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Delegations will find attached document COM(2026) 985 final.

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2026/0272 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2019/1149 establishing a European Labour Authority, Regulation (EU) 2016/589 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System, and repealing Commission Implementing Decisions (EU) 2017/1256, (EU) 2018/170, (EU) 2018/1020 and (EU) 2018/1021

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(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The free movement of persons is one of the four fundamental freedoms at the heart of the EU single market and a major achievement of European integration. Labour mobility constitutes an important element of a well-functioning Union labour market, enabling employers to address labour and skills shortages by recruiting workers where vacancies cannot be adequately filled from the domestic workforce, while ensuring that workers can exercise their right to access employment opportunities across the Union. By facilitating the matching of labour supply and demand across Member States, labour mobility contributes to a more efficient allocation of labour, thereby supporting productivity, competitiveness and the effective functioning of the Union labour market. Beyond its benefits for Europe's economy, the free movement of persons expands professional and personal opportunities for individuals, encourages cultural exchange and a shared sense of community, thereby advancing the integration of the European Union.

Supporting people, strengthening our societies and our social model is one of the European Commission's priorities for the 2024-2029 mandate. Furthermore, the political guidelines for this mandate highlight that free movement of people and services within the Single Market is key to the EU's competitiveness. This orientation is reinforced in the mission letter to Executive Vice-President Roxana Mînzatu, which prioritises facilitating labour mobility while ensuring the enforcement of the applicable rules. Against this background, President von der Leyen announced the Fair Labour Mobility Package in the Commission Work Programme 2026, including a legislative proposal to strengthen the European Labour Authority (ELA). This package also forms part of the "One Europe, One Market Roadmap"[1] of the European Parliament, the Council of the European Union and the European Commission.

This proposal builds on calls from Enrico Letta's report on the Future of the Single Market[2], which stresses the need to reinforce ELA's ability to protect working conditions and to strike a balance between economic development and social rights. Mario Draghi's report on EU competitiveness[3] also identifies effective labour mobility as a key enabler to address skills shortages and thus sustain long-term productivity and growth.

Cross-border labour mobility in the EU benefits individuals, workers, employers, economies and societies. EU citizens highly value the right to move freely within the EU, and a majority think that people moving within the EU is positive for the labour market.[4] Moreover, intra-EU mobility plays a significant role in the functioning of the Single Market. Approximately 14 million EU citizens live and/or work in another Member State long term (3.9 % of the EU labour force), alongside 1.9 million cross-border workers and 3.64 million posted workers. Cross-border employment, often involving longer-term arrangements, has grown steadily over the years. Posting also remains a major and widely used form of mobility for the short term.[5]

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1 One Europe, One Market Roadmap of the European Parliament, the Council of the European Union and the European Commission, 2026.

2 Enrico Letta (2024), Much more than a market, pp. 83, 104.

3 Mario Draghi (2024), The future of European competitiveness - Part B: In-depth analysis and recommendations, p. 265.

4 Special Eurobarometer 528: Intra-EU labour mobility after the pandemic, 2022, p 89.

5 Annual Report on Intra-EU Labour Mobility: 2025 Edition, 2026, pp. 13, 16.

Third-country national workers alleviate labour shortages and contribute to economic growth in the euro area, particularly in the context of tight labour markets.[6] However, the increased number of third-country nationals working in the EU gives rise to specific enforcement challenges. Third-country nationals are overrepresented in cases of underpayment, excessive working hours, illegal deductions, bogus self-employment and some abusive practices in the area of subcontracting.[7] The particular vulnerability of some third-country nationals risks undermining fair labour mobility in the EU, as their exploitation undermines the level playing field. Failures in the effective enforcement of applicable Union and national rules may result in divergent levels of compliance between economic operators and Member States, thereby creating distortions of competition and undermining the proper functioning of the Single Market. As the number of third-country national workers in the EU is expected to continue to grow, so is the need to ensure their protection and enforcement of their rights.

ELA was established in 2019 by Regulation (EU) 2019/1149[8], with the objective of supporting Member States and the Commission in effectively applying and enforcing EU rules on labour mobility and social security coordination. The context in which ELA operates has continued to evolve since then. Demographic ageing, declining working-age populations, and skills shortages and mismatches intensify the need for labour mobility as a central policy to boost competitiveness and support the green and digital transitions.[9]

The 2025 evaluation of ELA confirms that the Authority addresses a need for operational support in the implementation of EU policies related to labour mobility. It particularly does so by centralising cross-border cooperation, supporting concerted and joint inspections, and facilitating access to information through large-scale campaigns.[10] Academic analysis also notes ELA's unique role in filling a coordination gap that national inspectorates could not bridge by themselves.[11] However, the evaluation also identified room for improvement within the framework of the current mandate as well as certain constraints in this mandate that limit ELA's ability to carry out its tasks and cannot be resolved without legislative change (see Section 3).[12]

In addition, the European Parliament has called in a January 2024 resolution[13] for ELA's mandate to be strengthened and for ELA to be provided with sufficient resources. The Parliament envisages an empowered ELA that has a more proactive enforcement role, carries out operational analyses based on enhanced data processing capacities and can adequately protect the rights of third-country nationals.

Today, ELA's enforcement role remains largely reactive. This is compounded by the fact that the Authority is not in a position to access and process relevant operational information,

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6 Oscar Arce et al. (2025), Foreign workers: a lever for economic growth.

7 See for example European Labour Authority (2025), Posting of third-country nationals: contracting chains, recruitment patterns, and enforcement issues. Insights from case studies; European Labour Authority (2023), Report on the cooperation practices, possibilities and challenges between Member States – specifically in relation to the posting of third-country nationals.

8 Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344, OJ L 186, 11.7.2019, p. 21.

9 Labour Market and Wage Developments in Europe: Annual review 2024, 2024, p 33-34.

10 Commission Staff Working Document accompanying the Report form the Commission to the European Parliament, the Council and the European Economic and Social Committee: Evaluation of the European Labour Authority (ELA), SWD(2025) 128 final, p. 63.

11 Jan Cremers (2024), The first term of the European Labour Authority.

12 SWD(2025) 128 final, pp. 64-66.

13 European Parliament resolution of 18 January 2024 on the revision of the European Labour Authority mandate, P9_TA(2024)0052

including personal data, and that its mandate vis-à-vis different categories of third-country nationals remains uncertain. Moreover, the information provided by ELA about relevant rights and obligations of individuals and employers in cross-border situations is considered insufficient and too generic by stakeholders and often fails to reach vulnerable groups, including third-country nationals working in the EU Member States.

The European network of employment services (EURES) is underperforming. Job placements through EURES and Member State commitment are both declining. The challenges affecting the effectiveness of EURES reflect a combination of factors, including competition from commercial employment platforms, the resources available to the network and changing labour market conditions. Another important driver of those shortcomings is the fragmentation of EURES governance between the Commission and ELA.

Finally, ELA's mediation function remains underexploited, due to its complexity and the possibility for Member States to opt out at any time.

This proposal therefore aims to provide ELA with the adequate tools to enhance its strategic and operational capacity to contribute to the enforcement of EU law and improving the functioning of the internal market. The initiative provides for targeted legal adjustments. It leaves the Authority's core objectives and main tasks unchanged. Its specific objectives are as follows:

- Improving access to, and the quality of, information and support in cross-border labour mobility situations, ensuring that individuals, intra-EU mobile workers (including cross-border workers), certain third-country national workers and Union employers are better able to exercise their rights and fulfil their obligations. Both the reach of targeted advice and the outcomes for users are to be enhanced.
- Increasing the number of individuals and businesses benefiting from cross-border mobility support and improving job-matching outcomes by enhancing the efficiency of governance and operation of the EURES network and portal. A higher number and share of job placements facilitated by EURES, better CV and job vacancy coverage, as well as higher user satisfaction with both the EURES portal and governance of the EURES network are to be achieved.
- Improving the targeting and effectiveness of enforcement actions in cross-border situations - including in cases involving third-country national workers - by strengthening ELA's analytical and operational support for concerted and joint inspections. EU-level enforcement support is to become more risk-based and evidence-informed, increasing the number and coverage of concerted and joint inspections, their targeting through ELA's analytical work, and satisfaction with the operational support provided.
- Reducing the number of cross-border disputes by improving the effectiveness and practical usefulness of ELA's mediation function, while preserving its cooperative nature. Uptake, resolution rates and satisfaction with the procedure are to be enhanced.

In addition, this initiative encompasses targeted adjustments to simplify the EURES regulatory framework, which currently consists of Regulation (EU) 2016/589[14] as well as six

[14] Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013, OJ L 107, 22.4.2016, p. 1.

Commission implementing decisions. These amendments aim to reduce the administrative burden, notably on national administrations.

- **Consistency with existing policy provisions in the policy area**

Over the past decade, the Commission has delivered on improving the regulatory framework in the field of labour mobility. Building on the extensive body of legislation regarding the free movement of workers, the posting of workers and social security coordination, the Commission's Fair Labour Mobility Package aims to further facilitate the exercise of the freedom of movement, by removing obstacles to its effectiveness and by simplifying legislation and procedures (including through digitalisation) while also maintaining a high level of protection for people that move across borders.

This proposal for a revision of ELA's mandate complements the other legislative proposals included in the Fair Labour Mobility Package, i.e. the proposal for a European Social Security Pass (ESSPASS) and the proposals under the Skills Portability Initiative. These are similarly intended to reduce obstacles to mobility, while ensuring compliance with the relevant applicable rules.

The EURES strategy 2030 adopted in May 2026 addresses the challenges identified in the operation of EURES to the extent that these do not require legislative adjustments. The strategy is governance-neutral and addresses operational measures. This proposal reinforces the strategy through targeted legislative measures, notably as regards the governance of the network and the clarification of roles between ELA and the Commission. Reassigning system ownership of the EURES portal to the Commission will make it possible to make the most of synergies with other Commission-managed IT tools and networks, including Europass, the European Skills, Competences, Qualifications and Occupations classification (ESCO), the Public Employment Services Network and the EU Talent Pool. The EURES strategy and this proposal have a combined aim of creating the conditions for reinstating EURES as a useful tool for labour mobility within the EU.

The forthcoming Regulation on a public interface connected to the Internal Market Information System (IMI) for the declaration of posting of workers, provisionally agreed between co-legislators on 23 June 2026, will facilitate the submission of those declarations in accordance with the Posting of Workers Directive. Since ELA assists Member States and the Commission in the application and enforcement of this Directive, the Regulation will also be included in the scope of its activities.

The forthcoming revision modernising the legal framework for the coordination of social security systems (Regulations (EC) No 883/2004[15] and (EC) No 987/2009[16]) will facilitate the exercise of citizens' rights, improve legal clarity and make short-term cross-border activities and business trips easier for businesses and workers. The scope of ELA's activities already covers these Regulations, and the same will apply to their amendments. The goal of continuing to facilitate cross-border mobility is further reinforced by this proposal.

The EU Talent Pool Regulation, which was adopted in April 2026[17] will facilitate international recruitment to address labour and skills shortages in the EU. It will also include specific safeguards to ensure that this recruitment is fair. Clarifying ELA's role as regards

[15] Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 166, 30.4.2004, p. 1.

[16] Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems, OJ L 284, 30.10.2009, p.1.

[17] Regulation (EU) 2026/1047 of the European Parliament and of the Council of 29 April 2026 establishing an EU Talent Pool, OJ L, 2026/1047, 12.5.2026.

certain third-country national workers through this initiative will complement these efforts to ensure protection of those workers on the EU labour market and maintain a level playing field.

Ensuring fair labour mobility, including through ELA's support for proper implementation and enforcement of the related rules, is also a key component of the European Pillar of Social Rights Action Plan[18]. It highlights ELA's role in supporting national authorities through capacity building and the provision of information on rights and obligations when working abroad. This initiative aims to strengthen that role.

In addition, ELA works closely with the other EU decentralised agencies in the area of employment and social affairs: the European Foundation for the Improvement of Living and Working Conditions (Eurofound), the European Centre for the Development of Vocational Training (Cedefop), the European Training Foundation (ETF), and the European Agency for Safety and Health at Work (EU-OSHA). ELA has established cooperation agreements, including action plans with concrete activities, with all of these agencies with the aim of exploiting synergies and avoiding duplications. While ELA's mandate does not primarily concern criminal matters, its enforcement support may relate to areas falling under the remit of criminal law at national level, for instance when it comes to trafficking in human beings for the purpose of labour exploitation. ELA therefore also cooperates with the European Union Agency for Law Enforcement Cooperation (Europol) and the European Union Agency for Criminal Justice Cooperation (Eurojust). This proposal would result in ELA complementing rather than duplicating the work of other EU decentralised agencies or institutions.

- **Consistency with other Union policies**

This proposal is consistent with the Single Market strategy[19] which aims to create a simple, seamless and strong European market, working to its full potential. It also explicitly states that strengthening ELA is one of the actions to achieve this objective. As detailed in Section 3, this initiative will facilitate cross-border labour mobility and reduce the compliance and recruitment costs of cross-border operations for companies, particularly SMEs. As part of the "One Europe, One Market Roadmap", it is therefore expected to have a marginally positive impact on the competitiveness of EU businesses, by helping to address labour and skills shortages by improving access to information and lowering cross-border recruitment costs.

In the area of information provision, the initiative complements existing EU advisory networks and platforms, such as SOLVIT, Your Europe Advice (YEA) and the Europe Direct Contact Centre (EDCC). SOLVIT assists individuals and businesses when public authorities breach their Single Market rights. YEA provides free, personalised legal advice on rights under EU law. EDCC is the EU's general helpline. While there may be certain overlaps with the subject matters under ELA's remit, none of those initiatives provide individuals and businesses with the tailored guidance on their rights and obligations, in-person counselling and outreach to vulnerable groups through local actors experienced in the specific local context, which ELA would ensure under its renewed mandate. Furthermore, reforming ELA's mediation function could complement problem-solving services like SOLVIT, as it could increase the potential for some cases that remain unresolved through SOLVIT to be sent to ELA for mediation.

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18 https://op.europa.eu/webpub/empl/european-pillar-of-social-rights/en/

19 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The Single Market: our European home market in an uncertain world. A Strategy for making the Single Market simple, seamless and strong. COM(2025) 500 final.

As regards ELA's role where its activities involve third-country national workers, the proposal is complementary to the EU's migration agenda and policies, notably the European Asylum and Migration Management strategy[20] to the extent it aims at improving labour and talent mobility to boost competitiveness. The strategy explicitly mentions improving ELA's ability to address challenges related to violations of the rights of third-country national workers and improving enforcement work in this area. The proposal clarifies ELA's mandate in view of supporting Member States in the enforcement of specific provisions of Directives 2009/52/EC, 2014/36/EU, (EU) 2024/1233 and Council Directive 2001/55/EC to the extent that they concern employment and social security rights of third-country national workers, where this is necessary for achieving the Authority's objectives. Covering the specific provisions from the mentioned migration directives will ensure a consistent application of fundamental rights across different categories of workers. ELA's activities in relation to those Directives will therefore be ancillary to those already conducted within the current mandate.

With regard to ELA's increased capacity to access and process operational information, including personal data, the proposal remains fully aligned with the EU's data protection framework, in particular the Regulation on the protection of personal data by EU institutions, bodies, offices and agencies[21].

The initiative also takes into account the 'Common Approach' of the European Parliament, the Council of the EU and the European Commission on decentralised agencies regarding aspects such as the voting rules of the Management Board.[22]

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

The proposal concerns the amendment of Regulations (EU) 2019/1149 and (EU) 2016/589. It is therefore based on the same legal bases as those Regulations: Articles 46 and 48 of the Treaty on the Functioning of the European Union (TFEU). These provide for the free movement of workers and the coordination of social security systems within the Union, which is the centre of gravity of this proposal.

• Subsidiarity (for non-exclusive competence)

The subsidiarity principle applies because the proposal does not fall under the EU's exclusive competence. The objectives of the proposal cannot be sufficiently achieved by the Member States at national, regional or local level. They can be better achieved at Union level for the following reasons:

Member States acting individually cannot sufficiently address issues with a cross-border dimension, such as those within ELA's mandate. Specifically:

- the provision of high-quality and up-to-date information and services to the public regarding their rights and obligations in cross-border situations needs to be coordinated at Union level to ensure consistent, clear, and efficient messaging;

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20 Communication from the Commission to the European Parliament and the Council. European Asylum and Migration Management Strategy. COM(2026) 45 final.

21 Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p.39.

22 Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies, 2012.

- the application of Union law in the fields of cross-border labour mobility and social security coordination requires cooperation between Member States, meaning that no Member State can act alone;
- to increase synergies and consistency between Member States in the application and enforcement of Union law and to ensure legal certainty for administrations and individuals alike, it is necessary to develop a coordinated and joint approach at Union level instead of relying on a network of bilateral or multilateral agreements.

Moreover, the identified weaknesses in ELA's mandate are rooted in regulatory issues at the EU level. As they stem from structural deficiencies in Regulation (EU) 2019/1149 itself, they cannot be remedied by Member States alone and require targeted legislative intervention at the EU level.

The amendments to Regulation (EU) 2016/589, other than those concerning the repartition of tasks between ELA and the Commission, are intended to simplify the EU-level regulatory framework concerning the functioning of EURES and cannot be implemented by Member States individually for that reason.

- **Proportionality**

The proposal is a proportional targeted response to the need to overcome certain shortcomings in ELA's mandate that are currently constraining its ability to support cross-border enforcement of EU law. It does not go beyond what is necessary to achieve this goal. It does not impose new legal obligations on individuals or employers, does not transfer enforcement competence to the Union level or interfere with national decision-making, legislation, or enforcement activities. Moreover, it leaves wide discretion to Member States in how they make use of the reinforced support offered by ELA in the application and enforcement of Union law. It does not confer autonomous inspection or sanctioning powers on the Authority, as inspections, including those requested by ELA, remain subject to Member States' consent. Similarly, participation in mediation is voluntary for Member States.

The initiative draws on the lessons learned from the 2025 evaluation of ELA. It remains limited to resolving those shortcomings which require targeted legislative changes and cannot be remedied by ELA within the context of its current legal framework. All the other lessons learned through the evaluation are being addressed in an action plan endorsed by ELA's Management Board in May 2026. The Impact Assessment Report accompanying this proposal outlines how the proposal achieves an appropriate balance in meeting its various objectives. This revision is limited to making the necessary mandate adjustments while leaving ELA's core objectives and tasks unchanged.

Amendments to Regulation (EU) 2016/589, other than those concerning the repartition of tasks between ELA and the Commission, do not change any essential elements of the EURES regulatory framework. They merely remove reporting obligations and administrative burden, where these are not required for the efficient functioning of the EURES network.

- **Choice of the instrument**

The proposed instrument is a regulation, amending Regulations (EU) 2019/1149 and (EU) 2016/589. The choice of this instrument is justified by the principle of parallelism of forms whereby the amending act must be of the same type of act as the act to be amended. This legislative instrument is considered most suitable because the drivers of the identified problems are rooted in the current legislation and cannot be resolved through non-legislative measures alone. An amending regulation provides the legal certainty required to achieve the objectives of this initiative.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

• Ex-post evaluations/fitness checks of existing legislation

This proposal follows up on the 2025 evaluation of ELA, which found that by the end of the first semester 2023, ELA had started working towards its objectives, addressing a previously unmet need for operational support in the implementation of EU labour mobility policies. However, a definitive overall assessment of its performance was made difficult by the absence of result indicators.[23]

This initiative seeks to implement the lessons learned in the evaluation which cannot be addressed through the Authority's action plan alone but require targeted legislative changes. In particular, the evaluation highlights certain limitations in the Authority's mandate that may be affecting ELA's potential. These limitations concern, for instance, data handling competencies, cooperation with Member States around concerted and joint inspections, increased information provision, the role of ELA in situations involving certain third-country national workers and its responsibilities regarding EURES.[24]

This proposal draws on the underlying study[25] that supported the evaluation, which provides an in-depth analysis of the Authority's efficiency, effectiveness, coherence, EU added value and relevance.

This proposal also builds on the evidence collected in the context of other relevant implementation and activity reports, notably the latest EURES biennial report from 2025[26] and the 2024 implementation report regarding the Posting of Workers Directive[27]. Furthermore, where relevant, it takes note of the 2024 joint evaluation of the previously mentioned four other EU decentralised agencies in the field of employment and social affairs[28].

• Stakeholder consultations

The views of stakeholders have been collected in various formats. As mentioned above, this proposal for a revision builds on the data collected and analysis carried out in the context of the 2025 evaluation of ELA and the study supporting that evaluation. In this context, extensive consultations were carried out through a mix of activities. These included a public EU survey, a public call for evidence, a survey targeting ELA stakeholders, and a survey targeting ELA staff and Management Board members, in-depth interviews with key stakeholders and a workshop with social partners.

To avoid duplication of work, additional consultation activities in the context of the impact assessment followed a targeted approach that aimed to supplement the findings from the evaluation and focused on the key issues raised by it. To this end, further feedback from the members of ELA's Management Board was collected after the publication of the evaluation. In addition, a targeted implementation dialogue on fair labour mobility[29] with 29 external

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23 SWD(2025) 128 final, pp. 60, 63.

24 SWD(2025) 128 final, p. 66.

25 Study supporting the evaluation of the European Labour Authority, 2025.

26 COM(2025) 538 final

27 Monica Andriescu et al. (2024), Study supporting the Monitoring of the Posting of Workers Directive 2018/957/EU and of the Enforcement Directive 2014/67/EU: The situation of temporary cross-border mobile workers and workers in subcontracting chains.

28 Commission Staff Working Document accompanying the Report form the Commission to the European Parliament, the Council and the European Economic and Social Committee: Evaluation of EU Agencies: Eurofound, Cedefop, ETF and EU-OSHA, SWD(2024) 222 final.

29 Implementation Dialogue on fair labour mobility, 16 September 2025

stakeholders was held in September 2025. All the participants in the dialogue welcomed the announcement of the Fair Labour Mobility Package. They highlighted the need for measures that build on existing tools to make mobility more equitable, safeguard workers' rights and support businesses. The participants particularly called for increased powers for ELA to organise joint inspections, finalise the remuneration calculator for posting of workers, continue raising awareness about workers' rights, help harmonise the single national websites and support quality control on the accuracy of information and process data to effectively identify cases of labour exploitation.

Following the implementation dialogue, a dedicated hearing with social partners on the Fair Labour Mobility Package was held in November 2025. 51 different employer and business membership organisations and trade unions were represented. 10 written contributions were sent to the Commission following the hearing. While there were different views on the opportunity and scope of the revision, all social partner organisations identified areas in which they supported strengthening ELA's operations.

A public call for evidence on strengthening ELA by reviewing its mandate took place from 5 December 2025 to 2 January 2026. A total of 56 written submissions were received. All the contributions are publicly available on the official Commission website.[30]

The details concerning consultation methods and stakeholders' views can be found in Annex 2 to the Impact Assessment Report. The input that was received was taken into due account in the preparation of this proposal.

- **Collection and use of expertise**

The Commission relied on internal as well as external expertise when preparing this proposal and the accompanying Impact Assessment Report. Several reports and studies commissioned by the Commission have fed into this initiative. These include the study supporting the evaluation of ELA, complemented by expert advice from the MoveS network of legal experts in the field of intra-EU mobility and data collected by the Network Statistics FMSSFE led by the KU Leuven Research Institute for Work and Society (HIVA). The proposal also takes into account the resolution of the European Parliament[31] of 18 January 2024 on the revision of ELA's mandate.

In addition, relevant academic research as well as a wide range of publications by other EU institutions and agencies (the European Parliament. ELA, Eurofound, Eurojust), dedicated Commission services (Your Europe Advice, SOLVIT) and international organisations (ILO, OECD) have informed this proposal. The Impact Assessment Report contains a detailed overview of the relevant literature that was considered.

- **Impact assessment**

In line with its Better Regulation policy, the Commission carried out an impact assessment of policy options in preparation of this initiative. The Impact Assessment Report[32] and its Executive Summary[33] are publicly available. This work was supported by structured consultation within the Commission via an inter-service steering group.

The various policy options that were analysed and evaluated address the problems identified in relation to four key policy areas: 1) information provision, 2) EURES, 3) cooperation and enforcement, and 4) mediation. In accordance with the Better Regulation Guidelines, the

30 Call for evidence – Strengthening the European Labour Authority by reviewing its mandate
31 P9_TA(2024)0052
32 SWD(2026) 986
33 SWD(2026) 987

policy options' impacts were assessed against the criteria of effectiveness, efficiency, coherence and proportionality, relative to the baseline scenario, under which ELA's mandate would not be adjusted and challenges would be addressed only through non-legislative measures, including the above-mentioned action plan. As a result of this analysis, a package of targeted measures is now being put forward, which addresses the shortcomings identified in specific areas. The aim is to enhance ELA's operational capacity, while maintaining its core objectives and tasks.

In relation to information provision, options included either (i) ELA managing grants to support personalised information provision and counselling through external organisations, or (ii) ELA providing this support directly. Managing grants is the most efficient and proportional choice, given that it leverages existing local and sectoral expertise while avoiding the high fixed costs associated with ELA building direct advisory capacities.

As regards EURES, the policy alternatives ranged from (i) reassigning the European Coordination Group chair and IT system ownership of the EURES portal to the Commission to (ii) transferring all EURES-related tasks entirely to the Commission or (iii) moving all tasks completely to ELA. The first of these options leverages the strengths of both institutions and allows for the maximisation of synergies with other IT tools managed by the Commission as well as other networks managed by ELA. Under this option, the Authority remains in charge of all other tasks of the European Coordination Office of the EURES network.

In the area of cooperation and enforcement, all considered options involved empowering ELA to access and process operational information, including personal data and clarify its mandate to support the protection of employment and social security rights of certain third-country nationals. However, the options differed with regard to the initiation of inspections, either (i) maintaining their voluntary nature for Member States combined with a stronger duty to cooperate or (ii) empowering ELA to impose mandatory inspections. Staffing sub-options included local contact points, a seconded pool of National Inspection Liaison Officers or permanent ELA inspectors. Voluntary inspections and a stronger duty to cooperate are favoured as this option balances effectiveness with national competences. A dedicated pool of seconded inspectors is the chosen staffing option, because seconded inspectors have the essential local knowledge and networks needed to provide an operational bridge at a reasonable cost.

Concerning mediation, options included (i) simplifying the complex procedure to incentivise its voluntary use or (ii) introducing stricter conditions which require Member States to provide formal, substantiated justifications for opting out of mediation. The first option of simplifying the procedure is preferred, because it is expected to reduce administrative friction without threatening to damage the mutual trust required for voluntary dispute resolution.

This package of targeted measures will improve protection for workers, including third-country nationals, given that more targeted and effective inspections will aid the enforcement of compliance with labour standards. Workers and jobseekers will also derive advantages from smoother cross-border mobility owing to improved information provision, counselling and job-matching through EURES. Employers will benefit from a reduction in unfair competition as well as from improved job-matching through EURES, better access to information and counselling, which will reduce the compliance and recruitment costs associated with cross-border operations. The 3.6 million SMEs in the EU that are looking to recruit internationally will be particularly positively impacted, since they are disproportionately affected by regulatory complexity and uncertainty by comparison with larger companies, and are more likely to rely on EURES services. National authorities will benefit from enhanced support for enforcement activities and streamlined mediation

procedures that will reduce the administrative costs resulting from unresolved disputes, notwithstanding national competences.

The initiative does not impose new legal obligations or related compliance costs on citizens or businesses. National authorities will face opportunity costs due to seconding one additional staff member per Member State to ELA. However, this cost is expected to be offset by the benefits gained through better-targeted inspections and enhanced analytical support.

The proposal involves a justifiable budgetary increase, which is quantified in Section 4 below and in the accompanying Legislative Financial and Digital Statement.

The Impact Assessment Report was presented to and discussed with the Regulatory Scrutiny Board (RSB). The RSB's recommendations in its negative opinion of 4 May 2026 have been addressed. In particular: (i) the findings of the 2025 evaluation of ELA have been accurately reflected, (ii) the intervention logic has been improved with additional observational data as regards the problem definition, (iii) the scope of the mandate revision as regards certain third-country national workers has been clarified, (iv) the rationale for the continuation of certain ELA activities has been set out, and (v) a performance monitoring system including tentative key performance indicators has been introduced. Following those adjustments, the RSB issued a positive opinion with reservations on 3 July 2026. To address the remaining reservations, the problems identified in the Impact Assessment Report and the analysis of the impacts of the various options have been further substantiated. Both of the RSB's opinions[34] are publicly available.

- **Regulatory fitness and simplification**

The 2025 evaluation of ELA confirmed that Regulation (EU) 2019/1149 does not currently impose direct obligations on businesses or citizens[35]. This limits the scope for a reduction of compliance costs for the private sector. The proposal targets ELA's operational framework and its cooperation with Member States. It does not impose any new administrative burden or reporting obligations on businesses or citizens, which would result in additional compliance costs.

Conversely, as set out in the preceding subsection, the proposal will generate indirect cost savings for businesses, particularly SMEs, by reducing the administrative costs of cross-border operations as well as decreasing economic distortions that result from non-compliance with labour standards. The initiative will therefore have a positive net impact on the administrative burden for businesses and citizens. The proposal is also expected to have a minor net positive impact on the competitiveness of EU businesses, especially SMEs, as it will contribute to the functioning of the labour dimension of the EU Single Market, helping to address the risk of labour and skills shortages, improving cross-border recruitment and potentially encouraging cross-border operations through better information.

Some of the envisaged targeted adjustments will also contribute to simplification for national authorities as well as the EU institutions and ELA, enhancing administrative efficiency. Key measures include resolving the fragmented governance of EURES between the Commission and ELA, and simplifying the complex, multi-stage mediation procedure to reduce procedural barriers for Member States.

Additionally, the proposed targeted adjustments to Regulation (EU) 2016/589 will simplify the EURES regulatory framework, reducing the administrative burden on national administrations as well as on private EURES members and partners. This includes a reduction

34 SEC(2026) 985

35 SWD(2025) 128 final, p. 112.

in the frequency of reporting on EURES activity to ensure that this requirement remains proportionate to the objective to be achieved, as well as the repeal of several implementing acts.

Specifically, templates and procedures for the exchange of information on the EURES network national work programmes (EURES programming cycle) are currently provided for in Commission Implementing Decision (EU) 2017/1256. Similarly, specifications for data collection and analysis to monitor and evaluate the functioning of the EURES network (EURES Performance Measurement System) are laid down in Commission Implementing Decision (EU) 2018/170. In order to reduce the administrative burden on national administrations as well as private EURES members and partners, while allowing for more flexibility, it is sufficient to integrate the essential elements of these two implementing acts directly into Regulation (EU) 2016/589, leaving the details to be defined by the European Coordination Office of the EURES network.

Furthermore, the Commission has adopted the version of ESCO used in EURES via Commission Implementing Decision (EU) 2018/1020, which refers to the version of the European classification published on 28 July 2017. In view of the rapid evolution of the labour market, Regulation (EU) 2016/589 will be modified to introduce the principle of automatic implementation by the Commission of the latest version of ESCO, without a need for the adoption of an implementing act every time a new version is available.

Finally, if Member States decide not to adopt ESCO at the national level, they are currently obliged to produce and maintain correspondence tables between national classification systems used to record information on occupations and skills in job vacancies and CVs transferred to EURES and the applicable version of ESCO. These correspondence tables must be produced according to technical standards and formats laid down in Commission Implementing Decision (EU) 2018/1021. With a view to reducing the associated administrative burden on national authorities, facilitating implementation and enhancing data quality, the Commission will take over the preparation, maintenance, and implementation of those correspondence tables from Member States. For this reason, there is no longer any need to provide for the adoption of technical standards for uniform implementation via an implementing act.

These amendments will make the Commission Implementing Decisions in question redundant.

- **Fundamental rights**

This initiative will strengthen ELA's capacity to contribute to the enforcement of Union rules in the area of cross-border labour mobility and social security coordination, and therefore to the protection of related fundamental rights. These fundamental rights include freedom of movement and the freedom to choose an occupation and the right to engage in work (Articles 15 and 45 of the Charter of Fundamental Rights of the European Union, hereafter referred to as 'the Charter'), the right of access to placement services (Article 29 of the Charter), and the freedom to conduct a business (Article 16 of the Charter). Through enhanced access to information and counselling as well as its enforcement role, ELA will also continue supporting the effective exercise of rights in the field of fair and just working conditions, social security and health care (Articles 31, 34 and 35 of the Charter) and non-discrimination (Article 21 of the Charter) as well as workers' right to information and consultation (Article 27) and the right to an effective remedy (Article 47 of the Charter) in cross-border contexts.

Increased access to and processing of data by ELA would be strictly framed by and implemented in full compliance with the protection of personal data (Article 8 of the Charter).

Appropriate safeguards will ensure that enhanced enforcement capacity does not undermine the rights of individuals. Regulation (EU) 2018/1725 applies to any processing of personal data by the Authority.

4. BUDGETARY IMPLICATIONS

This proposal has budgetary implications at the Union level. Reinforcing the Authority's operational capacity requires additional human and financial resources. This cost notably relates to improvements concerning information provision and counselling for individuals and employers through the provision of grants, increased inspection capacity, the development of internal data-analysis capacity and the Authority's complementary responsibilities concerning third-country nationals. The adjustments in the area of mediation do not have budgetary implications.

At the same time, the revision should be accompanied by a systematic effort within ELA to identify possibilities for redeployment of financial and human resources, efficiency gains and a sharper prioritisation of activities across its existing mandate. This should include a review of areas where tasks may be streamlined, scaled back or deprioritised, and the identification of negative priorities in order to ensure that resources are concentrated on activities with the highest Union added value. In this context, particular attention should be given to EURES-related expenditure, with a view to identifying savings and efficiency gains that can contribute to a more effective delivery of the EURES 2030 strategy and the EURES portal strategy. Such an approach would help contain the overall budgetary impact of the proposal while ensuring that ELA is able to focus resources on the most relevant and impactful operational objectives.

The detailed financial implications of the proposal are set out in the Legislative Financial and Digital Statement accompanying the proposal. The estimated financial and staffing implications for 2028 and beyond are provided for illustrative purposes only and do not pre-empt decisions on the next multiannual EU budget (2028-2034 multiannual financial framework). The funding sources and the extent of the EU's financial commitment beyond 2027 will depend on the outcome of the interinstitutional negotiations on the 2028-2034 multiannual financial framework. Thereafter they must be determined through the annual budgetary procedure. All appropriations and staffing allocations from 2028 onwards are therefore indicative.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

The monitoring of the new tasks attributed to ELA through this proposal will be part of ELA's performance measurement systems, as reformed in line with the above-mentioned action plan. This covers the setting out of detailed objectives and expected results in the annual and multi-annual programming, including through redefined SMART objectives and meaningful key performance indicators.

In particular, the Commission will, in close cooperation with relevant national authorities and decentralised agencies, monitor the achievement of the specific objectives of this proposal. Details, including tentative indicators for this purpose, are set out in the Impact Assessment Report accompanying this proposal, which indicates that the evaluation of the ELA Regulation will be based on specific indicators measuring the number of individuals and employers reached and their satisfaction with the information provided; the level of satisfaction of the EURES Network with its governance, the number and share of job placements, satisfaction with the EURES portal, and the coverage of CVs and job vacancies

on the portal; the number, ratio and coverage of targeted concerted and joint inspections, satisfaction with ELA's operational support, and the share of concerted and joint inspections supported by risk-based analysis; and, for mediation, the number of cases brought to mediation and resolved, the duration of the procedure and satisfaction with it.

Furthermore, the Commission will continue to evaluate the Authority's performance in relation to its objectives, mandate and tasks every five years in accordance with Article 40 of Regulation (EU) 2019/1149 and in line with the requirements of the Financial Regulation and Better Regulation Guidelines. The next evaluation will be conducted in 2029 and cover the period from 2024 to 2028. As part of this evaluation, it will be assessed whether there is a need to modify the scope of the Authority's activities, including through a potential discontinuation of individual tasks such as the coordination of EURES (including the tasks transferred to the Commission).

- **Detailed explanation of the specific provisions of the proposal**

Article 1 of the proposal introduces several amendments to Regulation (EU) 2019/1149.

(1) Article 1(2) is amended, and Article 1(4a) is inserted to clarify ELA's mandate where its activities involve certain third-country national workers within the Union. The Authority is enabled to assist Member States in addressing those workers' employment and social security rights, as laid down in specific provisions of Directives 2009/52/EC, 2014/36/EU, (EU) 2024/1233 and Council Directive 2001/55/EC in an ancillary way, i.e. where this is necessary to effectively accomplish ELA's tasks. Article 1(4)(j) and (k) is added to include the Regulation on a public interface connected to IMI for the declaration of posting of workers as well as the Directive laying down specific rules for posting drivers in the road transport sector in the scope of the ELA's activities due to their connection with the application of Directive 2014/67/EU. Article 1(5) is amended to provide the Authority with an explicit mandate to address the issue of labour exploitation.

(2) In Article 2, point (a) is amended to reflect the amendment to Article 1 as regards support in enforcement of rights of certain third-country national workers. Point (b) is amended to clarify which of ELA's tasks relate to its objective of facilitating and enhancing cooperation between Member States. A reference to the application of Union law is added for consistency with Article 1(2). Point (d) is amended to reflect ELA's mandate to address labour exploitation.

(3) Article 3(3) is added to comply with the requirement that the seat of a decentralised agency is to be provided for in an act adopted by ordinary legislative procedure. This amendment is also reflected in the article's heading.

(4) The introductory wording of Article 5 is amended for consistency with the amendment to Article 1 as regards third-country national workers and to allow for the provision of more personalised information. Article 5(g) is added, laying down ELA's responsibility for promoting awareness-raising campaigns. This is an existing provision that is moved from Article 11(e), given that it relates to the task of providing information to individuals and employers rather than to capacity building for Member States. A new paragraph is added to reflect ELA's power to provide grants to beneficiaries as laid down in Article 29, second paragraph, specifically as regards advice and support to individuals and employers, so as to assist the Authority in fulfilling its task provided for in Article 5, first paragraph in a more personalised manner.

(5) Article 6 is amended to transfer the system ownership of the EURES portal as well as the helpdesk function for the staff of the EURES members and partners and national coordination offices from ELA to the Commission. The heading is amended to better reflect ELA's role with respect to EURES.

(6) Article 7(1)(b) and (d) is amended to allow ELA to facilitate cooperation between Member States on its own initiative. Article 7(2) is amended to clarify that it relates to all areas within the scope set out in Article 1. Article 7(3) and (4) is amended to provide ELA with a concrete supportive role as regards the use of electronic tools, and to explicitly highlight other tools besides IMI that are relevant in this context and that the Authority already works with.

(7) Article 8(1) is amended to reflect the amendment to Article 1 as regards third-country nationals and to provide ELA with a more proactive role in initiating concerted and joint inspections. Article 8(2)(a) is amended to ensure that the requirement that concerted inspections are simultaneous in nature is not understood too restrictively. Article 8(3) is amended to require Member States to provide a due justification when not participating in concerted or joint inspections and to ensure that the Authority and the National Inspection Liaison Officers from the Member States concerned are informed at the same time when a Member State consents to an inspection. Article 8(4) is amended to provide for a deadline within which Member States are to provide justifications where they do not participate in concerted or joint inspections. This does not imply a conferral of autonomous inspection powers on the Authority as such inspections, including those requested by ELA, remain subject to the consent of the Member States concerned.

(8) Article 9(1) is amended to simplify the administrative requirements leading up to a concerted or joint inspection. No formal written agreement should need to be concluded prior to each inspection. Article 9(3) is amended to ensure that inspectors from other Member States that participate in concerted and joint inspections are granted certain minimum competences in the Member State where the inspection takes place as regards access to the premises, documents and records subject to inspection as well as the gathering of evidence. Article 9(4) is amended to provide for a link between ELA's analyses and risk assessments and inspections. Article 9(5) is amended to provide the National Inspection Liaison Officers from the Member State where the inspection takes place with the same competences as inspectors from other participating Member States. Article 9(5a) is inserted to provide for the necessary exchange of information between Member States and ELA in the context of inspections. Article 9(6) is amended to ensure that ELA receives preliminary reports on inspection results earlier than at present, while Member States are given more time to conclude final reports, and to lay down minimum requirements for the content of reports. Article 9(6a) is inserted to provide for the case management system, in which ELA is to store information related to concerted and joint inspections.

(9) Article 10(1) is amended to reflect the amendment to Article 1 as regards activities involving third-country national workers, broaden the list of actors with which ELA is to cooperate, as well as to clarify how information used for analytical work is to be accessed and processed. Article 10(1a) is inserted to provide for risk analyses of a more operational nature and their link with concerted and joint inspections. Article 10(3) is amended to ensure that operational risk analyses inform operational planning. Article 10(4) is amended to clarify that it relates to all areas within the scope set out in Article 1.

(10) The introductory wording of Article 11 is amended to add a reference to the application of Union law for consistency with Article 1(2) and to clarify that it relates to all areas within the scope set out in Article 1. Article 11(d) is amended to clarify the nature of the training programmes developed by ELA or by Member States with ELA's support and the different stakeholders that may benefit from them. Article 11(e) is deleted as its content is moved to Article 5(g).

(11) Article 12(1)(b) is amended to clarify that it relates to all areas within the scope set out in Article 1 and that ELA is not limited to addressing the cross-border aspects of undeclared work.

(12) Article 13 is amended to simplify the complex mediation procedure, reducing it to a single stage and leaving the binding or non-binding nature of the agreement reached up to the parties involved.

(13) Article 14 is amended to include a reference to the European Union Agency for Fundamental Rights as well as the European Maritime Safety Agency and to highlight the possibility for data sharing between agencies.

(14) Articles 19(2), 21(1), 31(4), (5) and (7), and 33(2) are amended and Article 21(1a) is inserted in order to ensure alignment with the 'common approach' on decentralised agencies and the Framework Financial Regulation for decentralised agencies.

(15) Chapter IIIa is inserted to provide ELA with a clear mandate to process operational information, including personal data, and to grant the Authority access to such information. Article 23a lays down the general information processing mandate, rules concerning special categories of personal data and the storage duration, as well as the possibility of bilateral data sharing arrangements. Article 23b concerns ELA's access to IMI, including to exchanges between Member States which concern concerted and joint inspections. Article 23c concerns ELA's user access to the European Register of Road Transport Undertakings (ERRU). Article 23d concerns ELA's access to data on the use of IMI, ERRU and the Electronic Exchange of Social Security Information (EESSI), as well as access to the information submitted to Member States in the posting declarations pursuant to the Regulation on a public interface connected to IMI for the declaration of posting of workers and pursuant to the Directive laying down specific rules for posting drivers in the road transport sector. In addition, it references the possibility for Member States to make specific exchanges via those information exchange systems, in addition to those concerning concerted and joint inspections, available to ELA, where all Member States concerned agree.

(16) In Article 29, a new paragraph is added to empower ELA to award grants in fulfilment of any of its tasks.

(17) Article 32(2a) is inserted to provide for the secondment of a National Inspection Liaison Officer, i.e. an inspector from a national enforcement authority, from each Member State to ELA, in addition to the existing National Liaison Officer. Consequential amendments are made to Article 32(1) and (2), including to provide for the respective responsibilities of the two groups of National Liaison Officers. It is also specified that all National Liaison Officers are to be nominated by Member States only after their approval and recruitment by ELA.

(18) The Annex to Regulation (EU) 2019/1149 is amended at points (1), (2) and (5) to add references to undeclared work among third-country nationals in the context of

the activities of the European Platform to enhance cooperation in tackling undeclared work.

Article 2 of the proposal introduces several amendments to Regulation (EU) 2016/589.

(1) Article 3 is amended in order to include in the main text certain definitions that were previously included in Commission Implementing Decisions 2018/1020 and 2018/1021, and to introduce a definition for the EURES Targeted Mobility Scheme initiative.

(2) Article 8 is amended to specify the supporting tasks that fall within the remit of the European Coordination Office (ECO) of EURES. These include programming, data collection and analysis activities. ECO's tasks no longer include the system ownership of the EURES portal or the helpdesk function, which are transferred to the Commission. ECO is no longer required to develop a cooperation and clearance structure for apprenticeships and traineeships due to the lack of practical relevance of this structure.

(3) Article 9 is amended to provide a role to the Commission, as system owner of the EURES portal, with regard to complaints and job vacancies considered not to comply with certain standards connected to the EURES portal.

(4) Article 14 is amended to give to the EURES Coordination Group the task of identifying relevant information from the EURES programming cycle to be fed into the EURES activity reports.

(5) Article 16 is amended to include a reference to the EURES Targeted Mobility Scheme initiative in the cooperation measures.

(6) Article 17 is amended to include a reference to workers as direct providers of CVs and job applications that are made available to the EURES portal.

(7) Article 19 is amended in order to streamline and simplify the procedure for the implementation of ESCO as the common language for interoperability and automated matching. The Commission is empowered to regularly update the version of ESCO implemented in EURES in line with labour market trends. The Commission becomes responsible for producing and maintaining correspondence tables between national classification systems used in job vacancies and CVs and ESCO. The provisions referring to the Commission's implementing powers for the adoption of the version of ESCO used in EURES and the technical standards for producing correspondence tables are consequently deleted.

(8) Article 23 is amended to include a reference to the EURES Targeted Mobility Scheme initiative among the support services for job seekers.

(9) Article 24 is amended to include a reference to the EURES Targeted Mobility Scheme initiative among the support services for employers.

(10) Article 25 is amended to include a reference to the EURES Targeted Mobility Scheme initiative among the post recruitment assistance services.

(11) Article 26 is amended to include disability assessment among the matters regarding which EURES Members and, where relevant, EURES Partners are to refer requests for information to the national competent authorities or other appropriate bodies.

(12) Article 27 is amended to further specify certain aspects of the support services in cross-border regions.

(13) Article 30 is amended to further specify the role of EURES NCOs in the review of the draft annual national work programmes. The article also gives the responsibility for producing templates for exchange of information between Member States to ECO.

(14) Article 31 is amended to introduce the obligation for EURES NCOs to report yearly on the implementation of the national work programmes according to a template provided by ECO and approved by the European Coordination Group. The Commission's empowerment to adopt implementing acts to define such templates is removed accordingly.

(15) Article 32 is amended to further specify the procedure and content of data collection activities by Member States and the responsibilities of ECO.

(16) Article 33 is amended to extend the reporting period of EURES activities to five years.

Article 3 of the proposal introduces a consequential amendment to Regulation (EU) No 1024/2012. Given that Regulation (EU) 2019/1149 is amended to provide for the exchange of information via IMI, Regulation (EU) 2019/1149 should be listed in the Annex to Regulation (EU) No 1024/2012.

Article 4 of the proposal repeals several Commission Implementing Decisions that become redundant as a result of the amendments to Regulation (EU) 2016/589.

2026/0272 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2019/1149 establishing a European Labour Authority, Regulation (EU) 2016/589 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System, and repealing Commission Implementing Decisions (EU) 2017/1256, (EU) 2018/170, (EU) 2018/1020 and (EU) 2018/1021

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 46 and 48 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee[36],

Having regard to the opinion of the Committee of the Regions[37],

Acting in accordance with the ordinary legislative procedure,

Whereas:

(1) The European Labour Authority ('the Authority') was established by Regulation (EU) 2019/1149 of the European Parliament and of the Council[38]. The Authority's objective is to contribute to ensuring fair labour mobility across the Union and to assist Member States and the Commission in the coordination of social security systems within the Union. The effective application and enforcement of Union law in those areas is essential to protect mobile workers, ensure fair competition between undertakings and maintain trust in the internal market. To achieve its objective, the Authority facilitates access to information, enhances cooperation between Member States in the enforcement of relevant Union law, mediates a solution in cases of cross-border disputes and supports cooperation in tackling undeclared work.

(2) Since the adoption of Regulation (EU) 2019/1149, the context in which the Authority operates has evolved. Global volatility linked to ongoing geopolitical conflicts as well as structural changes, such as demographic developments, declining working-age populations, skills shortages, the accelerating digital transition and the deployment of

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36 OJ C [...], [...], p. [...]

37 OJ C [...], [...], p. [...]

38 Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (OJ L 186, 11.7.2019, p. 21, ELI: http://data.europa.eu/eli/reg/2019/1149/oj).

artificial intelligence intensify the need for labour mobility as a central policy to safeguard the competitiveness of the internal market.

(3) In accordance with Article 40 of Regulation (EU) 2019/1149, the Commission carried out a first evaluation of the Authority's performance, which was published in 2025. The evaluation confirmed that the Authority has addressed a previously unmet need for support in the effective implementation of Union labour mobility policies. At the same time, it identified certain limitations in the Authority's current mandate.

(4) Targeted modifications to Regulation (EU) 2019/1149 are necessary to enable the Authority to fully realise its potential. Relevant adjustments identified by the evaluation include enhanced data handling competencies, improved cooperation with Member States, including in terms of information provision, the Authority's role vis-à-vis in situations involving certain third-country national workers and its responsibilities in the development of the European network of employment services ('EURES').

(5) Regulation (EU) 2026/XXX of the European Parliament and of the Council[39] aims to reduce administrative obstacles to the freedom to provide services and to simplify administrative requirements, while improving the effective monitoring of compliance with and enforcement of Union law aimed at ensuring the protection of posted workers' rights, and strengthening the administrative cooperation between competent authorities of the Member States. Directive (EU) 2020/1057 of the European Parliament and of the Council[40] establishes specific rules as regards the posting of drivers in the road transport sector. Given that Regulation (EU) 2026/XXX and Directive (EU) 2020/1057 relate to the application of Directive 2014/67/EU of the European Parliament and of the Council[41], Regulation (EU) 2026/XXX and Directive (EU) 2020/1057 should be added to the list of Union acts covered by the Authority's scope of activities.

(6) Labour mobility across the Union often takes place in complex labour-market settings, including in high-risk sectors such as construction, transport, agriculture, hospitality and care. These sectors are particularly exposed to different risks, including trafficking in human beings for the purpose of labour exploitation. In those settings, Union mobile workers and posted workers increasingly work side by side with third-country nationals whose number is growing due to labour and skills shortages in the Union.

(7) Not covering certain categories of third-country nationals by the scope of Authority's activities, such as information activities, facilitation of concerted and joint inspections or risk assessment, could create enforcement gaps, facilitate circumvention and unfair competition, and contribute to downward pressure on employment and social standards.

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39 Regulation (EU) .../... of the European Parliament and of the Council of ... on ... (OJ ...).

40 Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49, ELI: http://data.europa.eu/eli/dir/2020/1057/oj).

41 Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation') (OJ L 159, 28.5.2014, p. 11, ELI: http://data.europa.eu/eli/dir/2014/67/oj).

(8) Fair labour mobility requires the effective protection of the employment and social security rights of all persons working within the Union, regardless of their nationality. It is therefore appropriate to clarify that the Authority may support Member States in cases involving third-country nationals, insofar as the effective application and enforcement of third-country nationals' employment and social security rights contribute to the Authority's mandate to ensure fair labour mobility and to create a level playing field across the Union.

(9) The effective enforcement of the employment and social security rights of legally staying third-country nationals, in particular the equal treatment rights conferred by Directives 2014/36/EU[42] and (EU) 2024/1233[43] and Regulation (EU) 2024/1347[44] of the European Parliament and of the Council, and Council Directive 2001/55/EC[45], is essential to ensuring fair labour mobility. Where those rights are not effectively enforced, compliant undertakings are placed at a disadvantage, while the workers concerned risk losing their legal status and being placed in an irregular situation. Supporting Member States in enforcing those rights therefore helps address labour and skills shortages in the Union, while it also contributes to the proper functioning of legal migration pathways.

(10) The employment of illegally staying third-country nationals distorts competition between undertakings, puts downward pressure on employment and social standards, and exposes the workers concerned to an increased risk of labour exploitation and trafficking in human beings. Within its objectives and to the extent necessary for the performance of its tasks, the Authority should support Member States in applying the labour-related provisions of Directive 2009/52/EC of the European Parliament and of the Council[46]. More effective enforcement in this area is expected to ensure that the workers concerned are protected against exploitation, while it would also contribute to reducing the incentives for illegal entry and stay, since the prospect of employment in the Union has been identified as one of the drivers of illegal migration.

(11) The Authority should not be granted a general mandate in the field of legal migration, notably conditions for admission, residence, removal or work authorisation of third-country nationals, and the applicable Union rules or the competences of the Member States in those areas should not be affected.

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42 Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (OJ L 94, 28.3.2014, p. 375, ELI: http://data.europa.eu/eli/dir/2014/36/oj).

43 Directive (EU) 2024/1233 of the European Parliament and of the Council of 24 April 2024 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (OJ L, 2024/1233, 30.4.2024, ELI: http://data.europa.eu/eli/dir/2024/1233/oj).

44 Regulation (EU) 2024/1347 of the European Parliament and of the Council of 14 May 2024 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted, amending Council Directive 2003/109/EC and repealing Directive 2011/95/EU of the European Parliament and of the Council (OJ L, 2024/1347, 22.5.2024, ELI: http://data.europa.eu/eli/reg/2024/1347/oj).

45 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12, ELI: http://data.europa.eu/eli/dir/2001/55/oj).

46 Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24, ELI: http://data.europa.eu/eli/dir/2009/52/oj).

(12) As the Authority should support Member States' enforcement efforts to address the risk of labour exploitation, especially in connection with cross-border labour mobility, the Authority should address this issue within the framework of concerted and joint inspections as well as through its analytical work and operational risk analyses. It should, where appropriate, cooperate with other Union bodies, offices or agencies to ensure a coordinated and effective response.

(13) In accordance with the judgement of the Court of Justice in case C-743/19[47], the decision on the seat of the Authority is to be adopted in accordance with the ordinary legislative procedure. This should be without prejudice to the possibility for the Authority to complement its operational activities within its liaison office in Brussels or to establish other local offices in Member States, as appropriate.

(14) The provision of information on labour mobility by the Authority should be further improved by better tailoring it to reflect the specific situations and needs of the individuals and employers concerned, especially small and medium-sized enterprises (SMEs), so as to enable them to effectively exercise their rights and comply with their obligations. To this end, the Authority should be empowered to award grants to beneficiaries at national, regional or cross-border regional level which provide targeted advice on cross-border labour mobility to individuals and employers.

(15) Lack of knowledge of their rights exposes some third-country nationals to a heightened risk of labour exploitation, infringements of their employment and social security rights, and trafficking in human beings for the purpose of labour exploitation. Where third-country nationals work alongside Union mobile or posted workers, the Authority should contribute to making available clear and accessible information on their rights and obligations to those individuals and employers. It is important that such information is accessible at an early stage to the extent possible, including prior to entering the Union, which could require cooperation with third countries' relevant authorities and Union delegations in third countries. Considering the particular vulnerabilty of victims of trafficking in human beings, the Authority should take their situation into account in training programmes or materials it develops for labour inspectors likely to come into contact with such persons and in the risk analyses it carries out.

(16) The governance of EURES is divided between the Commission and the Authority, constraining the efficiency and effectiveness of EURES governance and operation. Their respective responsibilities should be reallocated with a view to improving coherence with other activities, thus increasing the efficiency of the management and operation of EURES. The Commission should assume system ownership of the European Job Mobility Portal (EURES portal) to maximise synergies with other Commission-managed IT tools and networks, such as Europass, the European Skills, Competences, Qualifications and Occupations classification (ESCO), the Public Employment Services Network and the EU Talent Pool. The Commission should also take over the provision of the helpdesk function supporting the staff of the EURES members and partners and national coordination offices. This revised allocation of responsibilities should be reflected in Regulation (EU) 2016/589 of the European Parliament and of the Council[48].

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47 Case C-743/19 *European Parliament v Council of the European Union* ECLI:EU:C:2022:569.

48 Regulation (EU) 2016/589 of the European Parliament and of the Council of 13 April 2016 on a European network of employment services (EURES), workers' access to mobility services and the

(17) The amendment of Regulation (EU) 2016/589 provides an opportunity to further streamline the EURES regulatory framework, with a view to reducing the administrative burden on national administrations as well as private EURES members and partners and to improve efficiency and effectiveness. Provisions concerning the programming of activities, data collection and analysis of performance should be integrated into Regulation (EU) 2016/589. The implementation of ESCO should be simplified and the Commission should be allowed to implement correspondence tables between national classification systems and relevant versions of ESCO, in line with labour market trends. Following the incorporation of relevant provisions in Regulation (EU) 2016/589, Commission Implementing Decisions (EU) 2017/1256[49], (EU) 2018/170[50], (EU) 2018/1020[51] and (EU) 2018/1021[52] should be repealed.

(18) To ensure that reporting requirements remain proportionate and contribute to simplification and the reduction of administrative burden on national authorities, the frequency of reporting on EURES activities in accordance with Regulation (EU) 2016/589 should be reduced from every two years to every five years, without compromising the objectives of the reporting. Regulation (EU) 2016/589 should therefore be amended accordingly.

(19) To fully realise the potential of concerted and joint inspections, the Authority should be assigned a more proactive role, including the possibility of more systematic initiation of targeted inspections on its own initiative. Member States should in principle participate in concerted and joint inspections proposed by the Authority. While the organisation of such inspections should remain subject to the consent of the Member States concerned, their conduct should not be delayed by undue administrative requirements. To improve the targeting and effectiveness of concerted and joint inspections, the Authority should further develop its capacity to carry out operational risk analyses, which should inform data-driven operational planning.

(20) Without prejudice to obligations arising in the context of criminal investigations, Member States that have carried out a concerted or joint inspection facilitated by the Authority, should submit timely information on its conduct and outcomes, including where the investigations at national level cannot yet be completed. While preliminary reports should be provided to the Authority in a timely manner, the time limit for submitting final reports should be extended to allow Member States to complete relevant investigations. Such reports should include the undertakings inspected, the number of individuals involved and their status under Union law, the number and type

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further integration of labour markets, and amending Regulations (EU) No 492/2011 and (EU) No 1296/2013 (OJ L 107, 22.4.2016, p. 1, ELI: http://data.europa.eu/eli/reg/2016/589/oj).

49 Commission Implementing Decision (EU) 2017/1256 of 11 July 2017 on templates and procedures for the exchange of information on the EURES network national work programmes at Union level (OJ L 179, 12.7.2017, p. 24, ELI: http://data.europa.eu/eli/dec_impl/2017/1256/oj).

50 Commission Implementing Decision (EU) 2018/170 of 2 February 2018 on uniform detailed specifications for data collection and analysis to monitor and evaluate the functioning of the EURES network (OJ L 31, 3.2.2018, p. 104, ELI: http://data.europa.eu/eli/dec_impl/2018/170/oj).

51 Commission Implementing Decision (EU) 2018/1020 of 18 July 2018 on the adoption and updating of the list of skills, competences and occupations of the European classification for the purpose of automated matching through the EURES common IT platform (OJ L 183, 19.7.2018, p. 17, ELI: http://data.europa.eu/eli/dec_impl/2018/1020/oj).

52 Commission Implementing Decision (EU) 2018/1021 of 18 July 2018 on the adoption of technical standards and formats necessary for the operation of the automated matching through the common IT platform using the European classification and the interoperability between national systems and the European classification (OJ L 183, 19.7.2018, p. 20, ELI: http://data.europa.eu/eli/dec_impl/2018/1021/oj).

of violations identified per undertaking and the fines or other sanctions imposed. The Authority should operate an electronic case management system to store and organise systematically information related to concerted and joint inspections. This system should be used for exchanges of information between the Authority and Member States only where such exchanges cannot be carried out through the Internal Market Information System (IMI).

(21) With a view to ensuring fair labour mobility and maintaining a level playing field, the Authority should support Member States in identifying and addressing cross-border enforcement challenges, where national workers, intra-EU mobile workers and third-country national workers coincide in the same worksite, sector, sub-contracting chain or company, through the coordination and support of concerted and joint inspections, operational risk analyses and capacity-building measures. The Authority should cooperate closely with migration services, civil society organisations, social partners and entities in third countries, as well as other relevant Union and international bodies, to facilitate access to support for the third-country nationals concerned.

(22) With a view to strengthening the Authority's capacity to perform its reinforced role regarding concerted and joint inspections, each Member State should second an expert from a relevant national enforcement authority as a national inspection liaison officer to the Authority. When participating in a concerted or joint inspection, such national inspection liaison officers as well as staff of enforcement authorities from other participating Member States should be granted certain minimum competences to enable them to effectively support the inspection.

(23) Within the scope of its mandate, in particular in its analytical work, the Authority should pay particular attention to the effective application and enforcement of Union law concerning workers engaged in sectors of a highly cross-border nature, including maritime transport and seafaring professions, in close cooperation with the relevant Union agencies, where applicable. This analytical work should take account of relevant factors such as the place of establishment of the employer and the social security affiliation of the workers concerned.

(24) Inspections, checks and investigations are essential to ensure compliance with Union law and to protect the public interest. Their frequency, coordination, timing and intensity should be proportionate to the risk at stake and to the capacity of the operator concerned, so as to avoid unnecessary costs and administrative burden, in particular for micro enterprises and SMEs.

(25) The Authority's mediation function should be simplified and made more flexible to increase its efficiency, encourage its use and diminish the number of disputes between Member States which remain unresolved. Participation in mediation should remain voluntary.

(26) In order to tackle the abuse of different categories of workers, the European Platform to enhance cooperation in tackling undeclared work should strengthen its activities in relation to undeclared work among third-country nationals.

(27) It should be clarified that, except where otherwise expressly provided for in Regulation (EU) 2019/1149, decisions of the Management Board are to be taken by an absolute majority of votes, which presupposes the presence or representation at the meeting of more than half of the members of the Management Board with voting right for decisions to be validly adopted.

(28) The Authority should be able to access the operational information necessary to carry out its tasks effectively, notably via relevant Union information exchange systems and databases and the conclusion of data sharing arrangements with Union institution, bodies, offices and agencies, as well as with public authorities in Member States. Such operational information may include data relating to both administrative and criminal investigations. The Authority should be expressly empowered to process personal data, in full compliance with Union legislation on the protection of such data, notably Regulation (EU) 2018/1725 of the European Parliament and of the Council[53].

(29) The use of IMI is mandatory for administrative cooperation between Member States under several of the Union acts covered by the Authority's scope of activities. Similarly, the European Register of Road Transport Undertakings (ERRU) is used in the implementation of certain Union acts covered by the Authority's scope of activities. For the purpose of, and to the extent necessary for, exercising its mandate of assisting Member States and the Commission in the effective application and enforcement of Union acts within its scope of activities, the Authority should thus be granted access rights as an IMI actor to administrative cooperation procedures in IMI – including to exchanges between Member States which concern concerted and joint inspections – and user access to the relevant functions of ERRU, which concern the application and enforcement of such Union acts, as well as receive aggregated statistical data on the use of such administrative cooperation procedures and functions.

(30) Data sharing arrangements between the Authority and public authorities in Member States may relate to information such as data concerning the declaration referred to in Article 9(1)(a) of Directive 2014/67/EU, data collected pursuant to Article 91 of Regulation (EC) No 987/2009 of the European Parliament and of the Council[54], data concerning the attestation referred to in Article 19(2) of that Regulation and aggregated data on infringements of Union acts listed in Article 1(4) of Regulation (EU) 2019/1149. It should be possible to also grant the Authority access to specific exchanges between Member States via relevant Union information exchange systems in addition to those concerning concerted and joint inspections, where such exchanges fall within the Authority's mandate and subject to the agreement of all Member States concerned.

(31) Given that Regulation (EU) 2019/1149 is amended to provide for the exchange of information via IMI, Regulation (EU) 2019/1149 should be listed in the Annex to Regulation (EU) No 1024/2012 of the European Parliament and of the Council[55].

(32) In line with recommendations by the International Labour Organization[56] and the European Union Agency for Fundamental Rights[57], it is important to put in place

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53 Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).

54 Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/987/oj).

55 Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/1024/oj).

mechanisms that separate the enforcement of labour standards from immigration law enforcement, to ensure all third-country nationals can safely access remedies for violations of their rights. In its role as data controller, the Authority should only share personal data, including data of third-country nationals, where such exchange is necessary for the performance of its tasks, in particular for the protection of the employment and social security rights. It is important that the Authority also encourages Member States to establish reporting policies that ensure that all third-country nationals can engage with enforcement authorities safely.

(33) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on [date].

(34) Regulations (EU) 2019/1149, (EU) 2016/589 and (EU) No 1024/2012 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) 2019/1149

Regulation (EU) 2019/1149 is amended as follows:

(1) Article 1 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. The Authority shall assist Member States and the Commission in their effective application and enforcement of Union law related to labour mobility across the Union and the coordination of social security systems within the Union. The Authority shall act within the scope of the Union acts listed in paragraph 4, including all directives, regulations, and decisions based on those acts, and of any further legally binding Union act which confers tasks on the Authority. When appropriate to contribute to the effective accomplishment of its tasks, the Authority may also be required to address the employment and social security rights of certain third-country national workers. To this end, it shall act within the scope of the Union acts listed in paragraph 4a.';

(b) in paragraph 4, the following points (j) and (k) are added:

'(j) Regulation (EU) 2026/XXX of the European Parliament and of the Council*;

(k) Directive (EU) 2020/1057 of the European Parliament and of the Council**.

* Regulation (EU) .../... of the European Parliament and of the Council of ... on ... (OJ ...).

** Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 (OJ L 249, 31.7.2020, p. 49, ELI: http://data.europa.eu/eli/dir/2020/1057/oj).';

56 See for example International Labour Organization (2021) 'Protecting the rights of migrant workers in irregular situations and addressing irregular labour migration: A compendium'. Available at: wcms_832915.pdf

57 European Union Agency for Fundamental Rights (2021) 'Protecting migrants in an irregular situation from labour exploitation – Role of the Employers Sanctions Directive'. Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-employers-sanctions-directive-report_en.pdf

(c) the following paragraph 4a is inserted:

'4a. When appropriate to contribute to the effective accomplishment of the Authority's tasks, the scope of activities of the Authority shall also cover the following provisions of Union acts:

(a) Articles 5, 6, 8, 9, 13 and 14 of Directive 2009/52/EC of the European Parliament and of the Council[*];

(b) Article 11(2), Articles 17 and 20, Article 23(1), points (a), (c), (d), and (f), and the second subparagraph, and Article 23(2), point (i), and Articles 24 and 25 of Directive 2014/36/EU of the European Parliament and of the Council[**];

(c) Article 12(1), points (a), (e) and (h), Article 12(2), point (b), and Article 12(4), and Articles 13 and 14 of Directive (EU) 2024/1233 of the European Parliament and of the Council[***];

(d) Article 12 of Council Directive 2001/55/EC[****].

[*] Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals (OJ L 168, 30.6.2009, p. 24, ELI: http://data.europa.eu/eli/dir/2009/52/oj).

[**] Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (OJ L 94, 28.3.2014, p. 375, ELI: http://data.europa.eu/eli/dir/2014/36/oj).

[***] Directive (EU) 2024/1233 of the European Parliament and of the Council of 24 April 2024 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (OJ L, 2024/1233, 30.4.2024, ELI: http://data.europa.eu/eli/dir/2024/1233/oj).

[****] Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12, ELI: http://data.europa.eu/eli/dir/2001/55/oj).';

(d) paragraph 5 is replaced by the following:

'5. The scope of activities of the Authority shall cover the provisions of this Regulation related to the cooperation between Member States in order to tackle undeclared work, as well as support to Member States to prevent and address labour exploitation, especially in connection with cross-border labour mobility. Where needed, the Authority shall cooperate with other Union agencies or services when providing support to the Member States in accordance with this paragraph.';

(2) Article 2 is amended as follows:

(a) points (a) and (b) are replaced by the following:

'(a) facilitate access to information on rights, obligations and opportunities regarding labour mobility across the Union, including where necessary for the effective accomplishment of this task, on employment and social security rights of third-country nationals working within Union Member States, as well as to relevant services;

(b) facilitate and enhance cooperation between Member States in the application and enforcement of relevant Union law across the Union, including facilitating concerted and joint inspections, information and data exchange, carrying out analyses and risk assessment and supporting capacity building;';

(b) point (d) is replaced by the following:

'(d) support cooperation between Member States in tackling undeclared work and labour exploitation.';

(3) Article 3 is amended as follows:

(a) the heading is replaced by the following:

'**Legal status and seat**';

(b) the following paragraph 3 is added:

'3. The Authority shall have its seat in Bratislava, Slovakia.';

(4) Article 5 is amended as follows:

(a) the introductory wording is replaced by the following:

'The Authority shall improve the availability, quality and accessibility of information offered to individuals, including to third-country nationals regardless of their legal or mobility status within the Union, employers and social partner organisations regarding rights and obligations deriving from the Union acts listed in Article 1(4) and (4a) to facilitate labour mobility across the Union. To that end, the Authority shall:';

(b) the following point (g) is added:

'(g) promote awareness-raising campaigns, including campaigns to inform individuals and employers, in particular small and medium-sized enterprises (SMEs), of their rights and obligations and the opportunities available to them.';

(c) the following paragraph is added:

'To assist with the fulfilment of its tasks referred to in the first paragraph and in accordance with Article 29, second paragraph, the Authority may award grants to beneficiaries advising and offering dedicated support to individuals, including to third-country nationals regardless of their legal or mobility status within the Union, and employers on cross-border labour mobility at national, regional or cross-border regional level.';

(5) Article 6 is amended as follows:

(a) the heading is replaced by the following:

'**European Coordination Office of EURES**';

(b) the second paragraph is replaced by the following:

'The European Coordination Office shall, under the management of the Authority, fulfil its responsibilities in accordance with Article 8 of Regulation (EU) 2016/589, while the system ownership of the EURES portal, as well as its technical operation and development and related IT services, shall be managed by the Commission. The Commission shall provide a helpdesk function supporting the staff of the EURES Members and Partners and national coordination offices, in particular staff in direct contact with workers and employers.';

(6) Article 7 is amended as follows:

(a) in paragraph 1, the second subparagraph is amended as follows:

(i) point (b) is replaced by the following:

‘(b) facilitate the follow-up to requests and information exchanges between national authorities by providing logistical and technical support, including translation and interpretation services, and through exchanges on the status of cases;’;

(ii) point (d) is replaced by the following:

‘(d) facilitate and support cross-border enforcement procedures relating to penalties and fines, within the scope of this Regulation in accordance with Article 1;’;

(b) paragraph 2 is replaced by the following:

‘2. Upon request of one or more Member States and in fulfilling its tasks within the scope set out in Article 1, the Authority shall provide information to support the Member State concerned in the effective application of the Union acts that fall within the Authority’s competence.’;

(c) paragraphs 3 and 4 are replaced by the following:

‘3. The Authority shall promote and support the use of electronic tools and procedures for message exchange between national authorities, including the Internal Market Information (IMI), Electronic Exchange of Social Security Information (EESSI) and European Register of Road Transport Undertakings (ERRU) systems.

4. The Authority shall encourage the use of innovative approaches to effective and efficient cross-border cooperation, and shall promote and support the potential use of electronic exchange mechanisms and databases between the Member States to facilitate the access to data in real time and detection of fraud, and may suggest possible improvements in the use of those mechanisms and databases. The Authority shall provide reports to the Commission with a view to the further development of electronic exchange mechanisms and databases.’;

(7) Article 8 is amended as follows:

(a) in paragraph 1, the first and second subparagraphs are replaced by the following:

‘At the request of one or more Member States, the Authority shall coordinate and support concerted or joint inspections in the areas within the scope set out in Article 1, including where necessary employment and social security rights of third-country nationals. The Authority may also, on its own initiative, request that the authorities of the Member States concerned carry out a concerted or joint inspection.

Concerted and joint inspections shall be subject to the consent of the Member States concerned.’;

(b) in paragraph 2, point (a) is replaced by the following:

‘(a) concerted inspections are inspections carried out in two or more Member States, often simultaneously, regarding related cases, with each national authority operating in its own territory, and supported, where appropriate, by the staff of the Authority;’;

(c) in paragraph 3, the first and the second subparagraphs are replaced by the following:

‘In accordance with the principle of sincere cooperation, Member States shall participate in concerted or joint inspections which the Authority facilitates at the request of one or more other Member States or on its own initiative. Member States may only decide not to participate in such concerted or joint inspections on duly justified grounds.

A concerted or joint inspection shall be subject to the prior consent of all participating Member States, and such consent shall be notified to the Authority, at the same time informing the National Inspection Liaison Officers from the Member States concerned designated pursuant to Article 32(2a).’;

(d) in paragraph 4, the second subparagraph is replaced by the following:

‘In such cases, the Member State concerned shall inform the Authority and the other Member States concerned in writing, including by electronic means, within 10 working days of the request sent by the Authority of the reasons for its decision, which shall be duly justified, and possibly about the measures it plans to take to resolve the case, as well as, once known, about the outcomes of such measures. The Authority may suggest that the Member State which did not participate in a concerted or joint inspection carry out its own inspection on a voluntary basis.’;

(8) Article 9 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The participating Member States and the Authority shall set out the terms and the conditions for carrying out a concerted inspection or a joint inspection, including the scope and purpose of the inspection and, if relevant, any arrangements with regard to the participation of the staff of the Authority.’;

(b) paragraphs 3, 4 and 5 are replaced by the following:

‘3. Concerted and joint inspections shall take place in an operationally effective manner. To that end, the participating Member States shall grant staff of enforcement authorities from another Member State participating in such inspections an appropriate role and status, in accordance with the law or practice of the Member State where the inspection is carried out. This shall include at least the following competences, under conditions equivalent to those applying to staff of enforcement authorities from the Member State where the inspection takes place:

(a) access to the premises, documents and records subject to inspection;

(b) gathering of evidence.

4. The Authority shall provide conceptual, analytical and risk-assessment, logistical and technical support, and, where appropriate, legal expertise, if requested by the Member States concerned, including translation and interpretation services, to Member States carrying out concerted or joint inspections.

5. Staff of the Authority may attend the inspection as observers, may provide logistical support, and may participate in a concerted or joint inspection with the prior consent of the Member State on whose territory they will be providing their assistance to the inspection in accordance with the Member State’s law or practice. The National Inspection Liaison Officer from the Member State where the inspection takes place designated pursuant to Article 32(2a) shall be granted the same competences as participating staff of enforcement authorities from another Member State, as referred to in paragraph 3 of this Article.’;

(c) the following paragraph 5a is inserted:

‘5a. Upon request from the Authority, and where in line with the terms and conditions set out in accordance with paragraph 1, the competent authorities of the Member States shall exchange with the Authority all information necessary for the initiation, coordination and support of as well as follow-up to the concerted and joint inspections in accordance with Chapter IIIa.’;

(d) paragraph 6 is replaced by the following:

‘6. The authority of a Member State that carries out a concerted or joint inspection shall provide a preliminary report to the Authority on the outcome of the inspection within that Member State and on the overall operational running of the concerted or joint inspection within 20 working days following the inspection. At the latest nine months following the inspection, the Member State concerned shall submit a final report on the outcome of the inspection, which shall contain at least the following elements: the undertakings inspected, the number of individuals involved and their status under Union law, the number and type of violations identified per undertaking, and the fines or other sanctions imposed.’;

(e) the following paragraph 6a is inserted:

‘6a. The Authority shall establish and operate an electronic case management system. The case management system shall have the following functions:

(a) support the management of concerted and joint inspections supported by the Authority, in particular by managing information workflows and by supporting investigative work in cross-border cases;

(b) ensure secure access to information on concerted and joint inspections;

(c) allow for the cross-border referencing of information and the extraction of data for operational analysis and statistical purposes;

(d) facilitate monitoring to ensure that the processing of personal data complies with the relevant provisions of Chapter IIIa of this Regulation and of Regulation (EU) 2018/1725.’;

(f) paragraph 7 is replaced by the following:

‘7. It shall be possible to use the information collected during concerted or joint inspections as evidence in legal proceedings in all Member States concerned, in accordance with the law or practice of those Member States.’;

(9) Article 10 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. The Authority shall, in cooperation with Member States and, where appropriate, the social partners, assess risks and carry out analyses regarding labour mobility and social security coordination across the Union, including where necessary employment and social security rights of third-country nationals, within the scope set out in Article 1. The analytical work shall address topics such as labour market imbalances, sector-specific challenges and recurring problems, and the Authority may also carry out focused in-depth analyses and studies to investigate specific issues. In carrying out its analytical work, the Authority shall access and process information, including personal data, in accordance with Chapter IIIa. It shall, to the extent possible, use relevant and current statistical data available from existing

surveys, and ensure complementarity with, and draw on the expertise of Union agencies or services and of national authorities, agencies or services, civil society organisations, social partners and entities in third countries, including in the areas of fraud, labour exploitation, discrimination, skills forecasting, trafficking in human beings for the purpose of labour exploitation, migration and health and safety at work.';

(b) the following paragraph 1a is inserted:

'1a. To inform the operational planning, including the targeting, preparation, conduct and follow-up of concerted and joint inspections in accordance with Articles 8 and 9, upon request of one or more Member States or on its own initiative, the Authority shall carry out operational risk analyses within the scope set out in Article 1. To this end, the Authority shall access and process information, including personal data, in accordance with Chapter IIIa. It can request information from Member States in accordance with Article 9(5a). The Authority shall share the outcomes of operational risk analyses with the concerned competent national authorities without undue delay.';

(c) paragraphs 3 and 4 are replaced by the following:

'3. Where an operational risk analysis or any other type of analytical work has been completed, the Authority shall report its findings to the Commission, as well as to the Member States concerned directly, outlining possible measures to address identified weaknesses and the ways in which the analysis informs the Authority's operational planning.

The Authority shall also include a summary of its findings in its annual reports to the European Parliament and to the Commission.

4. The Authority shall, where appropriate, collect statistical data compiled and provided by Member States in the areas within the scope set out in Article 1. In doing so, the Authority shall seek to streamline current data collection activities in those areas to avoid duplication of data collection. Where relevant, Article 15 shall apply. The Authority shall liaise with the Commission (Eurostat) and share the results of its data collection activities, where appropriate.';

(10) Article 11 is amended as follows:

(a) the introductory wording is replaced by the following:

'The Authority shall support Member States with capacity building aimed at promoting the consistent application and enforcement of the Union law within the scope set out in Article 1. The Authority shall, in particular, carry out the following activities:';

(b) point (d) is replaced by the following:

'(d) develop or assist Member States in developing sectoral and cross-sectoral training programmes, which are predominantly operationally oriented, including for national administrations, such as labour inspectorates, social security institutions or other relevant authorities and social partners, and dedicated training material, including through online learning methods;';

(c) point (e) is deleted;

(11) in Article 12(1), point (b) is replaced by the following:

‘(b) improving the capacity of Member States’ different relevant authorities and actors to tackle undeclared work within the scope set out in Article 1, including with regard to its cross-border aspects; and in this way contributing to a level playing field;’;

(12) Article 13 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following:

‘1. In the case of a dispute between two or more Member States regarding the application of Union law in areas covered by this Regulation, the Authority may perform a mediation role, without prejudice to the powers of the Court of Justice. The purpose of such mediation shall be to reconcile divergent points of view between the Member States that are party to the dispute to reach a mutually acceptable agreement. Such agreements shall reflect the common understanding of the Member States concerned, without prejudice to their rights and obligations under Union law.

2. Upon request of one or more of the Member States concerned by a dispute, the Authority shall launch a mediation procedure before its Mediation Board set up for this purpose in accordance with Article 16(2). The Authority may also launch a mediation procedure on its own initiative before the Mediation Board. Mediation shall be conducted only with the agreement of all Member States that are party to the dispute and in accordance with the principles of neutrality, impartiality and sincere cooperation.’;

(b) paragraphs 3,4 and 5 are deleted;

(c) paragraphs 6,7 and 8 are replaced by the following:

‘6. The Management Board shall adopt the rules of procedure for mediation, including working arrangements and the composition of the Mediation Board, the applicable deadlines, the involvement of experts from the Member States, the Commission and the Authority, and the possibility of the Mediation Board to sit in panels composed of several members.

7. Where a Member State decides not to participate in mediation or to withdraw therefrom, it shall inform the Authority and the other Member States that are party to the dispute in writing, including by electronic means, of the reasons for its decision in accordance with and within the period set in the rules of procedure referred to in paragraph 6.

8. When presenting a case for mediation, Member States shall ensure that all personal data related to that case is anonymised in such a manner that the data subject is not or no longer identifiable in accordance with the rules of procedure referred to in paragraph 6.’;

(d) paragraph 12 is replaced by the following:

‘12. Within three months of the conclusion of the mediation by the Authority, the Member States that are party to the dispute shall report to the Authority with regard to the measures that they have taken for the purpose of following up on the mediation or, where they have not taken measures, with regard to the reasons why they have not done so.’;

(13) in Article 14, the sole paragraph is replaced by the following:

‘The Authority shall aim in all its activities at ensuring cooperation, avoiding overlaps, promoting synergies and complementarity with other decentralised Union

agencies and specialised bodies, such as the Administrative Commission. To that end, the Authority may conclude cooperation agreements with relevant Union agencies, such as Cedefop, Eurofound, EU-OSHA, ETF, the European Maritime Safety Agency (EMSA), Europol and Eurojust and the European Union Agency for Fundamental Rights. The cooperation agreements may also provide for the sharing of data in accordance with Article 23a(2).';

(14) in Article 19, paragraph 2 is replaced by the following:

'2. The term of office of the Chairperson and the Deputy Chairperson shall be four years. Their term of office may be renewed once. Where, however, their membership of the Management Board ends at any time during their term of office, their term of office shall automatically expire on that date.';

(15) Article 21 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Without prejudice to Article 18(1), points (b) and (t), Article 19(1) and Article 31(8), the Management Board shall take decisions by absolute majority of its members with the right to vote.';

(b) the following paragraph 1a is inserted:

'1a. In the event that the Commission raises serious concerns on a draft decision presented to the Management Board on matters related to Commission Delegated Regulation (EU) 2019/715* or the Staff, the Management Board shall postpone the adoption of the decision. Within 15 days, the Management Board shall re-examine and adopt that decision in second reading either with a two-thirds majority, including the Commission representatives, or by a four fifths majority of Member States.';

* Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council (OJ L 122, 10.5.2019, p. 1, ELI: http://data.europa.eu/eli/reg_del/2019/715/oj).

(16) after Article 23, the following Chapter heading is inserted:

'**CHAPTER IIIa**

PROCESSING OF OPERATIONAL INFORMATION';

(17) in Chapter IIIa, the following Articles 23a to 23d are inserted:

'*Article 23a*

Access to operational information

1. To carry out the tasks referred to in Articles 5, 7, 8, 9, 10, 11, 12 and 13 the Authority may collect, store, process, analyse and exchange operational information, including personal data. The Authority shall process personal data only for the specific purposes of its activities within the scope specified in Article 1(2), 1(4), 1(4a) and 1(5).

2. Processing of special categories of personal data as referred to in Article 10 of Regulation (EU) 2018/1725 shall be allowed only where strictly necessary for the investigations in concerted and joint inspections supported by the Authority, subject to appropriate safeguards for the rights and freedoms of the data subject and only if they supplement other personal data already processed by the Authority. The Data Protection Officer shall be informed immediately of recourse to this paragraph.

3. The Authority shall periodically review the need for the storage of the personal data processed. Such a review shall be carried out no later than 3 years after the personal data were first processed and then every 3 years. The reasons for continued storage of the personal data, where and as long this is necessary to perform the tasks of the Authority referred to in Articles 5, 7, 8, 9, 10, 11, 12 and 13, shall be justified and recorded. If no decision is taken on the continued storage of personal data, those data shall be deleted automatically.

4. The Authority may conclude dedicated data sharing arrangements with Union institutions, bodies, offices and agencies, as well as with public authorities in Member States for the purpose of exchanging information, including personal data, in the exercise of its tasks referred to in Articles 5, 7, 8, 9, 10, 11, 12 and 13.

5. The Authority shall exchange operational information through and access data on the use of relevant Union information exchange systems and databases in accordance with Articles 23b, 23c and 23d.

Article 23b

Exchange of operational information through the Internal Market Information System

The exchange of information between the Authority and the competent authorities of the Member States for the purposes of the Authority's tasks of coordinating and supporting concerted and joint inspections as well as carrying out analyses and risk assessment pursuant to Articles 8, 9, and 10, shall also be carried out through the Internal Market Information System (IMI) established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council[*]. To this end, the Authority shall be granted access rights as an IMI actor to the relevant administrative cooperation procedures in IMI, linked to the Union acts referred to in Article 1. Where information exchanged between competent authorities of the Member States via IMI concerns concerted and joint inspections as referred to in Articles 8 and 9, the Authority shall be granted access to such exchanges in the IMI system.

Article 23c

Access to the European Register of Road Transport Undertakings

The Authority shall be granted user access to the relevant functions of the European Register of Road Transport Undertakings (ERRU) established by Regulation (EC) No 1071/2009, for the purposes of the Authority's tasks of coordinating and supporting concerted and joint inspections as well as carrying out analyses and risk assessment, as provided for in Articles 8, 9, and 10.

Article 23d

Access to data on the use of information exchange systems

1. Where necessary for the purposes of supporting Member States' effective compliance with information and cooperation obligations in accordance with Articles 5 and 7, coordinating and supporting concerted and joint inspections in accordance with Articles 8 and 9, carrying out analytical work and operational risk analyses in accordance with Article 10, and identifying cases in which to launch a mediation procedure in accordance with Article 13, the Authority shall have access to the following information:

(a) data on the use of administrative cooperation procedures in IMI which cover the exchange of information concerning the application and enforcement of Union acts referred to in Article 1;

(b) the information submitted to Member States in the posting declarations in the public interface connected to IMI pursuant to Regulation (EU) 2026/XXX and pursuant to Directive (EU) 2020/1057;

(c) data on the use of the EESSI and ERRU systems.

2. Subject to the agreement of all Member States concerned and where necessary for the purposes of supporting Member States' effective compliance with information and cooperation obligations in accordance with Articles 5 and 7, coordinating and supporting concerted and joint inspections in accordance with Articles 8 and 9, carrying out analytical work and operational risk analyses in accordance with Article 10, or identifying cases in which to launch a mediation procedure in accordance with Article 13, the Authority may be granted access to specific exchanges between Member States via the information exchange systems referred to in paragraph 1, points (a) to (c).

3. The access referred to in paragraph 1 shall be granted only to staff authorised by the Authority, who will be able to act on behalf of the Authority, who hold a personal user identification for the respective information exchange systems.4. All users shall be bound by the confidentiality rules applicable to the respective information exchange system.

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* Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') (OJ L 316, 14.11.2012, p. 1, ELI: http://data.europa.eu/eli/reg/2012/1024/oj).';

(18) in Article 29, the following second paragraph is added:

'The Authority may award grants related to the fulfilment of its tasks as laid down in Article 4. Article 91 of Commission Delegated Regulation (EU) 2019/715 shall apply to the award of grants by the Authority.';

(19) Article 31 is amended as follows:

(a) paragraphs 4 and 5 are replaced by the following:

'4. The term of office of the Executive Director shall be five years. In due time, before the end of that period, the Commission shall carry out an assessment that takes into account an evaluation of the Executive Director's performance and the Authority's future tasks and challenges.

5. The Management Board, acting on a proposal from the Commission which takes into account the assessment referred to in paragraph 4, may extend the Executive Director's term of office once by no more than five years.';

(b) paragraph 7 is replaced by the following:

'7. The Executive Director may be removed from office only upon a decision of the Management Board acting on a proposal from the Commission.';

(20) Article 32 is amended as follows:

(a) paragraphs 1 and 2 are replaced by the following:

'1. Each Member State shall designate two National Liaison Officers as seconded national experts to the Authority and to work at its seat, pursuant to Article 33.

2. The first National Liaison Officer nominated by each Member State following the approval and recruitment by the Authority, shall contribute to executing the tasks of the Authority, including by facilitating the cooperation

and exchange of information set out in Article 7. They shall also act as national contact points for questions from their Member States and relating to their Member States, either by answering those questions directly or by liaising with their national administrations.';

(b) the following paragraph 2a is inserted:

'2a. The second National Liaison Officer nominated by each Member State following the approval and recruitment by the Authority, shall be a National Inspection Liaison Officer, seconded from a relevant national enforcement authority, and shall contribute to executing the Authority's task of coordinating and supporting concerted and joint inspections in accordance with Articles 8 and 9, including by participating in such inspections in accordance with Article 9(5).';

(21) in Article 33, paragraph 2 is replaced by the following:

'2. The Management Board shall adopt a decision laying down rules on the secondment of national experts to the Authority, including National Liaison Officers.';

(22) in Article 36, paragraph 2 is replaced by the following:

'2. The Management Board shall adopt internal rules implementing the obligations laid down in Regulation (EU) 2018/1725, in particular those concerning the appointment of a Data Protection Officer of the Authority and those relating to the lawfulness of the processing of data, the security of the processing activities, the provision of information and the rights of data subjects.';

(23) the Annex to Regulation (EU) 2019/1149 is amended as follows:

(a) points (1) and (2) are replaced by the following:

'(1) improve the knowledge of undeclared work, including causes, regional differences and cross-border aspects thereof as well as its prevalence among and impact on third-country nationals, by means of shared definitions and common concepts, evidence-based measurement tools and promotion of comparative analysis; develop mutual understanding of different systems and practices to tackle undeclared work and analysing the effectiveness of policy measures, including preventive measures and penalties;

(2) facilitate and evaluate different forms of cooperation between Member States, and where relevant third countries with a view to tackling undeclared work among third-country nationals in the Union, such as the exchange of staff, use of databases, joint activities and joint trainings, and set up a system of information exchange for administrative cooperation using a specific module on undeclared work under the IMI system;';

(b) point (5) is replaced by the following:

'(5) exchange national authorities' experiences in applying Union law relevant to tackling undeclared work, including as regards third-country nationals.'.

Article 2

Amendments to Regulation (EU) 2016/589

Regulation (EU) 2016/589 is amended as follows:

(1) in Article 3, the following points (9) to (13) are added:

'(9) 'European classification' means the latest version of the European Skills, Competences, Qualifications and Occupations published by the Commission.[58] The list consists of an enumeration of unique identifiers that are representing occupations or skills and competences, accompanied by metadata;

(10) 'mapping tables' means machine-readable correspondence tables that express how concepts in one classification relate to one or more concepts in another classification. Mapping tables are used for automatic transcoding of information for the purpose of automated matching through the common IT platform;

(11) 'machine-readable' means that information is presented in a format that can be easily processed by a computer;

(12) 'transcoding' means the process of converting information from one form of coded representation to another;

(13) 'EURES Targeted Mobility Scheme' means a Commission initiative to effectively address labour shortages, to implement transnational job mobility and tackle the needs of specific target groups, economic sectors, occupations or countries.';

(2) Article 8(1) is amended as follows:

(a) in point (a), point (i) is deleted;

(b) in point (a), point (ii) is replaced by the following:

'(ii) information activities regarding the EURES network;';

(c) in point (a), the following point (iia) is inserted:

'(iia) programming, annual data collection and analysis activities regarding the EURES network;';

(d) in point (a), point (iii) is replaced by the following:

'(iii) a common training programme and continuing professional development for the staff of the EURES Members and Partners and of the NCOs, as well as – where a duly justified need is identified – of other entities temporarily implementing EURES services on a cross-border basis, ensuring the necessary expertise;';

(e) in point (a), point (iv) is deleted;

(f) point (c) is deleted;

(3) Article 9 is amended as follows:

(a) paragraph 5 is replaced by the following:

'5. NCOs shall exchange information on the mechanisms and standards referred to in Article 17(5) as well as on standards regarding data security and data protection of relevance for the common IT platform. They shall cooperate with each other, with the European Coordination Office and with the Commission, as system owner, in particular with regard to complaints and job vacancies that are considered not to comply with those standards under national law.';

[58] https://esco.ec.europa.eu/en

(b) paragraph 7 is replaced by the following:

‘7. The NCO shall promote collaboration with stakeholders such as the social partners, career guidance services, vocational training and higher education institutions, chambers of commerce, social services and organisations representing groups in situations of vulnerability on the labour market and organisations involved in apprenticeships and traineeships schemes.’;

(4) in Article 14, paragraph 2 is replaced by the following:

‘2. The Coordination Group shall support the implementation of this Regulation by exchanging information and developing guidance. In particular, it shall advise the Commission and the European Coordination Office on the templates referred to in Article 11(8) and Article 31(3a), the draft technical standards and formats referred to in Article 17(8), and the uniform detailed specifications for data collection and analysis referred to in Article 32(3). The Coordination Group shall decide which information stemming from the EURES programming cycle is of relevance for and can be used in the drafting of the reports on EURES activity in application of Article 33.’;

(5) in Article 16, paragraph 6 is replaced by the following:

‘6. Member States shall, together with the Commission and the European Coordination Office, examine every possibility of giving priority to citizens of the Union when filling job vacancies, in order to achieve a balance between labour supply and demand within the Union. Member States may adopt measures necessary for that purpose, including taking an active role in the EURES Targeted Mobility Scheme and promoting its services.’;

(6) in Article 17(1), point (b) is replaced by the following:

‘(b) all job applications and CVs available through PES as well as those provided by the other EURES Members and workers and, where relevant, the EURES Partners, in accordance with Article 12(3), provided that the workers concerned have consented to making the information available to the EURES portal under the terms set out in paragraph 3 of this Article.’;

(7) Article 19 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. The Commission shall regularly update the list of skills, competences and occupations of the European classification to ensure that it is aligned with the evolution of the labour market. The Commission shall inform Member States about future updates through the Coordination Group for EURES and the Member States Working Group on ESCO.’;

(b) paragraph 3 is replaced by the following:

‘3. For the purpose of automated matching through the common IT platform, the Commission shall in cooperation with Member States, map national, regional and sectoral classifications to and from the European classification and, following the update of the list of skills, competences and occupations, regularly update the mapping tables in line with the evolution of recruitment services.’;

(c) the following paragraph 3a is inserted:

‘3a. The mapping tables referred to in paragraph 3 shall be used for automatic transcoding of information on job vacancies or job seeker profiles for the purpose of automated matching through the common IT platform. The Commission shall support Member States in order to ensure that any codes of their national, regional and sectoral classifications in job vacancies and job seeker profiles under Article 17(1) are replaced or complemented by the corresponding codes of the European classification before making job vacancies and job seekers profiles available to the EURES portal.’;

(d) paragraph 5 is replaced by the following:

‘5. The Commission shall provide technical support to Member States when they implement the correspondence tables referred to in paragraph 3 for automatic transcoding of information on job vacancies or job seeker profiles and to the Member States which choose to replace national classifications with the European classification.’;

(e) paragraph 6 is deleted;

(8) Article 23(2) is amended as follows:

(a) point (c) is replaced by the following:

‘(c) where appropriate, providing assistance with the drawing up of job applications and CVs to ensure conformity with the European technical standards and formats referred to in Article 17(8), and with the uploading of such job applications and CVs on the EURES portal;’;

(b) point (e) is replaced by the following:

‘(e) where appropriate, referring the worker to another EURES Member or Partner or to services offered by the EURES Targeted Mobility Scheme.’;

(9) Article 24(2) is amended as follows:

(a) point (a) is replaced by the following:

‘(a) providing information on specific rules relating to recruitment from another Member State and on factors which can facilitate such recruitment, including services provided by the EURES Targeted Mobility Scheme;’;

(b) point (b) is replaced by the following:

‘(b) where appropriate, providing information on and assistance with the formulation of individual job requirements in a job vacancy and with ensuring its conformity with the European technical standards and formats referred to in Article 17(8).’;

(10) in Article 25(1), point (b) is replaced by the following:

‘(b) where possible, the contact details of organisations which offer post-recruitment assistance, including entities implementing projects under the EURES Targeted Mobility Scheme.’;

(11) In Article 26, paragraph 1 is replaced by the following:

‘1. Upon the request of a worker or of an employer, the EURES Members and, where relevant, the EURES Partners shall refer requests for specific information on the rights relating to social security, active labour market measures, taxation, issues relating to work contracts, disability assessment, pension entitlement and health

insurance to the national competent authorities and, if applicable, other appropriate bodies at national level supporting workers exercising their rights in the framework of the freedom of movement, including those referred to in Article 4 of Directive 2014/54/EU.';

(12) Article 27 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. The tasks of the cross-border partnerships shall respond to and follow trends in the respective cross-border labour markets and may include, but are not limited to, placement and recruitment services, the coordination of cooperation between the participating organisations and the carrying out of activities relevant for cross-border mobility, including information and guidance to frontier workers, with a specific focus on multilingual services.';

(b) paragraph 3 is replaced by the following:

'3. Organisations other than the EURES Members and Partners participating in structures referred to in paragraph 1 shall not be considered to be part of the EURES network. Their staff may – for duly justified reasons – access training activities funded by the European Coordination Office.';

(13) Article 30 is amended as follows:

(a) in paragraph 1, point (a) is replaced by the following:

'(a) labour shortages and labour surpluses on national and sectoral labour markets, paying particular attention to groups in situations of vulnerability in the labour market and the regions most affected by unemployment;';

(b) paragraph 2 is replaced by the following:

'2. The NCOs shall be responsible for sharing the available information within the EURES network and shall contribute to the joint review of the draft annual national work programmes referred to in Article 31 (3).';

(c) paragraph 3 is replaced by the following:

'3. Member States shall carry out the programming referred to in Article 31, taking into account the exchange of information and the analysis referred to in paragraphs 1 and 2 of this Article.';

(d) paragraph 4 is replaced by the following:

'4. The European Coordination Office shall make practical arrangements to facilitate the exchange of information between the NCOs and the development of commonly used templates for exchanges.';

(14) Article 31 is amended as follows:

(a) paragraph 3 is replaced by the following:

'3. The NCOs and the European Coordination Office shall be given the opportunity to review together all draft national work programmes. Upon finalisation of that joint review, the national work programmes shall be adopted by the respective NCOs. The NCOs shall report yearly on the implementation of the national work programmes, identifying results of the planned activities based on data collection in accordance with Article 32 and in compliance with the detailed timeline set out in Annex IA.';

(b) the following paragraph 3a is inserted:

'3a. The template to be used by the National Coordination Offices for programming shall be developed by the European Coordination Office and approved by the Coordination Group.';

(c) paragraph 4 is replaced by the following:

'4. The representatives of the social partners at Union level participating in the Coordination Group shall be given the opportunity to review the draft national work programmes.';

(d) paragraph 5 is deleted;

(15) Article 32 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) the introductory wording is replaced by the following:

'Member States shall ensure that procedures are in place to collect data relevant for each calendar year on the following areas of EURES activity carried out at national level:';

(ii) point (a) is replaced by the following:

'(a) information and guidance by the EURES network, on the basis of the number of contacts and number of events that the case handlers of the EURES Members and Partners have with workers and employers;';

(iii) point (c) is replaced by the following:

'(c) customer satisfaction and usage of social media channels with the EURES network, obtained, inter alia, through the use of surveys;';

(iv) the following point (d) is added:

'(d) user statistics and feedback on the services of the single digital gateway in accordance with Regulation (EU) 2018/1724 of the European Parliament and of the Council*.

* Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1, ELI: http://data.europa.eu/eli/reg/2018/1724/oj).';

(b) paragraph 2 is replaced by the following:

'2. The European Coordination Office shall be responsible for:

(a) collecting data about the EURES portal and the development of the cooperation on the clearance under this Regulation;

(b) collecting and transmitting Union level aggregate data in accordance with Regulation (EU) 2018/1724;

(c) the contribution from EURES to the Commission reports on the functioning of the Single market.';

(c) paragraph 3 is replaced by the following:

'3. On the basis of the information referred to in paragraph 1 and within the areas of EURES activity specified in that paragraph, the European

Coordination Office shall adopt the uniform detailed specifications for annual data collection and analysis to monitor and evaluate the functioning of the EURES network in consultation with the Coordination Group.';

(d) the following paragraphs 3a and 3b are inserted:

'3a. The collected data and the analysis of it shall be made available to the National Coordination Offices in a dedicated section on the EURES Portal Extranet.

3b. Any further dissemination shall be governed by the dissemination approach agreed by the Coordination Group.';

(16) in Article 33, the first paragraph is replaced by the following:

'Taking into account the information gathered as referred to in this Chapter, the Commission shall, every five years, submit a report on EURES activity to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.';

(17) the following Annex IA is inserted:

'*ANNEX IA*

Timeline for the preparation of the annual national work programme

(1) PREPARATION PHASE

National Coordination Offices shall gather, analyse and share information on labour shortages and surpluses on national and sectorial labour markets ,paying particular attention to groups in situations of vulnerability in the labour market and the regions most affected by unemployment and taking into account data on mobility flows and patterns.

(2) DRAFTING PHASE

By 30 November of the year prior to the entry-into-force year of the work programme, the National Coordination Offices to draft a first version of national work programme using the information collected during the preparation phase. The drafts shall be made available in a dedicated section of the EURES portal Extranet.

(3) JOINT REVIEW PHASE

By 15 January of the entry-into-force year of the work programme, the National Coordination Offices to jointly review the draft annual national work programmes.

(4) ADOPTION PHASE

By 31 January of year of the entry into force of the work programme, the National Coordination Offices shall finalise the national work programmes taking into account the feedback received during the review phase.

(5) IMPLEMENTATION PHASE

From January to December the annual national work programmes shall be implemented.

(6) REPORTING PHASE

By 31 March of year following the implementation of the work programme, the National Coordination Offices shall collect information on results and report to the European Coordination Office on the implementation of the national work programme with key performance indicators. The report shall outline the outcomes of the planned activities, showcase best practice and draw attention to valuable lessons learned in service delivery.'.

Article 3

Amendment to Regulation (EU) No 1024/2012

In the Annex to Regulation (EU) No 1024/2012, the following point is added:

‘16. Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344[*]: Articles 8, 9, 10, 23a, 23b and 23d.

[*] OJ L 186, 11.7.2019, p. 21, ELI: http://data.europa.eu/eli/reg/2019/1149/oj.’.

Article 4

Repeal

Commission Implementing Decisions (EU) 2017/1256, (EU) 2018/170, (EU) 2018/1020 and (EU) 2018/1021 are repealed.

Article 5

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg,

For the European Parliament	*For the Council*
The President	*The President*
[...]	*[...]*

LEGISLATIVE FINANCIAL AND DIGITAL STATEMENT- AGENCIES1.

FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Draft Regulation of the European Parliament and of the Council amending Regulation (EU) 2019/1149 establishing a European Labour Authority, Regulation (EU) 2016/589 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System, and repealing Commission Implementing Decisions (EU) 2017/1256, (EU) 2018/170, (EU) 2018/1020 and (EU) 2018/1021

1.2. Policy area(s) concerned

Employment, Social Affairs and Inclusion

European Labour Authority

1.3. Objective(s)

1.3.1. General objective(s)

This initiative aims to enhance ELA's strategic and operational capacity to assist the Member States and the Commission in the effective application and enforcement of Union law related to labour mobility across the Union and the coordination of social security systems within the Union.

The revision is targeted to necessary legal adjustments identified in the evaluation of ELA published in 2025.

1.3.2. Specific objective(s)

Specific objective No 1

To improve access to, and quality of, information and support in cross border labour mobility situations, so that individuals, intra EU mobile workers (including cross border workers), third country nationals, and employers are better able to exercise their rights and comply with their obligations.

Specific objective No 2

To increase the number of individuals benefiting from cross-border mobility support and improve job-matching outcomes by increasing the efficiency of governance and operation of the EURES network and portal.

Specific objective No 3

To improve the targeting and effectiveness of enforcement actions in cross-border situations, including cases involving third-country nationals by strengthening ELA's analytical and operational support for concerted and joint inspections.

Specific objective No 4

To reduce the number of cross-border disputes by improving the effectiveness of the mediation function.

1.3.3. Expected result(s) and impact

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

- Improved information provision to individuals and employers supporting fair labour mobility, preventing labour exploitation and enhancing legal certainty resulting in smoother labour market functioning

- Strengthening the EU-level oversight of EURES governance and IT operations resulting in improved strategic coherence and accountability across the EURES network

- Enhanced analytical capacity, collecting and processing (personal) data and access to relevant databases resulting in improved risk analyses and enhancing the effectiveness of inspections

- Strengthened ability to trigger CJIs and reinforced cooperation on TCNs helping to prevent exploitation and reduce gaps in enforcement

- Enhanced legal certainty and simplification of the mediation procedure, reducing procedural complexity and lowering administrative barriers for Member States making the mechanism more accessible and practical.

1.3.4. Indicators of performance

Specify the indicators for monitoring progress and achievements.

Detailed objectives and expected results including performance indicators will be established by the annual work programme, while the multi-annual work programme will set out overall strategic objectives, specific objectives, expected results and performance indicators.

For the specific tasks and actions presented in the current proposal, the following indicators are put forward:

– Number of individuals and employers reached

– Number of job placements through EURES

– Number, ratio and coverage of targeted and concerted inspections

– Number of cases brought to, and resolved by, mediation

1.4. The proposal/initiative relates to:

☐ a new action

☐ a new action following a pilot project / preparatory action[59]

☒ the extension of an existing action

☐ a merger or redirection of one or more actions towards another/a new action

1.5. Grounds for the proposal/initiative

1.5.1. Requirement(s) to be met in the short or long term including a detailed timeline for roll-out of the implementation of the initiative

The proposed initiative is based on Articles 46 and 48 of the Treaty on the Functioning of the European Union (TFEU), which provides the legal basis for adopting measures to facilitate the free movement of workers and to ensure coordination of social security systems within the Union. Pursuant to Article 46 TFEU, the European Parliament and the Council are mandated to adopt the necessary measures to effectuate the freedom of movement for workers. This includes, inter alia, the establishment of mechanisms for cooperation between national employment services and the systematic removal of administrative and legislative obstacles hindering the search, matching, and take-up of employment across Member States.

[59] As referred to in Article 58(2), point (a) or (b) of the Financial Regulation.

Complementing this, Article 48 TFEU establishes a specific legal basis for the adoption of social security coordination measures essential for the practical exercise of such mobility. The current legal framework for ELA is established by Regulation (EU) 2019/1149, which defines the Authority's objectives, tasks, and structure.

In the short term the immediate result is an Authority with an enhanced operational capacity. In the long run this strengthened capacity and tools to support Member States and the Commission should lead to more effective enforcement of labour mobility legislation, resulting in a reduced risk of abuse for individuals and reduced unfair competition for employers.

In the "One Europe, One Market Roadmap", adoption of the mandate revision is foreseen for Q3 2027. It can be implemented immediately from the moment of adoption. Start-up phase for the implementation is foreseen from 2028-2030

1.5.2. Added value of EU involvement (it may result from different factors, e.g. coordination gains, legal certainty, greater effectiveness or complementarities). For the purposes of this section 'added value of EU involvement' is the value resulting from EU action, that is additional to the value that would have been otherwise created by Member States alone.

Reasons for action at EU level (ex-ante) [The objectives of the proposal cannot be sufficiently achieved by the Member States at national, regional or local level, and can be better achieved at Union level for the following reasons:

a) providing high quality and up-to-date information and services to the public about their rights and obligations in cross-border situations needs to be coordinated at Union level in order to ensure consistent, clear, and efficient messaging;

b) the application of Union law in the fields of cross border labour mobility and social security coordination relies on cooperation between Member States, meaning that no Member State can act alone;

c) in order to increase synergies and support cooperation between Member States in the application of Union law and to ensure legal certainty for administrations and individuals alike, it is necessary to develop a coordinated and joint approach at Union level instead of relying on what can be a complex network of bilateral or multilateral agreements.]

Expected generated EU added value (ex-post) [The enhanced operational capacity of ELA will further facilitate the fair and effective application of Union law in the field of labour mobility. It will improve the more targeted information provision to employers and individuals, including third-country nationals, it will improve the data collection and handling capacities of ELA to enable evidence-based and risk-based inspections, and finally, it will simplify the ELA mediation procedure to resolve disputes on EU labour mobility between Member States.]

1.5.3. Lessons learned from similar experiences in the past

The proposal builds on the recent ELA evaluation which found that ELA has addressed a previously unmet need for support in the implementation of EU labour mobility policies and also identified weaknesses in the current Regulation that can only be addressed with a revision of the mandate.

The proposal also takes account of the lessons learned from the Posting implementation report of 2024, as well as from the most recent EURES biennial report published in 2025.

Recommendations and lessons learned from the 2024 joint evaluation report of the other four decentralised agencies in the field of employment and social affairs have also been taken into account.

1.5.4. Compatibility with the multiannual financial framework and possible synergies with other appropriate instruments

ELA will be strengthened to improve access to, and quality of, information and support in cross border labour mobility situations, so that individuals, intra EU mobile workers (including cross border workers), third country nationals, and employers are better able to exercise their rights and comply with their obligations. While doing so, the Authority will also cooperate and promote synergies with other Union services such as the Your Europe portal, the European Network of Public Employment Services (PES) and Solvit, as well as with relevant national services such as the bodies to promote equal treatment and to support Union workers and members of their family, designated by Member States under Directive 2014/54/EU.

With the simplification of its mediation procedure, ELA will aim to reduce the number of cross-border disputes by improving the effectiveness of the mediation function. ELA will maintain a strong operational cooperation with the Administrative Commission for the coordination of social security systems.

ELA will support and where needed seek synergies with other ongoing initiatives in the field of labour mobility such as the EU Talent Pool for TCNs, and the upcoming ESSPASS initiative.

Finally, the Authority will, where possible, further intensify the cooperation with other EU Decentralised Agencies working in related fields, in particular the European Agency for Safety and Health at Work (EU-OSHA), the European Centre for the Development of Vocational Training (Cedefop), the European Training Foundation (ETF), the European Agency for the improvement of living and working conditions (EUROFOUND), European Union Agency for Law Enforcement Cooperation (Europol), and the European Union Agency for Criminal Justice Cooperation (Eurojust).

1.5.5. Assessment of the different available financing options, including scope for redeployment

For the additional tasks, additional resources are necessary for the European Labour Authority, i.e. increasing its subsidy (Title 1 for staff and Title 3 for operational tasks).

1.6. Duration of the proposal/initiative and of its financial impact

☐ **limited duration**

☐ in effect from [DD/MM]YYYY to [DD/MM]YYYY

☐ financial impact from YYYY to YYYY for commitment appropriations and from YYYY to YYYY for payment appropriations.

☒ **unlimited duration**

Implementation with a start-up period from 2028 to 2030,

followed by full-scale operation.

1.7. Method(s) of budget implementation planned[60]

☒ **Direct management** by the Commission

☒ by its departments, including by its staff in the Union delegations;

☐ by the executive agencies

☐ **Shared management** with the Member States

☒ **Indirect management** by entrusting budget implementation tasks to:

☐ third countries or the bodies they have designated

☐ international organisations and their agencies (to be specified)

☐ the European Investment Bank and the European Investment Fund

☒ bodies referred to in Articles 70 and 71 of the Financial Regulation

☐ public law bodies

☐ bodies governed by private law with a public service mission to the extent that they are provided with adequate financial guarantees

☐ bodies governed by the private law of a Member State that are entrusted with the implementation of a public-private partnership and that are provided with adequate financial guarantees

☐ bodies or persons entrusted with the implementation of specific actions in the common foreign and security policy pursuant to Title V of the Treaty on European Union, and identified in the relevant basic act

☐ bodies established in a Member State, governed by the private law of a Member State or Union law and eligible to be entrusted, in accordance with sector-specific rules, with the implementation of Union funds or budgetary guarantees, to the extent that such bodies are controlled by public law bodies or by bodies governed by private law with a public service mission, and are provided with adequate financial guarantees in the form of joint and several liability by the controlling bodies or equivalent financial guarantees and which may be, for each action, limited to the maximum amount of the Union support.

Comments

Direct Management by the Commission is applicable to the tasks related to the implementation of the EURES portal system ownership including its further development and

[60] Details of budget implementation methods and references to the Financial Regulation may be found on the BUDGpedia site: https://myintracomm.ec.europa.eu/corp/budget/financial-rules/budget-implementation/Pages/implementation-methods.aspx.

management. Indirect management is applicable to all the other tasks and will be implemented by ELA.

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

All Union agencies work under a strict monitoring system involving an internal control coordinator, the Internal Audit Service of the Commission, the Management Board, the Commission, the Court of Auditors and the Budgetary Authority. This system is reflected and laid down in the ELA's founding Regulation.

In accordance with the Joint Statement on the EU decentralised agencies (the 'common approach') and the framework financial regulation (2019/715), the annual work programme of the Authority shall comprise detailed objectives and expected results including set up performance indicators. The Authority will accompany its activities included in its working programme by key performance indicators. The activities of the Authority will then be measured against these indicators in the Consolidated Annual Activity Report. The annual work programme shall be coherent with the multi-annual work programme, and both shall be included in an annual single programming document (SPD) which shall be submitted to the European Parliament, the Council and the Commission.

The Management Board of the Authority is responsible for the supervision of the administrative, operational and budgetary efficient management of the Authority.

Every five years (next evaluation to cover 2024-2028) the Commission shall assess the Agency's performance in relation to its objectives, mandate and tasks. The evaluation shall, in particular, address the possible need to modify the mandate of the Agency, and the financial implications of any such modification. The Commission shall report to the European Parliament, the Council and the Management Board on the evaluation findings. The findings of the evaluation shall be made public.

2.2. Management and control system(s)

2.2.1. Justification of the budget implementation method(s), the funding implementation mechanism(s), the payment modalities and the control strategy proposed

The annual EU subsidy is transferred to the Authority in accordance with its payment needs and upon its request.

The Authority is subject to administrative controls including budgetary control, internal audit, annual reports by the European Court of Auditors, the annual discharge for the execution of the EU budget and possible investigations conducted by OLAF to ensure, in particular, that the resources allocated to agencies are put to proper use. The activities of the Authority are also subject to the supervision of the Ombudsman in accordance with Article 228 of the Treaty. These administrative controls provide a number of procedural safeguards to ensure that account is taken of the interests of the stakeholders.

2.2.2. Information concerning the risks identified and the internal control system(s) set up to mitigate them

The main risks relate to under- or non-implementation of the additional tasks foreseen for the Authority in this proposal. In order to mitigate this, enough resources should be made available in both financial and staffing terms.

2.2.3. Estimation and justification of the cost-effectiveness of the controls (ratio between the control costs and the value of the related funds managed), and assessment of the expected levels of risk of error (at payment & at closure)

[…]

[…]

2.3. Measures to prevent fraud and irregularities

Anti-fraud measures are foreseen in Article 37 of the founding Regulation of the European Labour Authority and the Executive Director and the Management Board will take the appropriate measures in accordance with the Internal Control Principles applied across all EU institutions. In line with the Common Approach the anti-fraud strategy has been developed and is applied by the Authority.

In accordance with Regulation (EU) 2017/1939, the European Public Prosecutor's Office (EPPO) may investigate and prosecute fraud and other illegal activities affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371.

The ELA's decisions concerning funding and the implementing agreements and instruments resulting therefrom shall explicitly stipulate that the Court of Auditors and OLAF may carry out, if necessary, on-the-spot checks of the recipients of the Authority's funding and the agents responsible for allocating it.

If ELA concludes working arrangements with third countries and with international organisations, grant agreements, grant decisions and contracts, these shall contain provisions expressly empowering the Court of Auditors, OLAF and EPPO to conduct such audits and investigations, in accordance with their respective competences.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

The estimated impact on expenditure and staffing for 2028 and beyond is added for illustrative purposes only and does not pre-judge the next Multiannual Financial Framework. The source of financing and scope of Union financial commitment in the post-2027 period remain subject to the outcome of interinstitutional negotiations on the MFF 2028-2034 and thereafter shall be determined through the annual budgetary procedure. All appropriations and staffing allocations as of 2028 are indicative.

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework 2028-2034	Budget line	Type of expenditure	Contribution – to be determined at a later stage, upon adoption of the next MFF 2028-2034			
	Number	Diff./Non-diff.[61]	from EFTA countries 62	from candidate countries and potential candidates 63	From other third countries	other assigned revenue
1	European Labour Authority (successor of [07 10 09)]	Diff./~~Non-diff.~~	YES/~~NO~~	YES/NO	YES/NO	~~YES~~/NO
1	EU Facility (successor of [07 02 04)]	Diff./~~Non-diff.~~	YES/~~NO~~	YES/NO	YES/NO	~~YES~~/NO

61 Diff. = Differentiated appropriations / Non-diff. = Non-differentiated appropriations.
62 EFTA: European Free Trade Association.
63 Candidate countries and, where applicable, potential candidates from the Western Balkans.

3.2. Estimated financial impact of the proposal on appropriations

3.2.1. Summary of estimated impact on operational appropriations

☐ The proposal/initiative does not require the use of operational appropriations

☒ The proposal/initiative requires the use of operational appropriations, as explained below

3.2.1.1. Appropriations from voted budget

EUR million (to three decimal places)

Heading of multiannual financial framework	Number	1 – Economic, social and territorial cohesion, agriculture, rural and maritime prosperity and security

DG: EMPL			Year **2028**	Year **2029**	Year **2030**	Year **2031**	Year **2032**	Year **2033**	Year **2034**	**TOTAL MFF 2028-2034**
Operational appropriations										
Budget line: EU Facility (successor of 07 02 04)	Commitments	(1a)	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	**p.m.**
	Payments	(2a)	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	**p.m.**
Administrative appropriations[64]										
Budget line		(3)	**n.a.**	**n.a.**	**n.a.**	**n.a.**	**n.a.**	**n.a.**	**n.a.**	**0**
TOTAL appropriations for DG EMPL	Commitments	=1a+1b+3	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**
	Payments	=2a+2b+3	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**

EUR million (to three decimal places)

[64] Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former 'BA' lines), indirect research, direct research.

[Agency]: European Labour Authority	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028-2034
Budget line: 07 10 09 / EU Budget contribution to the agency	1.677	3.354	5.920	8.512	8.512	8.512	8.512	**44.999**

The amount of appropriations to be allocated to the agency in the next MFF is indicative and subject to the agreement on the MFF. It should be integrated into the Agency's subsidy due to the permanent nature of the tasks allocated by this proposal and will be compensated, if relevant, by an equivalent reduction of a relevant programme envelope under the same MFF heading. If a compensatory reduction is needed, the resources allocated to the Agency may also need to be revised through the annual budgetary procedure.

			Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028-2034
TOTAL operational appropriations (including contribution to decentralised agency)	Commitments	(4)	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**
	Payments	(5)	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**
TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)	0	0.000	0.000	0.000	0.000	0.000	0.000	0.000
TOTAL appropriations under HEADING 1 of the multiannual financial framework	Commitments	=4+6	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**
	Payments	=5+6	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**

Heading of multiannual financial framework	4	'Administrative expenditure'[65]

DG: EMPL		Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028-2034
• Human resources		p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
• Other administrative expenditure		0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
TOTAL DG EMPL	Appropriations	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

TOTAL appropriations under HEADING 4 of the multiannual financial framework	(Total commitments = Total payments)	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

65 The necessary appropriations should be determined using the annual average cost figures available on the appropriate BUDGpedia webpage.

EUR million (to three decimal places)

		Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL MFF 2028-2034
TOTAL appropriations under HEADINGS 1 to 4	Commitments	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**
of the multiannual financial framework	Payments	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**	**p.m.**

3.2.3. Summary of estimated impact on administrative appropriations

☐ The proposal/initiative does not require the use of appropriations of an administrative nature

☒The proposal/initiative requires the use of appropriations of an administrative nature, as explained below

3.2.3.1. Appropriations from voted budget

VOTED APPROPRIATIONS	Year **2028**	Year **2029**	Year **2030**	Year **2031**	Year **2032**	Year **2033**	Year **2034**	**TOTAL 2028 - 2034**
HEADING 4								
Human resources	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Subtotal HEADING 4	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
Outside HEADING 4								
Human resources	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Subtotal outside HEADING 4	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**
TOTAL	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

3.2.3.3. *Total appropriations*

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL 2028 - 2034
HEADING 4								
Human resources	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
Other administrative expenditure	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Subtotal HEADING 4	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
Outside HEADING 4								
Human resources	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Other expenditure of an administrative nature	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Subtotal outside HEADING 4	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**	**0.000**
TOTAL	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

3.2.4. *Estimated requirements of human resources*

☐ The proposal/initiative does not require the use of human resources

☒ The proposal/initiative requires the use of human resources, as explained below

3.2.4.1. *Financed from voted budget*

Estimate to be expressed in full-time equivalent units (FTEs)[66]

VOTED APPROPRIATIONS		Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034
• Establishment plan posts (officials and temporary staff)								
20 01 02 01 (Headquarters and Commission's Representation Offices)		p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
20 01 02 03 (EU Delegations)		0	0	0	0	0	0	0
(Indirect research)		0	0	0	0	0	0	0
(Direct research)		0	0	0	0	0	0	0
Other budget lines (specify)		0	0	0	0	0	0	0
• External staff (in FTEs)								
20 02 01 (AC, END from the 'global envelope')		0	0	0	0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)		0	0	0	0	0	0	0
Admin. Support line [XX.01.YY.YY]	- at Headquarters	0	0	0	0	0	0	0
	- in EU Delegations	0	0	0	0	0	0	0
(AC, END - Indirect research)		0	0	0	0	0	0	0

66 Please specify below the table how many FTEs within the number indicated are already assigned to the management of the action and/or can be redeployed within your DG and what are your net needs.

(AC, END - Direct research)	0	0	0	0	0	0	0
Other budget lines (specify) - Heading 4	0	0	0	0	0	0	0
Other budget lines (specify) - Outside Heading 4	0	0	0	0	0	0	0
TOTAL	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

3.2.4.3. Total requirements of human resources

TOTAL VOTED APPROPRIATIONS + EXTERNAL ASSIGNED REVENUES	Year **2028**	Year **2029**	Year **2030**	Year **2031**	Year **2032**	Year **2033**	Year **2034**
• Establishment plan posts (officials and temporary staff)							
20 01 02 01 (Headquarters and Commission's Representation Offices)	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
20 01 02 03 (EU Delegations)	0	0	0	0	0	0	0
(Indirect research)	0	0	0	0	0	0	0
(Direct research)	0	0	0	0	0	0	0
Other budget lines (specify)	0	0	0	0	0	0	0
• External staff (in full time equivalent units)							
20 02 01 (AC, END from the 'global envelope')	0	0	0	0	0	0	0
20 02 03 (AC, AL, END and JPD in the EU Delegations)	0	0	0	0	0	0	0
Admin. Support line - at Headquarters	0	0	0	0	0	0	0
[XX.01.YY.YY] - in EU Delegations	0	0	0	0	0	0	0
(AC, END - Indirect research)	0	0	0	0	0	0	0
(AC, END - Direct research)	0	0	0	0	0	0	0
Other budget lines (specify) - Heading 4	0	0	0	0	0	0	0
Other budget lines (specify) - Outside Heading 4	0	0	0	0	0	0	0
TOTAL	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

The staff required to implement the proposal (in FTEs):

	To be covered by current staff available in the Commission services	**Exceptional additional staff***		
		To be financed under Heading 4	**To be financed from BA line**	**To be financed from fees**

Establishment plan posts	0	p.m.	N/A	N/A
External staff (CA, SNEs, INT)	0	N/A	N/A	N/A

3.2.7. Third-party contributions

The proposal/initiative:

– ☐ does not provide for co-financing by third parties

– ☒ provides for the co-financing by third parties estimated below:

This proposal is EEA relevant and might be open to candidate countries and potential candidate countries.

Appropriations in EUR million (to three decimal places)

	Year **2028**	Year **2029**	Year **2030**	Year **2031**	Year **2032**	Year **2033**	Year **2034**	Total
Specify the co-financing body *(EEA EFTA countries, (potential) candidate countries)*	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.
TOTAL appropriations co-financed	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.	p.m.

3.2.8. Estimated human resources and the use of appropriations required in a decentralised agency

Staff requirements (full-time equivalent units)

Agency: ELA	Year **2028**	Year **2029**	Year **2030**	Year **2031**	Year **2032**	Year **2033**	Year **2034**
Temporary agents (AD Grades)	1	2	4	8	8	8	8
Temporary agents (AST grades)	0	0	0	0	0	0	0
Temporary agents (AD+AST) subtotal	1	2	4	8	8	8	8
Contract agents	1	2	3	4	4	4	4
Seconded national experts	10	20	27	27	27	27	27

Contract agents and seconded national experts subtotal	11	22	30	31	31	31	31
TOTAL staff	**12**	**24**	**34**	**39**	**39**	**39**	**39**

Three FTEs (2 AD and 1 AST) are redeployed internally, corresponding to the tasks for which ELA is no longer reponsible, i.e. the business ownership of EURES (1 AD and 1 AST) and the EURES helpdesk (1 AD). This is already reflected in the table above.

Appropriations covered by the EU budget contribution in EUR million (to three decimal places)

Agency: <…….>	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL 2028 - 2034
Title 1: Staff expenditure	1.177	2.354	3.420	4.172	4.172	4.172	4.172	**23.639**
Title 2: Infrastructure and operating expenditure								**0.000**
Title 3: Operational expenditure	0.500	1.000	2.500	4.340	4.340	4.340	4.340	**21.360**
TOTAL of appropriations covered by the EU budget	**1.677**	**3.354**	**5.920**	**8.512**	**8.512**	**8.512**	**8.512**	**44.999**

Overview/summary of human resources and appropriations (in EUR million) required by the proposal/initiative in a decentralised agency

Agency: **ELA**	Year 2028	Year 2029	Year 2030	Year 2031	Year 2032	Year 2033	Year 2034	TOTAL 2028 - 2034
Temporary agents (AD+AST)	1	2	4	8	8	8	8	-
Contract agents	1	2	3	4	4	4	4	-
Seconded national experts	10	20	27	27	27	27	27	-
Total staff	12	24	34	39	39	39	39	-
Appropriations covered by the EU budget	**1.677**	**3.354**	**5.920**	**8.512**	**8.512**	**8.512**	**8.512**	**44.999**
Appropriations covered by fees (if applicable)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
Appropriations co-financed (if applicable)	0.000	0.000	0.000	0.000	0.000	0.000	0.000	**0.000**
TOTAL appropriations	**1.677**	**3.354**	**5.920**	**8.512**	**8.512**	**8.512**	**8.512**	**44.999**

4. DIGITAL DIMENSIONS

4.1. Requirements of digital relevance

If the policy initiative is assessed as having no requirement of digital relevance:

Justification of why digital means cannot be used to enhance policy implementation and why the 'digital by default' principle is not applicable

Otherwise:

High-level description of the requirements of digital relevance and related categories (data, process digitalisation & automation, digital solutions and/or digital public services)

In the table below, section "Reference to the requirement":

- "ELA" refers to Regulation (EU) 2019/1149
- "EURES" refers to Regulation (EU) 2016/589

Reference to the requirement	Requirement description	Actors affected or concerned by the requirement	High-level Processes	Categories
ELA-Art. 9 (6a)	The European Labour Authority shall establish and operate a F system with the following functions: (a) support the management of concerted and joint inspections supported by the Authority, in particular by managing information workflows and by supporting investigative work in cross-border cases; (b) ensure secure access to information on concerted and joint inspections; (c) allow for the cross-border referencing of information and the extraction of data for operational analysis and statistical purposes; (d) facilitate monitoring to ensure that the processing of personal data complies with the relevant provisions of Chapter IIIa of this Regulation and of	European Labour Authority; participating Member States;	Case workflow management; investigative support; secure access; analytics/statistics; data-protection monitoring	Data; Digital solution; Process digitalisation; Digital public service

Reference to the requirement	Requirement description	Actors affected or concerned by the requirement	High-level Processes	Categories
	Regulation (EU) 2018/1725.			
ELA-Art. 10 (4)	The Authority shall, where appropriate, collect statistical data compiled and provided by Member States in the areas within the scope set out in Article 1. In doing so, the Authority shall seek to streamline current data collection activities in those areas to avoid duplication of data collection. Where relevant, Article 15 shall apply.	Authority; Member States; Commission (Eurostat)	Statistical & operational data collection; analytics; operational risk analysis; peer reviews	Data; Process digitalisation
ELA-Art. 23a	The European Labour Authority shall be able to collect, store, process, analyse and exchange operational information (including personal data) for the tasks defined in Articles 5, 7, 8, 9, 10, 11, 12 and 13. To this end, the Authority might conclude dedicated data-sharing arrangements, and connect to relevant Union information exchange systems and databases under the conditions of Articles 23b, 23c and 23d	European Labour Authority; Union institutions/bodies; Member States	Collection, storage, processing, analysis and exchange of operational information	Data; Digital public service
ELA-Art. 23b	The exchange of information between the Authority and the competent authorities of the Member States for the purposes of the Authority's tasks of coordinating and supporting concerted and joint inspections as well as carrying out analyses and risk assessment, shall also be carried out through the Internal Market Information System (IMI) established by Regulation (EU) No 1024/2012.	European Labour Authority; Member States; European Commission	Operational information exchange via IMI	Digital public service; Data

Reference to the requirement	Requirement description	Actors affected or concerned by the requirement	High-level Processes	Categories
ELA-Art.23c	The Authority shall be granted user access to the relevant functions of the European Register of Road Transport Undertakings (ERRU) established by Regulation (EC) No 1071/2009, for the purposes of the Authority's tasks of coordinating and supporting concerted and joint inspections as well as carrying out analyses and risk assessment	European Labour Authority; Member States; European Commission	Operational information exchange via ERRU	Digital public service; Data
ELA-Art. 23d	Where necessary for the purposes of specific tasks, the Authority shall have access to the following information: - data on the use of administrative cooperation procedures in IMI which cover the exchange of information concerning the application and enforcement of Union acts referred to in Article 1; - the information submitted to Member States in the posting declarations in the public interface connected to IMI pursuant to Regulation (EU) 2026/XXX and Directive (EU) 2020/1057; - data on the use of the EESSI and ERRU systems.	European Labour Authority (authorised staff); Member States; Commission services	Controlled access to usage data with safeguards	Data; Digital Solution; Process digitalisation
EURES – Art. 19 (3, 3a)	3. For the purpose of automated matching through the common IT platform, the Commission shall in cooperation with Member States, map national, regional and sectoral classifications to and from the European classification and,			

Reference to the requirement	Requirement description	Actors affected or concerned by the requirement	High-level Processes	Categories
	following the update of the list of skills, competences and occupations, regularly update the mapping tables tin line with the evolution of recruitment services. 3a. The mapping tables referred to in paragraph 3 shall be used for automatic transcoding of information on job vacancies or job seeker profiles for the purpose of automated matching through the common IT platform. The Commission shall support Member States in order to ensure that any codes of their national, regional and sectoral classifications in job vacancies and job seeker profiles under Article 17(1) are replaced or complemented by the corresponding codes of the European classification before making job vacancies and job seekers profiles available to the EURES portal.			
EURES – Art. 19 (2)	The Commission regularly updates the European classification (ESCO) and ensures the automatic implementation of its latest version; ownership of the correspondence/mapping tables shifts from the Member States to the Commission.	European Commission; Member States.	Automatic implementation of the latest ESCO version; centralised maintenance of correspondence tables	Data; Digital solution; Process digitalisation; Digital public service
EURES – Art. 32	The amended EURES Article 32 introduces data collection and reporting linked to the Single Digital Gateway (Regulation (EU) 2018/1724).	European Commission; Member States.	Data collection and reporting linked to the Single Digital Gateway	Data; Digital public service

4.2. Data

High-level description of the data in scope

Type of data	**Reference to the requirement(s)**	**Standard and/or specification (if applicable)**
Information on concerted and joint inspections	ELA-Art. 9 (6a), ELA-Art. 23b, ELA-Art. 23c	Case-management data model; CJI templates and guidelines; EUDPR (Reg. (EU) 2018/1725)
Statistical data within the scope set out in Art. 1	ELA-Art. 10	Common statistical indicators and formats; coordination with Eurostat
Operational information (including personal data) needed for tasks defined in Articles 5, 7, 8, 9, 10, 11, 12 and 13.	ELA-Art. 23a	EUDPR (Reg. (EU) 2018/1725); dedicated data-sharing arrangements (Art. 23a)
Data for analysis and risk assessment	ELA-Art. 23b, ELA-Art. 23c	Structured data exchanged via IMI (Reg. (EU) 1024/2012) and ERRU (Reg. (EC) No 1071/2009)
Data on the use of administrative cooperation procedures in IMI which cover the exchange of information concerning the application and enforcement of Union acts referred to in Article 1 and data on the use of the EESSI and ERRU	ELA-Art. 23d	IMI, EESSI, ERRU usage data (Reg. (EU) 1024/2012, Reg. (EC) No 987/2009, Reg. (EC) No 1071/2009); access safeguards under Art. 23d

systems		
Mapping tables, mapping national, regional and sectoral classifications to and from the European classification (ESCO)	EURES-Art 19(3 and 3a)	ESCO; common technical standards and formats for mapping tables
European classification (ESCO) latest version and correspondence tables	EURES-Art. 19(2)	ESCO; common technical standards and formats
EURES data collection and reporting linked to the Single Digital Gateway	EURES-Art. 32	Single Digital Gateway (Reg. (EU) 2018/1724) reporting

Alignment with the European Data Strategy

Explanation of how the requirement(s) are aligned with the European Data Strategy

The processing of personal data by the Authority must comply with Regulation (EU) 2018/1725 (EUDPR). Article 36(2) establishes the organisational framework for the compliance with the obligations laid down in that Regulation, in particular the appointment of a Data Protection Officer for the Authority.

Alignment with the once-only principle

Explanation of how the once-only principle has been considered and how the possibility to reuse existing data has been explored

Once-only principle is not strictly applicable in this context as most data flows involve exchanges between public administrations rather than direct citizen/business-to-administration exchanges. Two flows do involve businesses/individuals - the posting declarations submitted by undertakings via the public interface connected to IMI (Art. 23d(1)(b)) and the CVs submitted by EURES workers (EURES Art. 17); as these data flows already exist, they do not need to be re-assessed against the once-only principle. However, the related reuse principle is applied: the Authority reuses existing Union systems and data (IMI, ERRU, EESSI) and existing statistical surveys rather than creating new collections, thereby avoiding duplication (Art. 10, 23a-23d).

Explanation of how newly created data is findable, accessible, interoperable and reusable, and meets high-quality standards

Some newly created data is foreseen: the case management system (Art. 9(6a)) generates new workflow, case and inspection-report data, and the EURES correspondence/mapping tables (Art. 19) are newly created and maintained. This data is kept findable and accessible to authorised users, interoperable (common data models; ESCO and common technical standards/formats for the mapping tables) and reusable within the limits of the applicable data-protection safeguards (EUDPR). Other operational data is collected and aggregated from existing sources. Data quality, semantic interoperability (ESCO for the EURES component) and EUDPR/GDPR safeguards apply; personal data are not made openly findable or reusable beyond the defined purposes.

Data flows

High-level description of the data flows

Type of data	**Reference(s) to the requirement (s)**	**Actors who provide the data**	**Actors who receive the data**	**Trigger for the data exchange**	**Frequency (if applicable)**
Information on concerted and joint inspections	• ELA-Art. 9 (6a), • ELA-Art. 23b, • ELA-Art. 23c	Member States	ELA	Where relevant in connection with the execution of inspections	As inspections occur
Statistical data within the scope set out in Art. 1	• ELA-Art. 10	Member States	ELA	Collection of statistical data by ELA	Periodic
Operational information (including personal data) needed for tasks defined in Articles 5, 7, 8, 9, 10, 11, 12 and 13.	• ELA-Art. 23a	Member States	ELA	Where relevant and needed, during execution of tasks defined in Articles 5, 7, 8, 9, 10, 11, 12 and 13.	As needed
Data for analysis and risk assessment	• ELA-Art. 23b, ELA-Art. 23c	Member States	ELA	Collection of data by ELA for analysis and risk	Periodic

				assessment	
Data on the use of IMI, ERRU, EESSI concerning the application and enforcement of Union acts referred to in Article 1	• ELA-Art. 23d	IMI, ERRU, EESSI	ELA	Where requested by ELA	On request
Statistical data shared with Eurostat	• ELA-Art. 10(4)	ELA	European Commission (Eurostat)	Sharing of data-collection results	Periodic
Anonymised data in the mediation procedure	• ELA-Art. 13(8)	Member States	ELA	Presentation of a mediation case	Per case
Data shared under inter-agency cooperation agreements	• ELA-Art. 14; 23a(2)	Union agencies/bodies; ELA	ELA; Union agencies/bodies	Cooperation agreements	As agreed
Posting declarations submitted by undertakings (via the public interface connected to IMI)	• EA-Art.23d(1)(b)	Undertakings/Member States (public interface to IMI)	ELA	Submission of posting declaration	Continuous
European classification (ESCO) and correspondence tables	• EURES-Art.19(2)	European Commission	Member States / EURES Portal	Update of ESCO / correspondence tables	On update

4.3. Digital solutions

High-level description of digital solutions

Digital solution	Reference(s) to the requirement (s)	Main mandated functionalities	Responsible body	How is accessibility catered for?	How is reusability considered?	Use of AI technologies (if applicable)
ELA Case management system	ELA-Art. 9 (6a)	(a) Support the management of concerted and joint inspections supported by the Authority, in particular by managing information workflows and by supporting investigative work in cross-border cases; (b) Ensure secure access to information on concerted and joint inspections; (c) Allow for the cross-border referencing of information and the extraction of data for operational analysis and statistical purposes; (d) Facilitate monitoring to ensure that the processing of personal data complies with the	ELA	Staff-facing system; web accessibility per the Europa Web Guide / Directive (EU) 2016/2102 (WCAG), as far as applicable; authentication via EU Login.	EU Login will be reused for authentication. System to be used for exchanges of information between ELA and Member States only where exchanges cannot be carried out through the IMI system	No AI functionality is foreseen at this stage; should AI be introduced (e.g. for case analytics), it would be assessed under the AI Act with human oversight retained.

		relevant provisions of Chapter IIIa of this Regulation and of Regulation (EU) 2018/1725.				
EURES	EURES-Art 19(3 and 3a)	New functionality to be added to existing EURES system: creation, update and maintenance of mapping tables from national classification systems to ESCO.	European Commission	Already catered in current version of EURES	No changes from an accessibility perspective.	None from this change; any AI enhancement of matching would fall under the AI Act.
EURES common IT platform (EURES portal) - system ownership transferred to the Commission	ELA-Art. 6	Operation of the EURES portal and automated matching; automatic implementation of the latest ESCO version; centralised maintenance of correspondence tables	European Commission	Existing accessible EU platform	Reuses the existing EURES portal and ESCO	Automated matching (rule-based); Any AI enhancement would fall under the AI Act

For each digital solution, explanation of how the digital solution complies with applicable digital policies and legislative enactments

ELA Case management system

Digital and/or sectorial policy (when these are applicable)	**Explanation on how it aligns**
AI Act	No use of AI foreseen.
EU Cybersecurity framework	The system must comply with Commission IT-

	security standards and ELA security rules (Art. 38); authentication via EU Login. The case management system processes personal data, including data on administrative/criminal investigations and third-country nationals; it must therefore align with the EU cybersecurity framework - the NIS2 Directive (EU) 2022/2555 and the Cybersecurity Act (Reg. (EU) 2019/881) as applicable - and with the Commission's IT-security rules, in coordination with DG CNECT. Security-by-design, encryption, access control, logging and vulnerability management apply.
eIDAS	Alignment with eIDAS regulation will be relevant in the context of digital signatures to be applied to CJI agreements.
Single Digital Gateway and IMI	ELA could use IMI, as indicated in Art. 23b, to exchange data relevant to concerted and joint inspections with Member States.
Others	EUDPR (Reg. (EU) 2018/1725) with Data Protection Officer oversight (Art. 36(2)); Interoperable Europe / EIF & EIRA (Art. 15); Web Accessibility Directive (EU) 2016/2102; EU Login for authentication.

EURES

Digital and/or sectorial policy (when these are applicable)	**Explanation on how it aligns**
AI Act	Use of AI not foreseen.
EU Cybersecurity framework	The changes to EURES will not have an impact from a cybersecurity perspective.
eIDAS	No changes are foreseen in this regard.
Single Digital Gateway and IMI	Not applicable to the EURES change (mapping tables). The amended EURES Art. 32 introduces data collection and reporting linked to the Single Digital Gateway (Reg. (EU) 2018/1724); EURES relies on its own common IT platform and single coordinated channel.
Others	GDPR (Reg. (EU) 2016/679) for EURES personal data; ESCO and technical standards/formats (Art. 17(8)); Web Accessibility Directive (EU) 2016/2102

4.4. Interoperability assessment

High-level description of the digital public service(s) affected by the requirements

Digital public service or category of digital public services	Description	Reference(s) to the requirement(s)	Interoperable Europe Solution(s)	Other interoperability solution(s)
Case management for concerted and joint inspection service	Service to support the management and follow-up of cross-border concerted and joint inspections. It will be implemented through the case management solution.	• ELA-Art. 9 (6a)	EU Login; eSignature / eIDAS building block; (potential) European Interoperability Architecture Reference (EIRA).	• EU login for authentication
Data collection and processing service	Service to collect data from existing information systems and/or databases in the Member States to support the tasks of ELA	• ELA-Art. 10 • ELA-Art. 23a • ELA-Art. 23b • ELA-Art.23c • ELA-Art. 23d	IMI; EESSI; ERRU; Interoperable Europe / EIRA (Decision (EU) 2015/2240)	• IMI and ERRU might be used to exchange information with Member States in this context
Automated job matching service	Service to match jobseekers' profiles with job vacancies.	• EURES – Art. 19 (3 and 3a)	ESCO; EURES portal; EU Login	• The service is offered by the EURES system.
EURES cross-border matching/portal service	Service providing the EURES portal and single coordinated channel, with automated matching using ESCO; System ownership transferred to the Commission	• ELA-Art. 6; EURES-Art. 19	ESCO; EURES portal	• EU Login; Single Coordinated Channel

Impact of the requirement(s) as per digital public service on cross-border interoperability

Case management for concerted and joint inspection service

Assessment	Measure(s)	Potential remaining barriers (if applicable)
Alignment with existing digital and sectorial policies **Please list the applicable digital and sectorial policies identified**	• The system will support the digital signature of CJI agreements. Alignment with eIDAS regulation will need to be analysed in this context.	
Organisational measures for a smooth cross-border digital public services delivery **Please list the governance measures foreseen**	• ELA is the owner of the system. ELA will be responsible for its development (using contractors). ELA is and will continue consulting MSs via WG Inspections on the development of the system. • MSs will decide which authorities/persons will have access to the system; ELA will have to always approve it.	
Measures taken to ensure a shared understanding of the data **Please list such measures**	• The service will be based on the CJI process (and templates) as stipulated in the CJI Guidelines. It is destined to ensure sharing information/documents between ELA and specific MSs that are involved in a specific case (CJI).	
Use of commonly agreed open technical specifications and standards **Please list such measures**	• As mentioned in ELA-Art.23b, IMI can be used to exchange data between ELA and competent authorities in the MSs, for tasks related to joint inspections, data analysis and risk assessment. Case management system to	

	be used for exchanges only where they cannot be carried out through the IMI system. EU Login is reused for user authentication.	

Data collection and processing service

Assessment	Measure(s)	Potential remaining barriers (if applicable)
Alignment with existing digital and sectorial policies **Please list the applicable digital and sectorial policies identified**	• As personal data is concerned, the data shared by Member States with ELA will fall into the scope of Regulation (EU) 2018/1725 (EUDPR)	-
Organisational measures for a smooth cross-border digital public services delivery **Please list the governance measures foreseen**	• As mentioned in different articles, the regulation sets the legal base to ensure that ELA has access to the information needed to fulfil its tasks (e.g. in relevant Union information exchange systems, in IMI, etc.).	-
Measures taken to ensure a shared understanding of the data **Please list such measures**	Common data models for operational data; EESSI structured electronic documents; ESCO for classification where relevant.	-
Use of commonly agreed open technical specifications and standards **Please list such measures**	• As mentioned in ELA-Art.23b, IMI can be used to exchange data between ELA and competent authorities in the MSs, for tasks related to joint inspections, data analysis and risk assessment.	-

Automated job matching service

Assessment	Measure(s)	Potential remaining barriers (if applicable)
Alignment with existing digital and sectorial policies **Please list the applicable digital and sectorial policies identified**	ESCO and EURES technical standards and formats (Art. 17(8),); Interoperable Europe / EIF; automatic implementation of the latest ESCO version (Art. 19(2)).	-
Organisational measures for a smooth cross-border digital public services delivery **Please list the governance measures foreseen**	• As mentioned in Article 19, the Commission should work in cooperation with Member States in defining the mapping tables from national, regional and sectoral classification to ESCO. • As mentioned in Art. 19, "*the Commission shall support Member States in order to ensure that any codes of their national, regional and sectoral classifications in job vacancies and job seeker profiles under Article17(1) are replaced or complemented by the corresponding codes of the European classification before making job vacancies and job seekers profiles available to the EURES portal*".	-
Measures taken to ensure a shared understanding of the data **Please list such measures**	• Creation of mapping tables in accordance with common technical standards and formats. These standards and formats will cover the information to be included in the mapping tables and a syntax to express this set of information.	-

Use of commonly agreed open technical specifications and standards **Please list such measures**	• As mentioned above, standards and technical specifications will be created for the mapping tables.	-

4.5. Measures to support digital implementation

High-level description of measures supporting digital implementation

Description of the measure	**Reference(s) to the requirement(s)**	**Commission role** (if applicable)	**Actors to be involved** (if applicable)	**Expected timeline** (if applicable)
Data-sharing arrangements under Chapter IIIa	ELA-Art. 23a		ELA; Member States; Union bodies	As needed
Designation of the ELA Data Protection Officer and EUDPR-compliance measures	ELA-Art. 36(2)		Management Board; ELA DPO	Upon entry into application
ICT procurement for the case management system and EURES portal adaptations	ELA-Art. 6, 9(6a); EURES-Art. 19	Procurement/ supervisory	Commission; ELA; contractors	
Stakeholder engagement and capacity building (WG Inspections; EURES Coordination Group; Member States Working Group on ESCO)	ELA-Art.8, 9; EURES-Art.14, 19	Facilitation	Commission; ELA; Member States	Ongoing
Policy-implementation pilots, sandboxing and feedback mechanisms for the digital tools	ELA-Art. 9(6a); EURES-Art. 19	Support	Commission; ELA; Member States	During delivery phases
Awareness-raising campaigns and work-programme integration (ELA multiannual work programme; EURES strategy 2030)	ELA-Art. 24; EURES	Support	Commission; ELA; Member States;	Annual/multi-annual