

Welcome to the 2nd edition of the ELA Newsletter

I am delighted to share with you the second sample of our activities contributing to effective and fair labour mobility in the EU, covering the period from April 2023 to June 2023. We are still growing, but we are now at almost full operational capacity, trying to strengthen our practical support. Our goal is the same: to improve the situation on the ground for the benefit of individuals, workers, and employers to exercise the freedoms granted by the Single Market.

Cosmin Boiangiu, ELA Executive Director



Upcoming events: June 2023 – November 2023

- 20 June 2023, [ELA Annual Conference 2023](#);
- 20-21 June 2023, Training on Document Fraud;
- 21-22 June 2023, Workshop on E-services: digital solutions to tackle undeclared work;
- 6 July 2023, Webinar Potential implications of the cost-of-living crisis on the risk of undeclared work;
- September 2023, Launch of the ELA analytical report on the construction sector;
- 20 September 2023, Employment Agencies event in the European Parliament;
- 18 October 2023, 8th ELA Stakeholder Group meeting;
- 19 October 2023, Workshop on European Register on Road Transport Undertaking;
- 16-22 October 2023, Week of Action: Construction;
- 25-26 October 2023, ELA Forum on the Posting of Workers;
- 6-7 November 2023, ELA TECH Conference 2023;
- 14-15 November 2023, 14th ELA Management Board meeting.

Report on the Posting of Third Country Nationals was published

On 25 April 2023, ELA published a Report on the [Cooperation Practices, Possibilities and Challenges between Member States, Specifically in Relation to the Posting of Third-Country Nationals](#). It provides practitioners from Member States, social partners, and experts with a better understanding of the legal framework applicable to the posting of third-country

nationals. It presents conclusions and operational guidelines on how to address the main challenges in relation to the posting of Third-Country Nationals. The posting of third-country nationals is a growing phenomenon of labour mobility alongside the traditional avenues of migration to and between EU Member States. On 24 May 2023, following the

conclusions of the Forum on Posting of Workers to have a more in-depth discussion on the topic, ELA organised a Workshop on the posting of third-country nationals. It was the first activity in the frame of the Posting 360 programme devoted to this topic.

EMPACT Meeting

On 20-21 April 2023, ELA organised in Paris the [EMPACT Analytical Meeting on Labour Exploitation](#), in close collaboration with the Netherlands' Labour Authority and France's Gendarmerie Nationale. The event attended by 60 representatives of labour inspectorates and law enforcement authorities, provided a platform for sharing knowledge on national approaches to address labour exploitation and trafficking in human beings, with a focus on the analytical aspects.

Week of Action in the construction sector

In line with the ELA Annual Work Programme, the construction sector is a priority for ELA in 2023. ELA supported and coordinated [the first week of action in the construction sector](#), with 10 cross-border joint inspections conducted from 24 to 30 April. During this week, 25 construction sites were inspected and over 136 companies were checked. This Week of Action involved 258 control officers. During the Week of Action, ELA distributed a leaflet on the posting of workers. We will maintain close cooperation with Member States and social partner organisations to identify possible cases for increasing targeted inspections, requiring cross-border cooperation.

Aviation Workshop

The Aviation Workshop, organised by ELA on 18 April 2023, brought together representatives of academia and sectoral social partner organisations to present their views on the trends, challenges and specificities of the labour mobility rules in the aviation sector applicable to flying personnel.

The fruitful discussion showed that the international nature of the aviation sector combined with the high mobility of flying personnel makes the practical application of labour mobility a complex matter.

Diverse views were presented on the application of the posting of workers rules in aviation, use of labour market intermediaries, bogus self-employment,

Social partners identified several areas, where ELA can provide its operational support, including the need for enhanced cooperation, the need to strengthen the enforcement actions in this sector or the need for specific trainings for labour inspectors.



Tackling Undeclared Work

During the last Plenary meeting of the Platform tackling undeclared work, ELA launched two videos covering a [holistic approach](#) and [inspiring practices](#). On 16 April 2023, the Platform examined social/labour ID cards as a tool to tackle undeclared work. Participants shared their experience on the implemented ID cards, the challenges involved, what works and what does not work, and identified good practices on the use of social/labour ID cards. The seminar dedicated to tackling undeclared work also looked beyond the social ID cards to other tools and practices to fight undeclared work.

Training Programme on Basics on EU Labour Mobility

On 10-12 May 2023, ELA organised the second edition of the *Training Programme - Basics on EU Labour Mobility* in Valletta (Malta), targeted at junior officials and stakeholders from all the Member States working in the area of EU labour mobility.

This three-day training provided an opportunity for participants to develop their knowledge and their

understanding of key topics and issues related to EU Labour Mobility.

The training included practical examples on different topics, such as the most usual challenges and references to recent case law and good practices, and discussions in smaller groups guided by high-level experts in the field of EU Labour Mobility.

It also included a study visit to the Malta Public Service Expo 2023, focused on the public administration's latest trends, technologies, and methodologies.

Workshop Artificial Intelligence and algorithms in risk assessment: addressing bias and other ethical issues

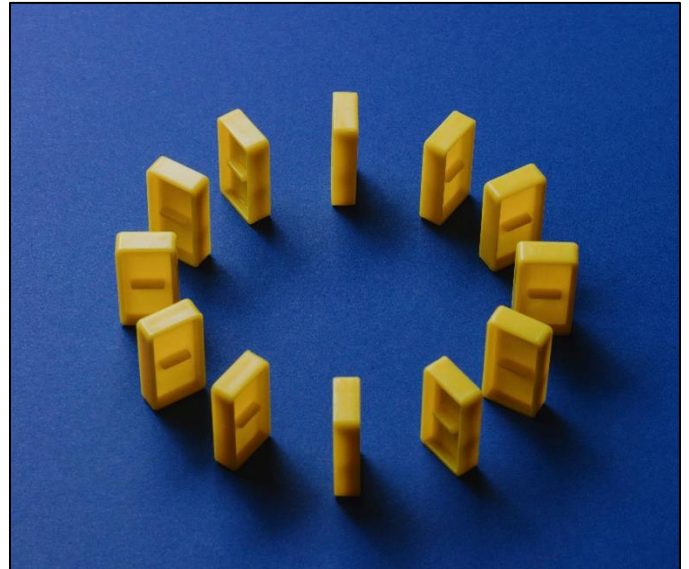
On 26 May, ELA organised an online training focused on Artificial Intelligence and algorithms in risk assessment, addressing bias and other ethical issues. It provided a platform to share knowledge and experience on practical, legal, and ethical issues on using machine-learning tools embedded in artificial intelligence to support national authorities in risk assessment. More than 170 experts from 24 European countries attended the online training, which will be followed by a workshop organised on



15-16 June 2023 in Copenhagen (Denmark). As a result of all these activities, a manual on the topic will be published on ELA's website in July 2023.

The first ELA mediation case was concluded

ELA's mediation service, launched in September 2022, has been successfully used by two Member States. The [very first mediation case](#) resulted in the adoption of a non-binding opinion, commonly agreed by both parties involved. It concerned a long-standing dispute in the field of social security coordination between Germany and Cyprus. The Member States concerned are expected to report to ELA, within three months of the adoption, about the measures taken for following up on the opinion.



This achievement constitutes an example of ELA's commitment to facilitate dialogue and collaboration between Member States in the resolution of disputes on EU labour mobility matters. ELA stands ready to continue assisting Member States in the mediation procedure by contributing to reconciling divergent points of view between Member States.

Visit of ELA Delegation to Member States

On 11-12 May 2023, a delegation from ELA met in Brussels (Belgium) with representatives from the Belgian competent authorities and social partners. The visit enabled ELA to engage in discussions on cooperation opportunities, national challenges and priorities for action in the field of labour mobility and exchange good practices on the access and the use of electronic exchange mechanisms and databases at national and EU levels, in particular the Belgian innovative digital solutions for effective and efficient cross-border cooperation, easier access to

information and data, detection of fraud and better enforcement of labour mobility rules.

It was the first ELA Member State visit organised in 2023. Meanwhile, another delegation from ELA visited Greece on 7-8 June 2023, and three other visits are envisaged until the end of the year.

ELA's Road Transport Road Show moves to Latvia

ELA carried on with the organisation of yet another Road Show on Road Transport, which focused on getting across the key messages on new rights and obligations following from the legislation on posting in the road transport directly to drivers. The event took place on 30 May 2023 at a truck stop outside Riga (Latvia).

It allowed direct engagement with drivers, who could have one-on-one discussions with experts from competent authorities, ready to answer questions. The communication with drivers was facilitated by simultaneous interpretation to and from several EU languages. The drivers received leaflets and were offered ELA campaign materials. The majority of those reached with this Road Show were Polish nationals, followed by Lithuanian, Latvian, as well as third-country nationals (Georgia, Moldova, etc.).

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- [Summary reports on adopted measures and related issues for persons fleeing the war in Ukraine and](#)
- [Undeclared Work Platform virtual library](#)
- [Summary of ELA's activities done in road transport sector in 2022](#)