European Labour Authority: Council adopts founding regulation

The Council today adopted a Regulation establishing a European Labour Authority (ELA). The aim of this new body is to support compliance and coordination between member states in the enforcement of EU legal acts in the areas of labour mobility and social security coordination. It will also provide access to information for individuals and employers in cross-border labour mobility situations.

Main tasks of the ELA

- improving the access to information for employees and employers on their rights and obligations in cases of cross-border mobility, free movement of services and social security coordination
- supporting coordination between member states in the cross-border enforcement of relevant Union law, including facilitating concerted and joint inspections
- supporting cooperation between member states in tackling undeclared work
- assisting member states authorities in resolving cross-border disputes
- supporting the coordination of social security systems, without prejudice to the competences of the Administrative Commission for the Coordination of Social Security Systems

The ELA will enhance cooperation between member states without prejudice to their national competences. In cases of undeclared work, violations of working conditions or labour exploitation, the ELA will be able to report them and cooperate with the authorities of the member states concerned. It will also support national authorities in carrying-out inspections to tackle irregularities. These inspections would take place either at the request of member states or, if they agree, to the ELA's suggestion. Follow-up measures will be taken at national level.

Organisation and funding

The ELA's administrative structure will be composed of:

- management board, including one representative of each member state, two representatives of the Commission, one independent expert appointed by the European Parliament and four representatives of EU social partners
- executive director
- stakeholder group including EU social partners

It is expected that the ELA will start functioning by the end of 2019, reaching its full operational capacity by 2023. Some of the staff members will be seconded from EU member states. The ELA's annual budget will be around EUR 50 million.

Background and next steps

The Commission presented its proposal on 13 March 2018. On 6 December 2018, the Council adopted its position which formed the basis for the negotiations with the European Parliament. The provisional agreement between the presidency of the Council and the Parliament was reached on 14 February 2019. The European Parliament voted in favour of the agreement on 16 April 2019. Following today's adoption by the Council, the text of the regulation will be published in the Official Journal of the EU. The regulation will enter into force on the twentieth day following the publication.

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