

European Labour Authority: Romanian Presidency reaches provisional agreement with the European Parliament

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The Romanian Presidency of the Council and the European Parliament today reached a provisional agreement on a Regulation establishing a European Labour Authority (ELA). The aim of this new body is to support member states in implementing EU legal acts in the areas of labour mobility across the Union and social security coordination. It will also provide information to employees and employers on complex aspects of cross-border labour mobility. The agreement will now be submitted to the member states representatives in the Council of the EU for endorsement.

This agreement is another important step to ensure a well-functioning EU labour market. The ELA will provide crucial assistance to the national administrations in the implementation of the relevant Union legislation. At the same time member states will only take part in ELA's activities on a voluntary basis.

Marius-Constantin Budăi, Minister of Labour and Social Justice of Romania

When adopted, the regulation will provide for the following main activities of the new body:

- facilitating access to information on rights and obligations in cases of cross-border mobility for employees, employers and national administrations;
- supporting coordination between member states in cross-border enforcement of relevant Union law, including facilitating concerted and joint inspections;
- supporting cooperation between member states in tackling undeclared work;
- supporting member states authorities in resolving cross-border disputes.

The future regulation provides for a two-step mediation process: the first stage will involve a mediator from ELA and representatives of the member

states concerned and might end with the issuance of a non-binding opinion. If no solution is found, the member states involved can agree to a second stage of mediation, inspired by the Conciliation board of the Administrative Commission for the coordination of social security systems. When a dispute relates to social security coordination, any member state concerned may request that the case is referred to the Administrative Commission. The Administrative Commission, in agreement with the member states concerned, may present the same request.

ELA will also bring together the technical and operational tasks of several existing EU bodies (EURES European Coordination Office, Technical Committee on the Free Movement of Workers, Committee of Experts on Posting of Workers and the European Platform on Tackling Undeclared Work). The aim is to establish a permanent structure, which ensures a quick responsiveness and continuity. It shall achieve improved and more efficient results on the basis of a strengthened cooperation.

The seat of the ELA will be decided after the adoption of the legislative act.

Background and next steps

The Commission presented its proposal on 13 March 2018. On 6 December 2018 the Council adopted its position which formed the basis for the negotiations with the European Parliament. The provisional agreement will now be examined by the Council's Permanent Representatives Committee that needs to endorse it. The formal vote in both the Council and the European Parliament will follow at a later stage.

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