA awareness-raising campaigns. The first ELA information and awareness raising campaign on social security coordination is scheduled for Autumn 2025 and will aim to inform citizens and employers about social security rights and obligations in the context of labour mobility. Platform members emphasised the importance of proper planning of the communication activities, including the synchronisation with enforcement actions.

Agenda

16 – 17 April 2024, Bratislava

The 16th plenary meeting of the European Platform tackling undeclared work

16 April 2024: Thematic day: Approaches to encourage and support compliance by employers

9.00 – 9.30	**Registration**
9:30 – 9.40	**Welcome and short introduction by ELA** • Document 1: Draft agenda • Document 2: Discussion paper. Fostering Employers' Compliance: Strategies to Tackle Undeclared Work
9.40 – 10.20	**Approaches to encourage and support compliance by employers** • Fostering Employers' Compliance: Strategies to Tackle Undeclared Work, *University of Bucharest, Romania, Faculty of Business and Administration; University of Tirana-Faculty of Economic, Albania* Q&A
10.20 – 10.50	**Coffee break**
10.50 – 12.15	**Two workshops in parallel:** **Workshop 1** *(provided **with** interpretation – **hybrid**)*: **<u>unintentional</u> noncompliance and making it easier and beneficial for employers to operate in declared economy** to promote **voluntary compliance** including education and awareness raising. **Workshop 2** *(provided **without** interpretation - only for physical participants)*: **<u>Intentional</u> non-compliance: how to prevent it and improve the ease and benefits for employers to operate in declared economy** and promote **voluntary compliance** *These parallel workshops aim to explore measures to stimulate employers to comply and campaigns to inform suppliers of undeclared work of the risks and costs of working undeclared, of public information on the work and achievements of the authorities and measures to improve labour, tax and/or social security law knowledge. Due diligence principle as a basic step in the soft measures when tackling undeclared work will also be explored.*

	Guiding questions for discussion for parallel workshop 1 on unintentional non-compliance ○ Can you provide instances during inspections where employers demonstrated unintentional non-compliance, despite their efforts to adhere to state regulations? ○ What are the primary reasons that lead to unintentional non-compliance among employers? ○ Did you observe any difference in unintentional non-compliance between big corporations and SMEs/microbusinesses? ○ What measures do you believe could enhance employers' compliance, moving away from unintentional non-compliance? Should there be policies targeted specifically to SMEs? ***Guiding questions for discussion for parallel workshop 2 on intentional non-compliance*** ○ How do you differentiate between unintentional and intentional noncompliance? Are there cases where making this distinction is difficult/requires more time/information/analysis? ○ What are the primary reasons that lead to intentional non-compliance among employers? ○ Did you observe any difference in intentional non-compliance between big corporations and SMEs/micro businesses? ○ What measures do you believe could enhance employers' compliance, moving away from intentional non-compliance? Should there be policies targeted specifically to SMEs?
12.15 – 13.35	**Lunch break**
13.35 – 15.00	**Two workshops in parallel:** **Workshop 3** *(provided **with** interpretation – **hybrid**)* **and workshop 4** *(provided **without** interpretation - only for physical participants)* **on the same topic: Building (vertical) trust between employers and enforcement authorities by modernising enforcement authorities. Building (horizontal) trust among employers as competitors in a competitive environment** *These parallel workshops aim to explore solutions and measures of how to improve (vertical) trust between enforcement authorities and stakeholders. To improve the trust in government of citizens, workers, employers and businesses and prevent participation in undeclared work, it is important to modernise formal institutions by making them more customer-friendly and approachable, fair, and just. Businesses, employers, workers, and citizens often do not adhere to the formal rules, when they do not feel that this is the case. Developing modern, professional, and responsive enforcement authorities is necessary to build trust in government and is a way forward.* *During these workshops we will also discuss (horizontal) trust among competing employers and how to tackle the lack of it.* ***Guiding questions for discussion for parallel workshops 3 & 4 Vertical trust*** ○ How do you perceive the current level of trust of employers in your enforcement authorities? ○ What are some common challenges or factors that hinder the establishment of trust between employers and enforcement authorities? ○ What strategies or approaches have proven effective in fostering trust between employers and enforcement authorities, and how can these be applied to encourage compliance?

	Horizontal trust *Addressed primarily to enforcement authorities:* o Should enforcement authorities work towards increasing horizontal trust? *Addressed primarily to employers' representatives, EU agencies/International organisations:* o Do you believe that employers tend to remain undeclared when they perceive their competitors operate undeclared? Why? o What strategies or approaches have proven effective in fostering trust among employers regarding undeclared work? o How can your organisation (enforcement authority, social partner, international organisation) contribute to encouraging horizontal trust among employers? o What employers should change in their activities/interactions/practices to signal that they are trustworthy, respectively that they trust others? Should this be considered as an advantage or as a vulnerability? o Are there any initiatives or collaborations among employers to promote the sharing of good practices? (maybe not only in terms of compliance but other relevant aspects, like conditions for decent work, conflict management, etc).
15.00 – 15.30	**Coffee break**
15.30 – 16.40	**Approaches to encourage and support compliance by employers**: **Nationallevel and stakeholders policy initiatives** *This session aims to showcase Member State policy initiatives as well as of other stakeholders in relation to encouraging and supporting compliance by employers.* • The view of the Slovak Compliance Circle on illegal work, *Slovak Compliance Circle* (20 min) • Intervention Toolbox & Zelfinspectie.nl, *NL, Dutch Labour Inspectorate (Inspectie SZW) (20 min)* • IOM Private Sector Engagement to Protect Migrant Workers *(20 min)* Q&A (10 min)
16.40 – 17.00	**Experts reporting from the workshops** • Lessons learned • Noteworthy ideas for sharing with your organisations
17.00	**End of day**

17 April 2024

8.30 – 9.00	**Registration**

9.00 – 9.10	**Opening remarks by ELA** • Adoption of the agenda
9.10 – 9.15	**Adoption of outputs from Platform meeting on 28-29 November 2023** • Document 3: Summary of deliberations • Document 4: Output paper from the plenary thematic discussion on cooperation between enforcement authorities and NGOs
9.15 – 9.30	**Update by the European Commission, DG EMPL** Q&A
9.30 – 9.45	**Presentation of the report of the Platform subgroup on safe reporting** *Labour and Social Security Inspector at the National Anti-Fraud Office* • Document 5: Output paper: Platform subgroup on safe reporting and complaint mechanisms for workers to denounce abuse and seek support Q&A
9.45 – 10.10	**Follow up on the discussion on the future structure of the Platform**
10.10 – 10.35	**Planning new activities and reporting from past activities of the Platform** • Report on the study: Evaluating policy responses to prevent undeclared work in public procurement • Document 6 – Platform Work Plan for 2024
10.35 – 10.45	**Selection of a new co-chair of the Platform**
10.45 – 11.05	**Coffee break**
11.05 – 11.40	**Discussion on 2025 work plan of the Platform and future peer-learning dialogues** • Document 7 – Proposals for the Work Plan 2025 • Document 8 – Peer Learning Dialogues topic proposals Slido poll on the future topics
11.40 – 12.10	**Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)** AOB
12.10 – 12.15	**Comfort break**

Session open for attendees of the meetings of the Platform and the Working Group on inspections:

12.15 – 13.15	**Presentation on ELA communication campaigns,** *ELA* Q&A
13.15 – 14.30	**Lunch break**

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

16 – 17 April 2024, Bratislava

The 16th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Pedro Assares, Head of Enforcement and Analysis Unit, ELA

The chair welcomed Platform members and observers. The agenda was adopted. The Chair recalled that all Platform members and observers are required to sign a declaration of absence of conflict of interest. Any changes that might potentially create a conflict of interest should also be promptly notified.

ITEM 2: Adoption of outputs from Platform meeting on 28-29 November 2023

The following documents were adopted:

- Summary of deliberations from Platform meeting on 28-29 November 2023;
- Output paper from the plenary thematic discussion on cooperation between enforcement authorities and NGOs.

ITEM 3: Update by the European Commission, DG EMPL

DG Employment updated the Platform about several activities:

- The Annual Report on intra-EU labour mobility 2023 has been recently published. This report shows an increase in movers and returnees to pre-pandemic levels and a more significant increase in postings;
- The Communication and Action Plan on labour and skills shortages in the EU was published in March. The Plan's areas of focus include activation, skills-development, fair mobility, improved working conditions and talent from abroad;
- The Commission launched an initiative for better traineeships, aimed at improving working conditions for trainees and quality of traineeships;
- The 4th meeting of the Labour Migration Platform was held in March 2024, with the objective to facilitate understanding and cooperation between labour market and migration authorities. It included discussions on strategies of national administrations to address undeclared work/labour exploitation of third country national and the role of third country nationals in long-term care.

ITEM 4: Presentation of the report of the Platform subgroup on safe reporting and complaint mechanisms

The main findings from the subgroup were presented by the Labour and Social Security Inspector at the National Anti-Fraud Office in Spain. The report was adopted.

ELA informed the Platform that the webpage on information and tools for working declared is currently undergoing updates, with the ELA national liaison officers actively involved in this exercise. A meeting dedicated exclusively to safety of reporting, or a survey-based toolkit mapping complaint tools and safe reporting could also be considered as potential next steps in the future, if Platform members would like to prioritise such activities.

ITEM 5: Follow-up on the discussion on the future structure of the Platform

Following on from the discussions at the November 2023 Platform plenary meeting, ELA proposed to launch a written consultation with Platform members and observers regarding their thoughts on any potential changes to the Platform (with reporting back at the next plenary meeting). Representatives taking the floor supported this proposal, while suggesting that due consideration be given to the findings of the evaluation of ELA (and the timing of their availability), and thus to launch the consultation later than foreseen. ELA agreed with aligning the consultation with the evaluation of ELA. Several representatives underlined the importance of ELA framing the consultation with, for example, context for the proposal, advantages and disadvantages, or options for consideration. Others underlined the importance of ELA and the Platform giving greater attention to awareness raising initiatives (prevention) and engaging more effectively with national social partners.

ITEM 6: Planning new activities and reporting from past activities of the Platform

ELA briefly outlined past activities and the reports published. These include subgroups on evaluating social/labour ID cards and on safe reporting and complaint mechanisms; seminars and workshops on undeclared work in the construction sector, on digital solutions to facilitate declared work and on methods and instruments to gather evidence of undeclared work; studies on e-services to facilitate declared work and on methods and instruments to gather evidence of undeclared work; peer learning dialogues on tackling undeclared work among EU-mobile workers and third country nationals and on tackling bogus self-employment; study visits on digital cards and digital inspection reports as well as on automated procedures on formal infringements. The study on evaluating policy responses to prevent undeclared work in public procurement is about to be finalised. ELA proposed not to hold this year a subgroup on checklist and self-evaluation tools considering the number of activities already planned and given that the study visit to the Netherlands in Autumn will cover related preventative approaches. The proposal was accepted.

ITEM 7: Selection of a new Co-Chair of the Platform

Dariusz Gorski (PL) was re-elected by consensus as Platform Co-Chair until July 2026.

ITEM 8: Discussion on 2025 work plan of the Platform and future peer-learning dialogues

On the basis of a survey launched with the Platform earlier this year, ELA collated and summarised the suggestions received into a proposal for the Work Plan 2025. The plan suggested limited changes in the type and quantity of activities in comparison to 2024. ELA suggested approving the plan with shortlisted subjects for studies, workshops and seminars. Many of the subjects considered are linked with other

ongoing or planned activities, therefore, a flexible approach to planning is warranted and the final decision shall be taken at a later stage. The proposed Work Plan was endorsed by the Platform. Platform members ranked activities according to their preference and this will guide ELA in determining the activities while ensuring synergies and complementarities across ELA.

ITEM 9: Updates by Platform members and observers on new developments in their institutions and organisations

ELA apologised to Platform members and observers that this agenda item could not feature, due to time constraints.

ITEM 10: Presentation on ELA communication campaigns

In this joint session open also to the Working Group on Inspections, ELA presented an overview of campaign-related work, including communication campaigns on construction, HORECA and the plans for the field of social security. Platform members welcomed the increasing forward planning of communication activities, and requested ELA to continue in this regard, keeping in mind the time required for preparation at national level. Integrating national authority logos in the campaign visual identity and investigating the impact of campaigns were highlighted as important issues going forward.

Furthermore, ELA presented an overview of the website revamp, which will include a new layout, structure, and functionality designed to address users' needs, including contact points for reporting undeclared work.

Agenda

28 – 29 November 2023, Bratislava

The 15th plenary meeting of the European Platform tackling undeclared work

28 November 2023: Thematic day: cooperation between enforcement authorities and NGOs

9.30 – 10.00	**Registration**
10.00 – 10.10	**Welcome and short introduction by ELA** • Document 1: Draft agenda • Document 2: Input paper with guiding questions
10.10 – 10.40	**Presentation of the report of the Platform subgroup on evaluating social / labour ID cards as a tool for tackling undeclared work, including in subcontracting chains,** *EFBWW* • Adoption of the Subgroup report (Document 3) **Update on the progress of the joint EFBWW-FIEC "Social identity cards in construction" (SIDE-CIC) project,** *EFBWW and FIEC* Q&A
10.40 – 11.20	**Cooperation between enforcement authorities and NGOs: an overview and key findings** • Overview of cooperation practices between enforcement authorities and NGOs, *CELSI* • Challenges and Synergies in Co-enforcement with NGOs, *University of Jyväskylä* Q&A
11.20 – 11.50	**Coffee break**
11.50 – 13.15	**Cooperation between enforcement authorities and NGOs: stakeholders' perspectives** *This session aims to explore why such cooperation is necessary, and how NGOs can support enforcement authorities in tackling undeclared work.* • The State Labour Inspection's cooperation with the authorities of the socalled third sector to eliminate illegal employment and forced labour, *Poland*

	• Human trafficking: a joint fight by SIIS, social inspectorates and Myria, *Belgium* • Employers' perspective: NGOs, social partners: what roles? what responsibilities? *BusinessEurope* • Presentation on the cross Europe cooperation between ETUC-trade unions and PICUM Q&A
13.15 – 14.15	**Lunch break**
14.15 – 15.50	**Workshops 1 and 2 in parallel: Examples of successful cooperation between enforcement authorities and NGOs to tackle undeclared work, including combatting human trafficking and labour market exploitation as well as in campaigning for legal work and transparent labour markets, and in developing capacities of enforcement authorities.** *The aim of these parallel workshops is to explore opportunities for cooperation between enforcement authorities and NGOs, as well as cases of cooperation on various topics; discuss the operational details or the cooperation, as well as challenges and lessons learnt. Guiding questions* ○ How do you detect undeclared work trends in partnership, such as via regular meetings, protocols, referrals, etc.? Are partners (enforcement authorities or NGOs) from other countries involved? ○ What types of data, analysis or complaints are best shared between enforcement authorities and NGOs? ○ How do you use the outcomes of information exchange to plan cooperation measures (e.g., inspections, sanctions, improved procedures)? **Workshop 1** *(provided **with** interpretation - **hybrid**)* • *The anti-exploitation network: the Italian practice to reduce the negative effects of UDW, Italy* • *National Union of Labour Law Experts (UNELM) and the Romanian Labour Inspectorate cooperation, including in tackling undeclared work, Romania, UNELM* • *Good practices and lessons learned from NGO/labour inspectorate cooperation in tackling labour exploitation at the workplace in the Netherlands, CoMencha* **Workshop 2** *(provided **without** interpretation - **only for physical participants**)* • *Labour trafficking and targeted inspections, Greece, A21, Hellenic Labour Inspectorate* • *Combatting workplace crime in construction, social ID cards, Sweden, Fair Play Bygg* • *National and Transnational Cooperation Agreements: A Way towards Effective Enforcement of Labour and Victims' Rights? Germany, Arbeit und Leben* Q&A
15.50 – 16.20	**Coffee break**
16.20 – 17.15	**Round table discussion**

	• Reporting from the workshops *Guiding questions for discussion* o Where do you see benefits from establishing partnerships between NGOs and enforcement authorities? o Where do you see challenges in building partnerships between NGOs and enforcement authorities? o What tips do you have for overcoming these challenges? o What are the pros and cons of different forms of cooperation (e.g., statutory cooperation, advisory roles or informal cooperation)? o Where you inspired by a particular practice or cooperation presented or discussed today?
17.15	**End of day**

29 November 2023

8.30 – 9.00	**Registration**
9.00 – 9.10	**Opening remarks by ELA Executive Director** • Adoption of the agenda (Document 1)
9.10 – 9.15	**Adoption of outputs from Platform meeting on 28-29 March 2023** • Document 4 – Summary of deliberations • Document 5 – Output paper from the plenary thematic discussion on teleworking
9.15 – 9.30	**Update by the European Commission, DG EMPL**
9.30 – 10.45	**Discussion about the procedure to design the new Work plan of the Platform and the future structure of the Platform** • Document 6 – Note for discussion about the procedure to design the new Work plan as well as the future structure of the Platform
10.45 – 11.05	**Piloting new service – targeted analytical support on demand** • Document 7 – Note on targeted analytical support on demand
11.05 – 11.35	**Coffee break**
11.35 – 11.45	**Adoption of the Mandate of the Platform subgroup on safe reporting and complaint mechanisms for workers to denounce abuse and seek support** • Document 8 – Draft mandate
11.45 – 12.05	**Sharing the experiences from peer-learning dialogues** • Document 9 – Proposal for a thematic focus of a PLD in spring/summer 2024

12.05 – 12.35	**Planning new activities (thematic focus of the plenary meeting in Q4 2024, the future of the Subgroup on displaced persons from Ukraine, etc.) and reporting from past activities of the Platform** • Document 10 – Proposed thematic focus of the plenary meeting in November 2024 • Document 11 – The 2024 Platform work plan and possible activities for 2025
12.35 – 13.00	**Campaign EU for Fair Construction, ELA**
13.00 – 13.20	**Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)**
13.20 – 13.30	AOB
13.30 – 14.30	**Lunch break**

Summary of deliberations

28 – 29 November 2023, Bratislava

The 15th plenary meeting of the European Platform tackling undeclared work

28 November

ITEM 1: Welcome and short introduction by Pedro Assares, Head of Enforcement and Analysis Unit, ELA

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

ITEM 2: Presentation of the report of the Platform subgroup on evaluating social / labour ID cards as a tool for tackling undeclared work, including in subcontracting chains

The representatives of EFBWW and FIEC reported on the discussions held at the subgroup and provided information on the ongoing project "Social identity cards in construction". FIEC representative suggested a few changes to the subgroup report. Once these changes are implemented, the report will be final and published.

The report from the thematic discussion on cooperation between enforcement authorities and NGOs will be provided in a separate document.

29 November

ITEM 1: Opening remarks by Cosmin Boiangiu, Executive Director, ELA

The Executive Director welcomed Platform members and observers. The agenda was adopted.

ITEM 2: Adoption of outputs from Platform meeting on 28-29 March 2023

The following documents were adopted:

- Summary of deliberations from Platform meeting on 29 March 2023.
- Thematic report on "The Rise of Teleworking: Improvements in Legislation and Challenges for Tackling Undeclared Work" from plenary discussion on 28 March 2023.

ITEM 3: Update by the European Commission, DG EMPL

DG Employment updated Platform representatives about several past, ongoing and planned initiatives and developments:

- Integration of refugees from Ukraine into the labour market (and avoiding undeclared work) will remain important. Temporary protection for refugees from Ukraine extended until March 2025.
- The Skills and Talent Mobility Package, which aims to attract third-country nationals to the European labour market, was adopted by the Commission in November 2023.
- The annual report on intra-EU labour mobility 2023 shall be published early 2024 and have a specific chapter on 'export of pensions'.
- Study on the effectiveness of policies to tackle undeclared work was published in July

(https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8559&furtherPubs=yes)

ITEM 4: Discussion about the procedure to design the new Work plan of the Platform and the future structure of the Platform

ELA put forward for discussion suggestions aimed to strengthen synergies in the area of enforcement (tackling undeclared work, inspections and analysis). The first suggestion considered consulting the Platform on an integrated work plan for the whole ELA enforcement area, and involving Working Group on Inspections ('INSP WG') in that process.

In addition, in the short term, this solution would envisage a more consistent division of roles, with the Platform focusing on strategic and policy aspects, and the INSP WG handling technical and operational aspects of cross-border inspections. In the long term, both groups could be integrated into a single structure, building on the successful working methods of the Platform and addressing all enforcement-related issues. The process would be gradual with the close involvement of the Platform.

The Platform members provided various comments and remarks. The majority of reactions made highlighted the following aspects: the existing working group should be maintained, and any changes should be pondered carefully and with time, not to damage the existing model; the Platform should maintain the working method of defining its work plan and its focus on strategic/policy aspects; it should not focus only on cross-border issues; there are benefits of having diverse membership at the Platform; it is appreciated that Platform members can designate different colleagues to participate in various activities. At the same time, many members indicated that they are open to consider changes that could increase efficiency and synergies between the existing structures. In addition, it was suggested that internal coordination at ELA, in particular concerning communication activities, could be strengthened, e.g. by bringing closer together the Working Group on Information and the INSP WG and/or the Platform.

Further discussions will be held with the Platform before a proposal is submitted to the ELA Management Board for discussion.

ITEM 5: Piloting a new service – targeted analytical support on demand

The proposal for piloting a new service offered to national authorities – targeted analytical support in the form of ad-hoc reports addressing tackling undeclared work was adopted pending the adjustment that requests must align with the Platform's mandate.

ITEM 6: Adoption of the Mandate of the Platform subgroup on safe reporting and complaint mechanisms for workers to denounce abuse and seek support

The mandate was adopted. It was mentioned that the subgroup, among other subjects, should also reflect on the safe reporting and complaint mechanisms available for undocumented migrant workers. ITEM 7: Sharing experiences from peer-learning dialogues

ELA proposed a topic for a peer learning dialogue to be held in May/June 2024, focusing on *approaches and instruments to support and enforce temporary work agencies´ compliance, including rules on declaration of work, equal treatment of workers and posting of workers*. The proposal was well received by the Platform with several members expressing an interest in the topic.

Platform members shared their positive experiences from participating in previous peer learning dialogues.

ITEM 8: Planning new activities (thematic focus of the plenary meeting in Q4 2024, the future of the Subgroup on displaced persons from Ukraine, etc.) and reporting from past activities of the Platform

- The Platform agreed to continue monitoring the situation of Ukrainian displaced persons who are active in the EU labour market, with a view to determine if additional activities by the Subgroup are necessary. The approach to the Subgroup will be reviewed at the next plenary meeting.
- ELA proposed to change the thematic focus of the Q4 2024 plenary meeting to concentrate on the *current and future roles, competencies and powers of enforcement authorities*. Since the initially agreed-upon topic, addressing *improving KPIs and data collection to tackle undeclared work,* was recently discussed (in November 2022) and a related study was published in February 2023, greater value could be achieved by opting for a different thematic focus. ELA mentioned that the proposed new topic is relatively broad and may need to be narrowed down. The proposal was agreed.
- A proposal was made to further align the thematic focus of future plenary meetings with the European Commission policy priorities such as the EU Talent Pool. The possible application of this proposal will be discussed by ELA and the Commission considering 2025 plenaries.

ITEM 9: Campaign EU for Fair Construction

ELA presented an overview of the campaign #EU4FairConstruction. Its main aim is to provide valuable information on the EU legislation and the rights and obligations of employers and employees active in the construction sector, in particular concerning

posting of workers. In addition, it also raises awareness on the benefits of declared work.

Furthermore, for the 2024-25 campaign on the seasonal workers in the HORECA sector, the ELA Working Group on Information will establish focus groups to gather materials, insights, and suggestions for the campaign. An invitation to participate will also be extended to the Platform.

EUROPEAN LABOUR AUTHORITY

Agenda

28 – 29 March 2023, Bratislava

The 14th plenary meeting of the European Platform tackling undeclared work

28 March 2023: Thematic day: The rise of teleworking: improvements in legislation and challenges for tackling undeclared work

9.30 – 10.00	**Registration**
10.00 – 10.10	**Welcome and short introduction by ELA** • Document 1: Draft agenda • Document 2: Input paper with guiding questions
10.10 – 11.50	**Extent of teleworking in the EU Member States and the working conditions of teleworkers and EU regulatory context** • Introduction to telework and emergence of undeclared work, ICF • Teleworking and undeclared work: where and why is undeclared work likely to emerge, CELSI • Digital transformation: Ensuring Decent Remote Work, ILO • The rise of telework: Working conditions and regulations, Eurofound Q&A
11.50 – 12.20	**Coffee break**
12.20 – 13.15	**Cross-border teleworking** *This session aims to shed light on the cross-border telework, including the challenges of social security coordination and potential interplay between crossborder challenges and undeclared work* • Challenges and risks of cross-border telework from a social security perspective, Austria • Data on cross-border telework, Belgium Q&A
13.15 – 14.15	**Lunch break**

14.15 – 16.00	**Workshops 1 and 2 in parallel: National regulatory responses to teleworking as a framework for preventing undeclared work**
	The aim of these workshops is to invite Platform members to work jointly and identify where undeclared work in telework is emerging, what are its features, risks, scope; whether the Platform members' organizations are already engaging in some initiatives; and whether existing national responses are suitable in addressing undeclared work in teleworking (not teleworking in general). Guiding questions ○ Is teleworking a challenging issue for your organisation from the point of view of undeclared work? If so, why? If not, why not? ○ Where do you see undeclared work in teleworking emerging or likely to emerge in your country (type of occupation, sectors, type of workers based on age, gender, education and other social factors)? Please identify at least 3 areas. ○ Do you think that the current practices/measures used or planned in your country are sufficient for addressing undeclared work in telework? Please list 3 measures that you find sufficient, and 3 measures that you would like to see emerging to address undeclared work in telework. ○ What kind of tools or practices you find efficient to better monitor working time in teleworking (i.e. digital tools, online inspections, access to households)? ○ Do you plan to apply any data mining in order to measure the range and extent of telework in different sectors or occupations in your country and set related KPIs? **Workshop 1** *(without interpretation)* *Introductory presentations* • The new Portuguese telework regime and the challenges for Labour Inspectorate, Portugal • Law 4808/19-06-2021 on telework, Greece • Will the upcoming legislative changes to remote work in the Czech Republic bring the possibility of effective control of illegal work in this area? **Workshop 2** *Introductory presentations* • First steps of the Spanish Inspectorate tackling UDW in telework, Spain • Cross-industry collective agreement on telework: Collective Labour Agreement No. 149, 2020, Belgium
16.00 – 16.30	**Coffee break**
16.30 – 17.30	**Workshops 3 and 4 in parallel: Social partners' responses to teleworking as a framework for preventing undeclared work** *The aim of these workshops is to explore existing and potential initiatives by social partners targeting undeclared work in teleworking.* *Guiding questions*

	○ What could be the role of cross-sectoral, sectoral and/or company collective agreements to regulate teleworking conditions to prevent undeclared work? ○ What kind of activities/initiatives (i.e. preventative measures, awareness raising campaigns, etc.) can social partners take to safeguard the "right to disconnect" and assist in the regulation of teleworking? ○ Do social partners collect data on the use of telework? **Workshop 3** *(without interpretation)* *Introductory presentations* • Telework in Greek companies – findings of SEV's survey. Priorities and policy issues in post covid era, Hellenic federation of Enterprises, SEV, Greece • Hybrid work in high skilled workers in Denmark, DJØF, Denmark **Workshop 4** *Introductory presentations* • What can workers expect from the new right to disconnect? ABVV-FGTB, Belgium • Examples of collective bargaining: teleworking and the right to disconnect, Sagardoy Abogados, Spain
17.30	**End of day**

29 March 2023

8.30 – 9.00	**Registration**
9.00 – 9.10	**Opening remarks by ELA** • Adoption of the agenda
9.10 – 9.15	**Adoption of outputs from Platform meeting on 8-9 November** Document 3: Thematic report from plenary discussion on 8 November Document 4: Summary of deliberations from Platform meeting on 9 November
9.15 – 9.30	**Update by the European Commission, DG EMPL**
9.30 – 9.40	**Election of the Platform Co-chair**

9.40 – 9.55	**Demand driven activities: Selection of thematic focus for future peerlearning dialogues, calls for mutual assistance projects (MAPs) and staff exchanges** Document 5: Proposals for future peer-learning dialogues
9.55 – 10.15	**Presentations on the past studies** - Study on the extent of undeclared work in the EU - Study on the extent of dependent self-employment in the EU
10.15 – 10.35	**Consultation on the future work plan** - Study on means and instruments used as a proof of undeclared work - Study on evaluating the demand-side of undeclared work and policy responses targeting public procurement and purchasers Document 6: Call for participation in a survey on means and instruments used as proof of undeclared work (circulated initially on 13 March) Document 7: Information note on the upcoming study on 'Evaluating the demandside of undeclared work and policy responses targeting public procurement and purchasers' Document 8: Platform Work Plan 2023 and proposals for 2024-2025 Document 9: Platform work plan for 2024 (initial proposal - activities preselected for 2024 marked in green)
10.35 – 10.45	**CIRCABC and videos:** **1. "Fighting undeclared work: why is a holistic approach needed?"** **2. "Inspiring practices to tackle undeclared work"**
10.45 – 11.20	**Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)**
11.20 – 11.30	**AOB**
11.30 – 12.00	**Coffee break**

Session is open for attendees of the meetings of the Platform and the Working group on inspections.

12.00 – 13.00	Presentation of the study supporting the monitoring of the Posting of Workers Directives, ECORYS Q&A
13.00 – 14.00	**Lunch break**

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

29 March 2023, Bratislava

The 14th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Cosmin Boiangiu, Executive Director, ELA

The Executive Director welcomed Platform members and observers. The agenda was adopted.

ITEM 2: Adoption of outputs from Platform meeting on 8-9 November 2022

The following documents were adopted:

- Thematic report on Measuring the effectiveness of policy approaches and performance of enforcement authorities from plenary discussion on 8 November 2022;
- Summary of deliberations from Platform meeting on 9 November 2022.

ITEM 3: Update by the European Commission,DGEMPL DG Employment updated Platform representatives about:

- Recent and planned publications from the Commission with relevance to tackling undeclared work, concretely the Special Eurobarometer on citizens attitudes towards intra-EU labour mobility, the annual report on intra-EU labour mobility and reports concerning the implementation of the Working Time Directive.
- Outcomes of the Commission conference on digitalisation and social security coordination which took place on 1 March.
- Regular surveys of the network of Public Employment Services (PES) on PES's measures to support people displaced by the war in Ukraine and other PES activities in that area.
- A call for proposals under ESF+ including activities to tackle undeclared work (deadline 3 May 2023).

ITEM 4: Election of the Platform Co-Chair

Bart Stalpaert (BE) was re-elected by consensus as Platform Co-Chair until July 2025.

ITEM 5: Demand driven activities: Selection of thematic focus for future peer-learning dialogues, calls for mutual assistance projects (MAPs) and staff exchanges

ELA encouraged Platform members to apply for a MAP by mid-October 2023, reiterating that MAPs are a flexible activity for peer-counselling (in the policy area chosen by the applicant). The call for staff exchanges was launched, with a deadline of 30 April 2023. To simplify the process, this year ELA launched a single, unified call for staff exchanges that concern tackling undeclared work, next to other areas within ELA's mandate.

There will be two peer-learning dialogues this year. The first will start in May on the topic of crossborder cooperation and enhancing investigative techniques for tackling undeclared work among EUmobile workers and third country nationals. The Platform voted on topics for future peer-learning dialogues, based on the six proposals by ELA. Reflecting the preferences of the participates, the PLD in Autumn 2023 will be on testing approaches to tackle bogus self-employment. The topic that received the second highest number of votes will be considered for a PLD in 2024 and considered designing strategic objectives and key performance indicators (KPIs) to transform undeclared work into declared work.

ITEM 6: Presentations on the past two studies

The Study on the extent of undeclared work in the EU and the Study on the extent of dependent selfemployment in the EU could not be presented due to time constraints.

ITEM 7: Consultation on the future work plan

ELA presented the upcoming activities of the Platform, including the subgroup on evaluating social/labour ID cards as a tool for tackling undeclared work in April and the seminar on construction in May. A survey will be launched in April to collect data for an upcoming study on means and instruments used as a proof of undeclared work. ELA highlighted that it welcomes suggestions for possible presentations at future events, including at a webinar in July on 'the cost-of-living crisis and its implications for undeclared work'. A short poll gathered information that can guide ELA on an upcoming study investigating the demand-side of undeclared work and policy responses targeting public procurement. An information campaign on the construction sector will be launched by ELA in autumn.

ELA consulted the Platform representatives on the draft work plan for 2024 which was prepared based on the document adopted by the Platform in March 2023. The Platform agreed on the proposal. Further changes to the work plan may be made following the internal consultations in ELA in order to avoid duplicating similar activities by different ELA teams and to ensure synergies between various activities planned. If this happens, Platform will be informed. The final decision on the ELA work programme for 2024 will be taken by the Management Board of the Authority. Platform representatives suggested also potential additional focus areas for future activities that will be considered.

ITEM 8: CIRCABC and videos: 1. "Fighting undeclared work: A holistic approach" 2. "Inspiring practices to tackle undeclared work"

ELA updated that the previous document repository on SharePoint has been discontinued and replaced by CIRCABC – this changed harmonised access to documents across ELA. Two videos were launched and are encouraged to be shared by Platform representatives:

- Fighting Undeclared Work: A Holistic Approach (available in English with EU language subtitles)
- Inspiring practices to tackle undeclared work (available in EU languages)

ITEM 9: Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)

A number of members reported on new developments in their respective administrations such as applications for funding and participation of ELA in projects, new legislative initiatives, cross-border cooperation between agencies to fight undeclared work, and new developments in the area of OSH.

ITEM 10: AOB

ELA consulted Platform representatives on the continuation of Plenary meetings in hybrid format, which was endorsed by the Platform. Other suggestions on the efficiency of ELA activities were made and will be considered.

New Platform representatives introduced themselves and sent regards from former Platform members who have since retired or moved on.

ITEM 11: Joint session between the Platform and the Working Group on Inspections

A joint session was held between the Platform and the Working Group on inspections. A presentation was given on the outcomes of a forthcoming study supporting the monitoring of the Posting of Workers Directives, highlighting issues of importance for both groups.

EUROPEAN LABOUR AUTHORITY

Agenda

8 - 9 November 2022, Bratislava

The 13th plenary meeting of the European Platform tackling undeclared work

8 November 2022: Thematic discussion on measuring the effectiveness of policy approaches and performance of enforcement authorities

9.30 – 10.00	**Registration**
10.00 – 10.10	**Welcome and short introduction by ELA** • Document 1: Draft agenda • Document 2: Input paper with guiding questions
10.10 – 11.50	**Measuring the effectiveness of policy approaches and performance of enforcement authorities** • Study on the effectiveness of policies to tackle undeclared work, DG EMPL • Measuring the effectiveness of policy initiatives for tackling undeclared work: what do we know and not know? Institute of Public Finance, Croatia • Study on developing methodology and KPIs measuring the performance of labour inspectorates, Independent expert • Developing KPIs to measure the performance of labour authorities: the experience of the State Labour Inspectorate in Latvia • Challenges in developing KPIs to measure the fight against social fraud in Belgium Q&A
11.50 – 12.15	**Coffee break**

12.15 – 13.00	**Field and laboratory experiments** • Economic-Psychological Experiments – Tax Behaviour, University of Vienna *Guiding questions* ○ What types of policy initiative could labour authorities test using (1) laboratory experiments and (2) field experiments? ○ What are the tips or good practices for (1) designing such experiments, (2) doing them and (3) evaluating them?
13.00 – 14.00	**Lunch break**

14.00 – 15.30	**Measuring the effectiveness of different policy measures for tackling undeclared work: challenges and ways forward: Workshops 1 and 2 in parallel** **Workshop 1** *Introductory presentations* • Applied Practices in tackling of undeclared work for the detection of employer fraud in the COVID-19 short-term employment scheme, France • Designing evaluation into strategic action plans: the Finnish experience, Finland *Guiding questions* ➢ What are the major challenges faced in measuring the effectiveness of policies to tackle undeclared work? ➢ What tips or good practices do you have for overcoming these challenges? **Workshop 2** *Introductory presentations* • Measuring the effectiveness of preventative policy measures: the experience of the "Know Your Rights" campaign in Norway • Using quantitative and qualitative data analysis including KPIs to measure the effectiveness of nudging approach in transforming undeclared work to declared, Greece *Guiding questions* ➢ What are the major challenges faced in measuring the effectiveness of policies to tackle undeclared work? ➢ What tips or good practices do you have for overcoming these challenges?
15.30 – 16.00	**Coffee break**

16.00 – 17.30	**Measuring the performance of enforcement authorities: Workshops 3 and 4 in parallel** **Workshop 3** *Introductory presentations* • Strategic objectives and KPIs of the Workplace Relations Commission in relation to tackling undeclared work: challenges in measuring performance, Ireland • KPIs used in Spain to measure the performance of the Anti-Fraud Office, Spain *Guiding questions* ➢ What major challenges do you face in rethinking your strategic objectives and KPIs to transform undeclared work into declared work? ➢ What tips or good practices can those who have more experience in setting up such strategic objectives and KPIs offer to others who have less experience in doing so?
	Workshop 4 *Introductory presentations* • Strategic objectives and KPIs of the Swedish Work Environment Authority in relation to tackling undeclared work: challenges in measuring performance, Sweden *Guiding questions* ➢ What major challenges do you face in rethinking your strategic objectives and KPIs to transform undeclared work into declared work? ➢ What tips or good practices can those who have more experience in setting up such strategic objectives and KPIs offer to others who have less experience in doing so?
17.30	**End of day**

9 November 2022

8.30 – 9.00	**Registration**
9.00 – 9.05	**Opening remarks by ELA** • Adoption of the agenda
9.05 – 9.10	**Adoption of outputs from Platform meeting on 23-24 March** Document 3: Thematic report from plenary discussion on 23 March Document 4: Summary of deliberations from Platform meeting on 24 March

9.10 – 9.25	**Selection of thematic focus for 2023 plenary meetings**
9.25 – 9.55	**Reporting back from the working groups on day one**
9.55 – 10.10	**Update by the European Commission, DG EMPL**
10.10 – 10.35	**Trainers manual on the protective elements of the Employers Sanctions Directive and of the Seasonal Workers Directive, FRA** Q&A, discussion
10.35 – 10.50	**Reporting from the Platform subgroup on alert mechanisms to identify undeclared work at an early stage, Belgium**
10.50 – 11.20	**Coffee break**
11.20 – 11.50	**Preventing undeclared work among displaced persons/refugees from Ukraine** • Reporting from Platform subgroups on tackling undeclared work among displaced persons/refugees from Ukraine, Poland • Discussion on the next steps Document 5: Output paper from the subgroup on tackling undeclared work among displaced persons/refugees from Ukraine
11.50 – 12.00	**Adoption of the mandate for future subgroup** Document 6: Draft mandate of the subgroup on evaluating social ID cards as a tool for tackling undeclared work, including in subcontracting chains
12.00 – 12.20	**Staff exchanges – experiences in 2022** • Presenters: Bulgaria and Portugal
12.20 – 12.50	**Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)**
12.50 – 13.00	**AOB**
13.00 – 14.00	**Lunch break**

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

9 November 2022, Bratislava

The 13th plenary meeting of the European Platform tackling undeclared work

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

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

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

The following documents were adopted:

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

ITEM 3: Selection of thematic focus for 2023 plenary meetings

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

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

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

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

Two rapporteurs presented the discussions held at the workshops at the previous day on 'measuring the effectiveness of different policy measures for tackling undeclared

work' and on 'measuring the performance of enforcement authorities'. The findings and main conclusions of the thematic discussions will be presented in a separate Thematic Report.

ITEM 5: Update by the European Commission, DG EMPL

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

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

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

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

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

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

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

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

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

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

ITEM 10: Staff exchanges – experiences in 2022

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

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

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

AOB:

ELA proposed to remove the bi-annual report from the 2022 Work Programme, which was endorsed. Platform repository will be moving from SharePoint to CIRCABC[1] by the end of 2022. This is to harmonise the approach to storing documents across various working groups and the Management Board at ELA.

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

[1] CIRCABC (europa.eu) accessed 9/11/2022

EUROPEAN LABOUR AUTHORITY

Agenda

23 – 24 March 2022, Bratislava

The 12th plenary meeting of the European Platform tackling undeclared work

23 March 2022: Thematic day focused on operationalising holistic approaches to tackling undeclared work

9.30 – 10.00	**Registration / Technical set-up**
10.00 – 10.10	**Welcome and short introduction by ELA** • Document 1: Draft agenda • Document 2: Input paper with guiding questions
10.10 – 10.30	**Progress of authorities towards a holistic approach** • A common assessment framework for measuring progress towards a holistic approach: findings of the 2022 survey, ICF
10.30 – 12.00	**Towards a cross-government body and strategy to transform undeclared work into declared work** • Shifting strategy towards preventative measures, Belgium • Developing a holistic approach towards undeclared work in Croatia • Developing the national coordinated cross-government strategy in Finland • The newly established working group on tackling undeclared work in Italy Q&A
12.00 – 13.15	**Lunch break**

13.15 – 14.45	**Workshops 1 and 2 in parallel** **Workshop 1: Joining-up national and cross-border operations** *Introductory presentations* • Joining-up operations on a national and cross-border level: experiences and challenges, Norway • The Central Coordination Group in Lithuania *Guiding questions*
	○ What are the challenges faced in (1) joining-up national operations and (2) pursuing cross-border operations? ○ What tips or good practices do you have for achieving the (1) joining-up of national operations and (2) pursuing cross-border operations? **Workshop 2: Developing cross-government cooperation on data collection, sharing and analysis** *Introductory presentation* • Reflections on cooperation on data: outcomes of the 2nd Peer Learning Dialogue, Belgium *Guiding questions* ○ What are the challenges authorities face on (1) data collection, (2) data sharing and (3) data analysis? ○ What tips or good practices do you have for improving (1) data collection, (2) data sharing and (3) data analysis?
14.45 – 15.15	**Coffee break**

15.15 – 16.45	**Workshop 3: Improving social partner involvement** *Introductory presentation* • The Hidden Economy Monitoring Group in Ireland *Guiding questions* ○ What concrete initiatives to tackle undeclared work have been undertaken by (1) social partners and inspectorates in cooperation, and (2) social partners alone? ○ What are the major challenges faced by (1) social partners and (2) authorities when seeking to build cooperation with each other? ○ What tips or good practices do social partners and authorities have for building effective partnerships? **Workshop 4: Beyond deterrence: adopting the full range of preventative measures** *Introductory presentations* • Penalties to incentivise the transformation of undeclared work into declared work: an update evaluating the first few years, Greece • Lessons from mini-jobs in Germany: challenges and tips *Guiding questions* ○ What are the major challenges in implementing preventative initiatives to improve the ease and benefits of engaging in declared work? ○ What tips or good practices can those who have been more successful in setting up preventative measures offer to others who have been less successful in doing so?
16.45 – 17.00	**Short break**
17.00 – 17.30	**Reporting back from working groups**
17.30	**End of day**

24 March 2022

8.45 – 9.15	**Technical set-up**
9.15 – 9.20	**Opening remarks by ELA** • Adoption of the agenda
9.20 – 9.25	**Adoption of outputs from Platform meeting on 21-22 October** Document 3: Thematic report on COVID-19's impact on enforcement authorities' work and priorities from Platform meeting on 21 October Document 4: Summary of deliberations from Platform meeting on 22 October
9.25 – 9.30	**Revision of the Platform Work Programme 2021-2022** Document 5: Proposal for a change in the Work Programme

9.30 – 10.00	**Employers Sanctions Directive** • Presentation of the European Commission Communication on Employers Sanctions Directive, DG HOME, Unit C1 *Discussion*
10.00 – 10.30	**Reporting from Platform subgroups:** • On tackling undeclared work of third-country nationals through regularisation initiatives, Belgium Document 6: Output paper from the subgroup: Tackling undeclared work among third-country nationals: regularisation initiatives • On Communication and Information, contributing to the ELA awarenessraising campaign on the road transport, Norway Document 7: Output paper from the subgroup on communication and information: Tackling undeclared work in road transport
10.30 – 11.00	**Coffee break**
11.00 – 11.40	**Endorsement of the future work programme of the Platform** Document 8: Draft proposals for the future Work Programme
11.40 – 11.55	**Update by the European Commission, DG EMPL**
11.55 – 12.00	**Adoption of the mandate for a Subgroup on alert mechanisms to identify undeclared work at an early stage** Document 9: Draft mandate of the subgroup on alert mechanisms to identify undeclared work at an early stage
12.00 – 12.20	**Demand-driven actives** • Presentation on previous experiences with mutual assistance projects (MAPs) and a new MAP concept • Staff exchanges • Peer learning dialogue: selection of a topic for a second edition in 2022 Document 10: Suggested topics for the second peer-learning dialogue in 2022
12.20 – 12.50	**Updates by Platform members and observers on new developments in their institutions and organisations (new tools, measures, legislative initiatives, awareness campaigns, etc.)**
12.50 – 13.00	**AOB**
13.00 – 14.00	**Lunch break**

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

24 March 2022, Bratislava

The 12th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by ELA's Executive Director

The Chair welcomed Platform members and observers. He reflected on the situation in Ukraine and Ukrainian refugees, adding that a related agenda item had been included in a revised agenda. The agenda was adopted.

ITEM 2: Adoption of outputs from Platform meeting on 21-22 October 2021

The following documents were adopted:

- Thematic report on COVID-19's impact on enforcement authorities' work and priorities from Platform meeting on 21 October (one member added that physical inspections remain crucial);
- Summary of deliberations from Platform meeting on 22 October 2021.

ITEM 3: Employers Sanctions' Directive

The European Commission (EC) outlined the EU framework to tackle illegal employment or irregular migrants, namely through the Employers Sanctions Directive. As part of the EU Pact on Migration and Asylum, the EC published a Communication on the implementation of the Employers Sanctions Directive in 2021. In the document, the EC recommends, among other, to assess the effectiveness of sanctions against employers who employ illegally staying third-country nationals, to increase awareness-raising and to relaunch the Irregular Migration Expert Group on the Employers Sanction Directive. In terms of protective measures, the Communication recommends to improve the accessibility of complaint mechanisms, to exchange on safe reporting policies, to strengthen social dialogue and to increase information and awareness-raising. Inspections should be better targeted towards high-risk sectors, good practice sharing on inspections should be continued and inspectors should be appropriately trained. The EC will seek the expertise of the Platform in some areas, including on inspections. During the discussion, social partners welcomed the strengthening of the implementation of the Directive. Two participants raised concerns that labour inspectors and ELA are not the relevant actors to address illegal employment of irregular migrants. While acknowledging the limits of ELA's mandate, the Chair highlighted that in the course of inspections responsible authorities might encounter

all sorts of irregularities and should be able to adequately act and followup, if necessary in cooperation with other relevant authorities, and ELA is ready to support them in this respect.

ITEM 4: Reporting from Platform subgroups

The Chair of the subgroup provided an update on the subgroup on tackling undeclared work among third-country nationals through regularisation initiatives, which met in December 2021. Several members supported the recommendations in the report. One member raised the concern that the recommendation concerning regularisation of third country nationals could create problems. With the explanation that it was up to Member States' discretion how to interpret and whether to implement the recommendation the report was approved.

The Chair of the subgroup provided an update on the subgroup Communication and Information which met in February 2022, contributing to the ELA awareness-raising campaign on the road transport sector. There were no comments. The output report will support the preparation of the campaign.

ITEM 5: Update by the European Commission, DG EMPL

The European Commission updated firstly on the proposed Directive on improving working conditions in platform work from December 2021. Platform work is rapidly increasing, and the proposed Directive aims to ensure platform workers have a contractual status which corresponds to their work situation, more rights for workers, including better condition for social dialogue. In addition, the Commission informed about the proposal for a Directive on corporate sustainability due diligence to foster sustainable and responsible corporate behaviour throughout global value chains, adopted by the Commission in February 2022. Moreover, there is currently a pilot project on the feasibility of introducing a European Social Security Pass. In May this year, a new Eurobarometer on labour mobility will be conducted and an update from a study on the effectiveness of policies tackling undeclared work will be shared in the upcoming Plenary meeting. Platform members were invited to already think about projects they might want to put forward in a call for proposals concerning undeclared work that will take place next year.

ITEM 5: Demand-driven activities

ELA presented Mutual Assistance Projects (MAP), Staff Exchanges and Peer Learning Dialogues (PLD). MAPs are a good opportunity for mutual learning from selected peers. In the future, more flexibility will be provided in terms of the thematic focus of the MAPs. Meanwhile, staff exchanges can include interpretation for two languages for virtual and face-to-face meetings.

The Platform voted on the topic of the second PLD which will take place in the autumn of 2022. The top-ranked choice was 'challenges and solutions in detecting and proving undeclared work in new forms of work, e.g. platform work'.

ITEM 6: Discussion on the labour market integration of refugees and the potential role of the Platform

Platform members exchanged on the current situation and their activities to support Ukrainian refugees. Recent efforts mentioned included the cooperation with Ukrainian social partners, and the provision of information in Ukrainian language. There was agreement that many incoming refugees, although they have access to declared work, are vulnerable.

There was agreement that the Platform should take an active role, to organise an ad hoc meeting before the Easter break and to set up a subgroup on preventing undeclared work among refugees. A chair for the subgroup was identified. Points for exchange could include demographic data about refugees, national legislation, coordination between authorities, inspections, preventing exploitation, social dialogue, working with civil society, and cross-border movement. It was highlighted that exchange should be operational, looking at the issue from an undeclared work angle, but considering also other areas of ELA's work such as access to information or EURES.

ITEM 7: Revision of the Platform Work Programme 2021-2022

The Platform Secretariat proposed some minor revisions in the Work Programme for 2022 in a document submitted ahead of the meeting. In addition, largely due to the war in Ukraine, the following changes in the work programme were proposed:

- Most importantly - the addition of webinar(s) and a subgroup on preventing undeclared work amongst refugees;
- Postponing or cancelling, if necessary due to resource constrains, the subgroup on alert mechanisms to identify undeclared work at an early stage and the webinar on developing a common assessment framework for measuring the progress of Member States towards a holistic approach;
- More flexibility enabling toolkits to be connected to other events, not solely Thematic Review Workshops;
- Production of communication and information materials.

All proposed changes were adopted.

ITEM 8: Adoption of the mandate for a Subgroup on alert mechanisms to identify undeclared work at an early stage

Originally a meeting was foreseen in May. However, considering that the activities addressing the inflow of refugees from Ukraine are a priority, the subgroup on how enforcement authorities can create alert mechanisms to identify undeclared work at an early stage will be postponed, or if necessary due to resource constrains, not held in 2022. The chair for the subgroup was modified.

ITEM 9: Endorsement of the future work programme of the Platform

ELA updated on the work of the subgroup on the Platform future work programme, and the preceding call for proposals for future activities. The suggested work programme will continue to be based on four strategic priorities and will include, among others, a

mixture of demand-driven and more operational activities, sectoral approaches, strong mutual learning component focused on both preventative and deterrence measures,

and activities aimed at building understanding of undeclared work. The proposals for the Platform work programme were endorsed and will be integrated in the multi-annual programming of the authority, the Single Programming Document. A final decision will be taken by the ELA Management Board in November 2022.

ITEM 10:AOB

EUROPEAN LABOUR AUTHORITY

Agenda

21 – 22 October 2021, Bratislava

The 11th plenary meeting of the European Platform tackling undeclared work

21 October 2021: Thematic day focused on COVID-19's impact on enforcement authorities' work and priorities

9.30 – 10.00	**Registration / Connection and testing of technological support**
10.00 – 10.10	**Welcome and short introduction** Document 1: Draft agenda Document 2: Input paper with guiding questions
10.10 – 12.00	**Introductory presentations** • Impacts of COVID-19 on the informal economy in global perspective, ILO • COVID-19: implications for employment and working life, Eurofound • Abuse of short-term financial support schemes, Belgium • E-formalisation: applying new technologies in enforcement authorities to facilitate the transition to formality, ILO • Work today and in the future: challenges and opportunities identified by the Nordic labour inspectorates, Sweden Q&A
12.00 – 13.30	**Lunch break**
13.30 – 14.50	**Future of inspections: Workshops 1 and 2 in parallel**

	Workshop 1: Changes in the planning and conduct of workplace inspections *Introductory presentation* • Reflections on changes in the planning and conduct of physical workplace inspections during the COVID-19 pandemic, Portugal *Guiding questions* ➢ Have your authorities undertaken greater risk assessment since the pandemic began of whether a physical inspection is necessary? If so, should this continue in the future?
	○ What other changes have you made to planning and conducting physical inspections which should continue in the future (e.g., hygiene, contact and time spent in workplace, digital recording)? ○ Are physical inspections vital and effective compared with alternative types of inspection, and if so, how can it be proven? ○ Is it worthwhile ELA holding events on: (1) "Lessons learned from the COVID-19 pandemic for the organisation of onsite inspections" and/or (2) "Evaluating the effectiveness of onsite inspections in detecting and preventing undeclared work"? **Workshop 2: Adopting alternative types of inspection to the physical inspection** *Introductory presentation* • Reflections on adopting alternative types of inspection to the physical inspection, Ireland *Guiding questions* ○ Is an objective of your inspectorate to conduct a specific number of physical inspections and is it necessary to change this? ○ When and for what purpose could alternative types of inspection to the physical on-site inspection be used? ○ Do your authorities combine onsite and other forms of inspection when inspecting a business (e.g., desk-top for initial meeting with compliant business, then physical inspection, and follow-up meeting at a distance)? Is this a way forward? ○ Have your authorities evaluated the benefits and/or effectiveness of different forms of inspection (e.g., the strike/success rate of documentary inspections at resolving complaints compared with physical visits)? Is better evidence required? ○ Could technicians be used for desk-top/documentary/postal inspections, with inspectors only doing the physical inspections? Is it possible to develop a career path (e.g., from working in the call centre, then doing desk-top inspections and then physical inspections) in your country? ○ Is it worthwhile ELA holding an event on "Complementary Inspection Types to Onsite Inspections"?
14.50 – 15.20	**Coffee break**
15.20 – 16.40	**Future of inspectorates: Workshops 3 and 4 in parallel**

	Workshop 3: Changes in ways inspectorates operate and new skills and competencies required *Introductory presentation* • Reflections on changes in ways inspectorates work and new skills and competencies required by inspectorates, Sweden *Guiding questions* ➢ Given the trend towards greater data analysis, what do you think about the feasibility of merging national Employment Registers to create a pan-EU
	Employment Register to detect and prevent undeclared work? What are the major challenges that will need to be overcome? ○ In line with Digital Compass 2030, what e-government solutions have your authority adopted to detect and prevent undeclared work? Should a Platform event be organised on "E-formalisation: digital solutions to prevent undeclared work"? ○ Are you supportive of the PLD suggestion that ELA could consider the development of a training programme for labour inspectors? Do you agree with the topics, skills and competencies proposed for such a programme suggested by the PLD group? Can you suggest additional topics and training this programme could provide? **Workshop 4: Teleworking and other changes in the world of work and their implications for inspectorates** *Introductory presentation:* • Reflections on teleworking and other changes in the world of work and their implications for inspectorates, Spain *Guiding questions* Questions to be answered by all participants in turn: ○ With the growth of teleworking, has there been greater clarification of employers' responsibilities and workers' rights in your country? ○ Unless these responsibilities and rights are clarified, labour inspectors will have difficulties to address potentially 'exploitative' working conditions in relation to teleworking. To share learning, would it be useful to hold a Platform event on "Improving the regulation of teleworking"? ○ How is the issue of conducting inspections in households addressed in your country? Would it be useful for the Platform to share learning on how this has, and could be, resolved? ○ The issue of undeclared work and bogus self-employment on digital platforms has received much attention by the Platform. What is now required to take this forward?
16.40 – 17.00	**Coffee break**
17.00 – 17.30	**Reporting back from working groups**
17.30	**End of day**

22 October 2021

9.00 – 9.30	**Connection and testing of technological support**
9.30 – 9.35	**Opening remarks by the Chair of the Platform** • Adoption of the agenda
9.35 – 9.40	**Adoption of outputs from extraordinary Platform meeting on 15 July and Platform plenary on 24-25 March** • Document 3: Operation conclusions from Platform meeting on 25 March • Document 4: Thematic report on third-country migration and undeclared work from Platform meeting on 24 March • Document 5: Summary of deliberations from Platform meeting on 15 July
9.40 – 9.55	**Follow-up on the thematic discussion 'COVID-19's impact on enforcement authorities' work and priorities'**
9.55 – 10.45	**Update on ELA tasks:** • Concerted and joint inspections • Analysis and risk assessment • Cooperation support and capacity building
10.45 – 11.05	**Programming future Platform activities** Document 6: Note on the programming of future Platform activities
11.05 – 11.35	**Coffee break**
11.35 – 11.55	**Update by the Commission**
11.55 – 12.30	**Communication and awareness raising** • Campaign on seasonal workers
12.30 – 12.45	**Platform activities and information points** Document 7: Draft mandate for the subworking group on regularisation initiatives for TCNs • Subworking group • Demand-driven activities • Platform website and online repository
12.45 – 13.00	**AOB**
13.00 – 14.00	**Lunch break**

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

21 – 22 October 2021, Bratislava

The 11th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by the ELA's Executive Director

The Chair welcomed Platform members and observers. He mentioned that the last months contained several important milestones for the Authority, including the signature of the Headquarters Agreement with the Slovak Republic, move to Bratislava and the arrival of seconded national experts. Recently appointed members and observers introduced themselves to the rest of the Platform. The agenda was adopted with a small modification requested by the European Commission.

ITEM 2: Adoption of outputs from extraordinary Platform meeting on 15 July and Platform plenary on 24-25 March

The following documents were declared final:

- Operation conclusions from Platform meeting on 25 March
- Thematic report on third-country migration and undeclared work from Platform meeting on 24 March
- Summary of deliberations from Platform meeting on 15 July

ITEM 3: Follow-up on the thematic discussion 'COVID-19's impact on enforcement authorities' work and priorities'

The operational conclusions from the thematic day were presented and possible follow-up activities were suggested in relation to the number of issues discussed. Regarding inspections not held on-site, their complementary role was emphasized. A separate report will follow concerning the thematic discussion.

ITEM 4: Update on ELA tasks

The Chair stated that the Platform covers a very wide range of activities which makes it an exceptional working group at the Authority. ELA presented on three areas of great relevance to the Platform: concerted and join inspections (CJIs), labour market analysis and risk assessment and capacity building. Information was provided on the recent and planned CJIs; relevant processes and support provided by the Authority. Inspections in the road transport sector will follow as a priority next year. Participants noted the importance of the possibility to hold CJIs in a short time. Concerning labour mobility analyses and risk assessment, among others, a report on the impact of the

COVID on the applicable social security for cross-border workers was prepared and is available on the ELA website. A dedicated workshop on risk assessment is planned later in 2021. Regarding capacity building, the Cooperation Support Unit delivers on this task next to mediation and supporting cooperation, including by 27 national liaison officers. ELA delivered a first set of trainings already in 2020. In 2022, the ELA Capacity Building Centre will be launched and focus will be on road transport. A call for good practices, ELA Mutual Learning and Understanding Programme, ELA Training Courses and cooperation with the four national training centres for labour inspectors are planned.

ITEM 5: Programming future Platform activities

The Chair stated that the current Work Programme for 2021-2022 was adopted by the Platform and endorsed by the ELA Management Board still in 2020. A new work programme for the period beyond 2022 will need to be designed in a different legal and institutional setting, in line with the ELA Regulation and other relevant legal acts as well as the Rules of Procedures of the Platform. The Chair mentioned current successful practice of the Platform working based on detailed work programmes drafted in a bottom-up exercise in a close cooperation with the Platform Secretariat. The importance of this cooperation will even increase to ensure that there are no overlaps between the Platform and other ELA work strands and to make sure that the Platform supports the strategic objectives of ELA. The Chair proposed establishing early next year a dedicated sub-working group tasked with preparing proposals of activities for 2023. Platform Members agreed on the importance to maintain the bottomup approach in the preparation process of Platform work programmes.

ITEM 6: Communication and awareness raising

The Chair mentioned achievements and lessons learned from the Action Plan on Seasonal Workers. ELA presented a video with highlights of the activities organised during the awareness-raising campaign by the Platform strand. Platform representatives shared their experiences and presented a wide range of activities undertaken during the Action Plan, including close co-operations and activities with other Member States, webinars, press conferences as well as the involvement of TV and social media.

Many members expressed the need to know more in advance about the planned communication activities; early delivery of campaign materials is also important. This is crucial to be able to plan and organise in time appropriate teams and resources for the implementation of campaign activities. The Chair informed the participants that next year’s framework for action will focus on the road transport sector. To streamline its coordination and implementation, it is not planned to have a dedicated campaign strand for the Platform. However, a Platform subworking group could be set up to provide ELA’s communications team with key ideas and messages relevant for tackling undeclared work and the promotion of declared employment.

ITEM 7: Update by the European Commission

The European Commission highlighted the importance of the Platform in tackling undeclared work. The participants were informed that the Commission regretted that the call for proposals concerning activities to tackle undeclared work, financed by ESF+, had received no applications. Furthermore, the main elements of an on-going study on the effectiveness of policies addressing undeclared work were outlined.

ITEM 8: Platform activities and information points

The mandate of the subworking group that will focus on regularisation initiatives to bring undeclared third-country nationals into the declared economy was adopted. Platform Co-Chair, Bart Stalpaert, will chair the group. The subworking group will meet on 2 December. Platform members and observers willing to become part of the subworking group were invited to express their interest no later than 28 October. Updates were provided on the Platform website which has been successfully transferred to ELAs' website with all its content and the virtual library. Platform Collaborative Workspace will also be hosted by ELA. Participants were encouraged to reply to a satisfaction survey concerning Platforms' activities by 12 November.

ITEM 9: AOB

Participants were invited to use an online poll and answer whether the Platform should align its future meetings with other ELA working groups. 84% of participants supported holding meetings back-toback with the Working Group of inspections.

EUROPEAN LABOUR AUTHORITY

Agenda

15 July 2021, online

Extraordinary plenary meeting of the European Platform tackling undeclared work

9.00 – 09.30	**Technical setup**
09.30 – 09.45	**Welcoming and overview of the day** • Adoption of the agenda
09.45 – 10.25	**Appointment of Co-chairs** • Introduction • Presentation by candidates • Discussion and vote
10.25 – 10.35	**Platform Work Programme modification** • Proposal for a change in the Work Programme
10.35 – 10.50	**Demand-driven activities** • The calls for mutual assistance projects (MAPs) and staff learning visits and joint actions – information • Topics for new peer learning dialogues – short presentation of the list followed by a vote
10.50 – 11.00	**Update on Platform collaborative workspace**
11.00 – 11.15	**Coffee break**

11.15 – 12.00	**Campaign on seasonal workers** • Presentation and adoption of the concept note for the Platform strand of the campaign • Practical information on the awareness-raising campaign (Platform toolkit, week of action activities, campaign contact points) • Q&A
12.00 – 12.40	**Webinar: Learning more about ELA: Its regulation, governance, work programme, programming** • Presentation • Discussion
12.40 – 12.50	**AOB**

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

15 July 2021, online

Extraordinary plenary meeting of the European Platform tackling undeclared work

ITEM 1: Welcoming and overview of the day

The Chair welcomed Platform members and observers. He stressed that the meeting was important in the context of finalising the transition process of the Platform to ELA. Following the adoption of the Rules of Procedure and the appointment of the members and observers, ELA proceeded with the re-establishment of the Bureau to ensure the full business continuity of the Platform.

He expressed the intention to organise the next Platform meeting on 21-22 October in Bratislava and called on everyone to participate in person, to the extent that the situation permits. The agenda was adopted without changes.

ITEM 2: Appointment of Co-chairs

The Chair explained that, in accordance with Article 3 of the Rules of Procedure, the Platform shall appoint two Co-chairs from among the senior representatives: one for a two-year term and another for a three-year term. On 17 June 2021, a call for candidates was launched and two experienced Platform members applied: Dariusz Górski and Bart Stalpaert. Their CVs had been shared prior to the meeting.

Both candidates presented themselves and their views on the Platform. Given that two candidates applied and in accordance with the spirit of Article 5 of the Rules of Procedure stipulating that the Platform should strive to decide by consensus, the Chair suggested to appoint both Co-chairs without holding a vote. The Chair also proposed that a candidate with a longer seniority in the post of the full member of the Platform is elected for a three-year term. This proposal was approved and Dariusz Górski and Bart Stalpaert were elected as Co-chairs for, respectively, three and two years.

ITEM 3: Platform Work Programme modification

ELA presented the proposed modification in the Platform Work Programme for 2021-22 – the cancellation of the study 'Analysing and developing the evidence base of the effectiveness of interventions tackling undeclared work'. This was done in order to ensure better alignment of the Work Programme with the research activities of the Commission by lowering the risk of overlaps and it also provided an opportunity to shift much needed resources towards the Platform campaign on seasonal workers. The

Commission has contracted a study report on the effectiveness of policies to tackle undeclared work and the results should be available by mid-2022. No further modifications of the Work Programme are planned for this year. The revised Work Programme was adopted by the Platform.

ITEM 4: Demand-driven activities

The Platform members were encouraged to apply for *Mutual assistance projects* and *Staff learning visits and joint actions*.
A list of suggested topics for the next *Dialogue for peer learning and cross-border action* was sent to the Platform beforehand with the aim of identifying subjects of greatest interest. Through a poll, the participants chose the following topics as the most relevant for the next peer-learning dialogue:

- The way in which inspection services (on the national level) exchange data and information with other key stakeholders like tax administrations, and with other inspection services (economic, municipal and urban services). (73%)
- Third country nationals: improving regularisation initiatives to bring undeclared workers into the declared economy. (58%)
- Assessing investigative techniques for identifying complex fraudulent networks operating in more than one Member State in relation to third country nationals. (58%)

A Portuguese participant shared his views on the first peer-learning dialogue dedicated to the impact of the pandemic on the work of labour inspectors.

The Commission announced that a call for “Activities in the field of undeclared work” was published, and interested parties can apply until 28 September 2021.

ITEM 5: Update on Platform collaborative workspace

ELA informed the participants that the existing collaborative space of the Platform, hosted by the Joint Research Centre of the Commission, will cease to exist this summer and that its whole content was transferred to the ELA SharePoint. The work is ongoing to provide access for Platform members and observers to the dedicated SharePoint site that will act as a temporary repository. In 2022, ELA is planning to establish a new collaborative workspace with enhanced functionalities with the aim to facilitate interactions between Platform members. Platform representatives were invited to share with ELA suggestions concerning any specific functionalities that should be added in the future collaborative workspace.

ITEM 6: Campaign on seasonal workers

The main elements of the concept note for the Platform strand of the campaign on seasonal workers were presented. All the preparations were done by the Platform Working Group on Communication and Information. The Platform has now joined forces with ELA and EURES in the context of the wider Action Plan on Seasonal Workers. The Platform strand will run from mid-August until the end of September with the overall goal ‘to promote declared seasonal work and tackle undeclared seasonal work’.

A Week of Action is planned for 20-24 September under the name ‘EU week for seasonal workers’. The key performance indicators for the Platform activities suggest that ‘all members and observers participate in at least one activity during the Week of Action’. In order to support the Platform with the implementation of the campaign, a toolkit, as well as other resources will be developed and disseminated. The concept note was adopted by the Platform, including a minor amendment to the key messages.

Practical information was provided, including on the Week of Action, a save-the-date for the campaign webinar scheduled for 25 August 2021, as well as a reminder on the call for contact points for the Platform strand.

ITEM 7: Webinar: Learning more about ELA: Its regulation, governance, work programme, programming

ELA presented the governance structure of the Authority and the processes of preparing and adopting a single programming document (SPD) and a consolidated annual activity report (CAAR). These processes are structured into several stages, in accordance with EU regulations and communications. The roles of involved actors - the Executive Director, the Management Board, the Stakeholder Group, the European Commission as well as the Council and the European Parliament – are clearly defined. The same applies to the timing of the processes. The work on the SPD 2022-2024 is close to finalization and is advancing on the draft SPD 2023-25. Both the final version of the SPD 2022-2024 and the draft SPD 2023-2025 are planned for adoption at the 8th Management Board meeting on 10 November 2021. The work programme of the Platform shall be fully integrated in the annual and multi-annual programming cycle of the Authority and ELA will explore the possible ways to achieve this.

EUROPEAN LABOUR AUTHORITY

Agenda

24 – 25 March 2021, Bratislava

The 10th plenary meeting of the European Platform tackling undeclared work

24 March 2021 - Thematic discussion on 'Third country migration and undeclared work' (10.00-13.00 CEST)

9.30	Connection and testing of technological support
10.00	Welcome and short introduction by Chair of European Platform, European Commission
10.15	Introductory presentations • Counteracting undeclared work and labour exploitation of third-country national workers
11.00 12.50 *(Comfort break at 11.30)*	Presentations by Platform members, followed by discussions and interactive surveys on the following topics: • Improving detection and deterrence measures • Prevention and awareness-raising
12.50	Conclusions from the Commission

25 March 2021 (9.30-13.00 CEST)

9.30	ITEM 1: Opening remarks by Chair of European Platform • Adoption of the agenda • Reporting from thematic discussion 'Third country migration and undeclared work'
9.50	ITEM 2: Adoption of outputs from 4-5 October 2020

10.00	ITEM 3: Platform transition to ELA • Governance • Update on transition to ELA and establishment of the Platform as a permanent Working Group within ELA • Report from Working Group 'Enhancing synergies with the ELA Work Programme and working methods • Discussion
10.45	ITEM 4: Information and communication

	• Discussion of proposals for #EU4FairWork follow-up
11.30	Comfort break
11.45	ITEM 5: Thematic discussion – Internal and external reorganisation and adaptions measures within enforcement authorities in the COVID 19 context • Presentations from Platform members and observers • Discussion
12.30	ITEM 6: Information points • Biennial report • Report on Platform activities
12.45	AOB
13.00	End of meeting

EUROPEAN LABOUR AUTHORITY

Summary of deliberations

24 – 25 March 2021, online

The 10th plenary meeting of the European Platform tackling undeclared work

ITEM 1: Opening remarks by Chair of Platform and reporting from thematic discussion 'Third country migration and undeclared work'

The Chair thanked the Platform representatives for their continued commitment during a challenging year. The Chair noted that the formal transition of the Platform to ELA is presumably scheduled for 26 May 2021 and introduced ELA's new Executive Director, Cosmin Boiangiu. The agenda was adopted.

A thematic expert presented the summary findings from the presentations and discussions from the thematic day. The floor was opened for additional discussion of the conclusions. The findings and conclusions will be presented in the separate report indicated above.

ITEM 2: Adoption of outputs from Plenary 4-5 October 2020

The minutes and outputs from the last Plenary meeting were adopted and will be published on the website of the Platform.

ITEM 3: Platform transition to ELA

The Chair introduced a proposal for Platform Governance, namely to leave the position of the second Co-Chair open[2] until the Platform's transition to ELA. Following a discussion on the Co-Chairs' role during the transition, the Chair confirmed that a replacement Co-Chair would be a temporary appointment only and come to an end once the formal transition takes place. The Chair's proposal was supported by the Platform. The Chair thanked Renārs Lūsis for his contribution as Co-Chair.

Regarding the establishment of the Platform as a permanent Working Group within ELA, the Chair recalled that a two-step approach will be applied. The Decision establishing the Platform as a permanent Working Group was adopted by the ELA Management Board on 9 March and will take effect presumably on 26 May, when ELA reaches financial autonomy. Rules of Procedure will be adopted by the ELA Management Board in a second stage.

[2] The second Co-Chair position has been vacant since Luísa Guimarães, PT, left the role in January 2021.

ELA Executive Director Cosmin Boiangiu provided additional details on the transition. He stated that the priority for ELA will be to ensure smooth transition and business continuity of the Platform. The focus will also be to enhance synergies with the work of ELA. The rules of procedure for the Platform will be proposed to the ELA Management Board for adoption at its next meeting on 25 May. ELA will closely consider suggestions and recommendations.

made in the Platform Working Group's report on the transition (see below). Coherence with the broader ELA governance of working groups will also be taken into account. The Executive Director confirmed that the current governance arrangements of two Co-Chairs, and a senior and alternate representative nominated to the Platform will be retained. ELA Management Board members and observers are invited to confirm the current representatives or to appoint new representatives by 9 May. A webinar will take place later in the spring to explain more about ELA's role, governance and work programme.

The report from the Platform Working Group 'Enhancing synergies with the ELA Work Programme and working methods' was endorsed. It will be sent to the ELA Executive Director and the Chair of the ELA Management Board.

ITEM 4: Information and communication

The ELA Executive Director presented the proposal for a Platform campaign on seasonal workers, following on from the #EU4FairWork campaign. It aims to link in with the broader ELA Action Plan on Seasonal Workers. Synergies between the ELA awareness-raising campaign and the Platform campaign should be sought. Discussion took place on ensuring a clear target group for the Platform campaign, tailored strategies and channels, as well as the need for synergies. The Platform endorsed the proposal.

A Platform working group will be established on the topic, with two meetings before summer foreseen - the first will take place on 26 April. The Working Group mandate was endorsed. A call for expression of interest to join the working group will be sent following the plenary meeting. The Chair invited a volunteer for the working group leader: as no one expressed interest during the session, a call for expression of interest for a working group leader will also be sent.

ITEM 5: Thematic discussion – Internal and external reorganisation and adaptions measures within enforcement authorities in the COVID 19 context

Presentations from BE and SE provided an insight into the changes, challenges and opportunities arising from the COVID-19 pandemic including teleworking, inspections, datamining and remote controls. A poll highlighted these challenges exist across Member States. Continuing this topic, Platform representatives are invited to participate at the upcoming webinar on counteracting abuse of short-term financial support schemes on 29 April. The October plenary meeting will also focus on impacts of the pandemic.

ITEM 6: Platform activities and information points

Commission representatives presented updates since the last plenary, including the biennial report of the Platform, highlights from the seminar on seasonal workers,

upcoming activities and updates to demand-led activities. The new activity of Peer Learning Dialogues was also introduced, with a pilot proposed to further explore lessons learned from the pandemic. Calls for expression of interest will be launched

in April (Peer Learning Dialogues, Mutual Assistance Projects) and late Spring (Staff Exchange).

AOB

Ahead of the Platform's transition to ELA, Commission representatives displayed a 'thank you and goodbye' montage of photos from Platform events since 2016.

The next plenary meeting dates are 21-22 October 2021.