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**EVALUATION**

*Accompanying the document*

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE  
COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE**

**Evaluation of the European Labour Authority (ELA)**

{COM(2025) 256 final} - {SEC(2025) 157 final}

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## Glossary

<i>Term or acronym</i>	<i>Meaning or definition</i>
DG EMPL	Directorate-General for Employment, Social Affairs & Inclusion
CJI	Concerted and Joint Inspection
EC	European Commission
ECG	EURES Coordination Group
ECO	EURES European Coordination Office
EURES	European network of employment services
ELA	European Labour Authority
ETF	European Training Foundation
FRA	Fundamental Rights Agency
ILO	International Labour Organization
IMI	Internal Market Information System
KPI	Key Performance Indicators
NCO	National Coordination Office (EURES)
NLO	National Liaison Officer (ELA)
PES	Public Employment Service
SNE	Seconded National Expert
SOLVIT	EU-wide network of centres, which are part of the Member States' national administration, that helps citizens and businesses resolve issues related to the application of EU law <a href="https://ec.europa.eu/solvit/index_en.htm">https://ec.europa.eu/solvit/index_en.htm</a>
SPD	Single Programming Document – Document including a multi-annual programming (3 years) and the annual work programme.
TCN	Third Country National

# 1. INTRODUCTION

## 1.1. Purpose and scope of the evaluation

### *Purpose*

In line with Article 40 of the Regulation establishing a European Labour Authority<sup>1</sup>, this document evaluates the European Labour Authority (ELA), a new decentralised agency whose Founding Regulation was adopted on 20 June 2019. ELA is one of the five decentralised agencies that fall under the remit of the Commission's Directorate General for Employment, Social Affairs & Inclusion (DG EMPL).<sup>2</sup> As a new agency in its 'start up phase' ELA has been evaluated separately from the remaining four well-established EMPL Agencies.<sup>3</sup> This is the first evaluation of ELA. The Founding Regulation provides for subsequent evaluations every five years.

In line with the Commission's better regulation guidelines<sup>4</sup>, the present evaluation provides, to the extent possible, considering ELA's early stage of development and the absence of a comprehensive monitoring system, an analysis of the effectiveness, efficiency, relevance, coherence, and added value of the agency. It furthermore takes first steps in assessing the agency's performance in relation to its mandate, specific objectives and activities, as set out in Article 40 of the Founding Regulation. While this evaluation may in several respects have more the character of a progress report, it aims to contribute to a better evidence base for the next evaluation.

### *Scope of the evaluation*

The evaluation covers the period from the adoption of the ELA Regulation in 2019 up to the second quarter of 2023<sup>5</sup> and the entirety of the agency's work. The evaluation covers the 27 Member States as well as EEA countries, in so far as ELA includes these countries in its work.

## 1.2. Evaluation methodology and limitations

### *Methodology*<sup>6</sup>

The evaluation was supported by an external study (hereafter 'supporting study'). The study used a variety of primary and secondary data/sources and combined qualitative and

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<sup>1</sup> [Regulation - 2019/1149 - EN - EUR-Lex \(europa.eu\)](#)

<sup>2</sup> The other four agencies are Eurofound, Cedefop, ETF and EU-OSHA.

<sup>3</sup> The Commission grouped agencies in three categories depending on the degree of maturity and stability of their tasks in the Communication on Programming of human and financial resources for decentralised agencies 2014-2020 (COM (2013) 519 FINAL. For more info on the evaluation of four EMPL Agencies, see [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13400-EU-agencies-Eurofound-Cedefop-ETF-and-EU-OSHA-2024-evaluation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13400-EU-agencies-Eurofound-Cedefop-ETF-and-EU-OSHA-2024-evaluation_en)

<sup>4</sup> [Better regulation: guidelines and toolbox \(europa.eu\)](#).

<sup>5</sup> The supporting study covers developments including Q2 2023. However, where figures for the complete year 2023 are available, these have been used.

<sup>6</sup> See also Annex II.

quantitative research tools to collect a wide range of evidence and support as robust an analysis as possible. The supporting study was built on an evaluation matrix.<sup>7</sup>

ELA's management and monitoring documents were reviewed together with other studies and reports related to the Authority. The supporting study included extensive consultation work. It also included four case studies<sup>8</sup>. In-depth interviews were conducted with persons and organisations collaborating with and benefiting from ELA's work as well as members of the governance structure. Targeted online surveys were conducted with key stakeholders and agency staff.<sup>9</sup> The study also made use of the European Commission 12-week public consultation on the Europa website Have Your Say<sup>10</sup> that collected feedback from the general public.

The assessment of ELA's efficiency combined the quantitative information available and appended this with more qualitative information from desk research and stakeholders perceptions, given the limitations of available data.<sup>11</sup> As regards costs, the report builds the analysis on the ELA budget and qualitatively discusses the costs for stakeholders outside ELA's budget based on stakeholders' feedback. Two workshops were organised: one towards the end of the stakeholder consultation to get an in-depth understanding of the views of social partners and a validation workshop at the very end of the supporting study, to confirm the conclusions of the study with key stakeholders.<sup>12</sup> For a fuller description of the methodology see Annex II.

### ***Limitations<sup>13</sup>***

During the evaluation process, it became clear that the evaluation matrix had limitations due to the absence of an adequate ELA monitoring system with key performance indicators (KPI), targets, and SMART objectives<sup>14</sup>. ELA also did not maintain all the indicators of the previously established monitoring of the EURES'<sup>15</sup> performance, nor did it set up a strategic management system for the overall performance. Not all originally envisaged indicators were finally available, and the indicators introduced in 2021 or 2022 were output-oriented, thus providing no insights into results. At the same time, process-related aspects gained importance, which were not captured with the evaluation matrix. Therefore,

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<sup>7</sup> Annex II and Annex III and Supporting Study.

<sup>8</sup> Supporting Study, Annex VII, Case Studies (Information and awareness raising in road transport, Coordination office of EURES, ELA's support in concerted and joint inspections, Mediation task of ELA).

<sup>9</sup> Annex V.

<sup>10</sup> For a detailed presentation of the consultation activities see Annex V and Supporting Study, Annex VI.

<sup>11</sup> Annex II and Supporting Study, Annex V.

<sup>12</sup> Supporting Study, Annex VI.

<sup>13</sup> Annex II, section 7 (Limitations and robustness of findings).

<sup>14</sup> New key performance indicators were defined by ELA in the Single Programming Document 2023-2025. The first steps in setting up an internal management and control system and linked to it a system of performance indicators had not yet produced relevant information in summer 2023. ELA (2023), Consolidated Annual Activity Report 2022, p. 52, ELA (2024), Consolidated Annual Activity Report 2023, p. 9/10 and 52/53 and Supporting Study, p. 96.

<sup>15</sup> However, the evaluation was able to retrieve some data based on the EURES Performance Measurement System, for the matching process for the years 2021-2022.

this report, while aiming to respond to the evaluation questions, includes indicators and reasoning not identified in the evaluation matrix and could not in all instances cover indicators which were identified in the evaluation matrix. This partially restricted the assessment of performance and achievement of objectives.

To mitigate the absence of result-oriented indicators, the evaluation collected evidence by analysing ELA's internal activity reports, data on the staff and budgetary situation of the agency and its development over the evaluation period. It also used reports from the European Court of Auditors and output indicators (e.g. number of meetings etc.).

Stakeholder feedback filled most of the information gaps. However, reliance on stakeholders' input and views may lead to potential bias and influence robustness of the evidence and subsequent findings. Also, as understanding some of ELA's tasks requires a good knowledge of the relevant acquis and processes (e.g. on posting, coordination of social security, tackling undeclared work), only a limited number of informed experts and stakeholders could be expected to provide in-depth feedback.

Despite efforts to reach out widely to stakeholders through the various surveys in the supporting study, some biases cannot be excluded as (i) stakeholders in different areas of ELA's activities might have been mobilised to different degrees and (ii) persons who are less supportive might have been less inclined to respond than others.

Stakeholders, and notably staff, may have (some) vested interests considering the role of ELA. This has been considered when using their input. However, stakeholders and staff are also experts, with a good knowledge of ELA features and a high interest in obtaining or providing a good service. As such, their views are relevant and valuable. To best use this resource, the evaluation examined if specific groups of stakeholders may have impacted the outcomes of the surveys, e.g. by having particularly strong opinions. Care was taken to use the stakeholders' and staff feedback in a targeted way (e.g. staff feedback is important in assessing internal organisation). Finally, feedback received from different surveys and interviews has been compared and checked for coherence with the overall picture (e.g. number and type of activities organised by ELA) and to the extent possible with written evidence.

As a newly established agency, ELA's structure and operations evolved significantly during the evaluation period. This limited assessment of its performance and efficiency as even by mid-2023 some activities just had started and results were not yet visible.

Finally, it was in most cases not possible to identify impacts at country level arising from ELA's actions. This was due to ELA's recent establishment, its limited size, and a monitoring system that was not fully developed, not to mention that such effects will, considering the complexity of the area, be difficult to estimate even under much better conditions.

## **2. WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION?**

### **2.1. Description of the intervention and its objectives**

Against the backdrop of increasing labour mobility and continuous reporting on problems for workers in cross-border situations, Commission President Juncker announced in his 2017 State of the Union speech the setting up of a European Labour Authority. The general objective of the Authority is to contribute to ensuring fair labour mobility across the Union and to 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 (Founding Regulation, Article 2). In spite of an increasing legislative acquis, labour mobility was often perceived as coming with the risk of social dumping, brain drain or insufficient protection of the rights of mobile workers and citizens. Therefore, the Commission identified six key drivers,<sup>16</sup> motivating the set-up of ELA:

- Inadequate support and guidance for individuals and businesses in cross-border situations, including incomplete or sparse information available to the public concerning their rights and obligations,
- Insufficient access to and sharing of information between national authorities responsible for different domains of labour mobility and social security coordination
- Insufficient capacity of competent national authorities to organise cooperation with authorities across borders
- Weak or absent mechanisms for joint cross-border enforcement activities
- Lack of a cross-border mediation mechanism between Member States across all domains of labour mobility and social security coordination
- Insufficient cooperation set-up at EU level

In addressing these drivers the intervention also responds to the Sustainable Development Goal 8, decent work and economic growth, as it allows mobile workers to benefit from fair working conditions. Fair working conditions for mobile workers, help to make labour mobility a good choice and thereby to contribute to higher productivity of the workforce. Positive knock-on effects on other sustainable development goals such as ensuring peace, justice and strong institutions (SDG 16) can also be expected to occur from better enforcement of legislation across borders or the better mutual understanding between national authorities.

ELA's activities contribute to a situation where intra-EU cross-border labour mobility works for employers and employees as well as public authorities in both origin and destination countries. This contributes to a more efficient allocation of labour, thereby facilitating European economic growth and enhancing competitiveness.

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<sup>16</sup> SWD(2018)68 final (Impact Assessment accompanying the Proposal for a Regulation of the European Parliament and of the Council establishing a European Labour Authority), p. 9-20.

In addition, these activities contribute to protecting the rights of mobile workers by supporting inspections and providing mobile workers with adequate and more easily accessible information on their rights.

Ensuring transparency in national labour markets and addressing the social concerns of both local and mobile workers are essential preconditions for citizens in origin and destination countries to recognise the benefits of labour mobility and acknowledge it as fair.

From the start ELA was conceived as a hub, bringing together, coordinating, and ensuring a smooth flow of information between the relevant stakeholders, notably various national authorities and facilitating their cooperation. In all areas ELA has to rely on constructive cooperation with players at the national level. Provided the commitment of Member States to free movement, this was considered as the missing link to ensure fair labour mobility. ELA's aim is to improve the availability, quality and accessibility of information regarding rights and obligations in relation to labour mobility and supports EU Member States' authorities in providing services to individuals and employers through EURES.

The scope of ELA's activities is set by EU legislation on free movement of workers, including explicitly social security coordination and posting and social aspects of international road transport.

The drivers which led to the idea to establish ELA, have developed into the objectives and tasks identified in the Founding Regulation. The establishment of ELA can be understood as (i) a service to Member States assisting them in better cooperation and coordination and as (ii) a means to help jobseekers, workers and companies by providing more transparency about employment opportunities in other Member States.<sup>17</sup>

The Regulation sets four specific objectives<sup>18</sup>:

- 1) Facilitate access to information on rights and obligations regarding labour mobility across the Union as well as relevant to services.
- 2) Facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union and including facilitating concerted and joint inspections.
- 3) Mediate and facilitate a solution in case of cross-border disputes between Member States.
- 4) Support cooperation between Member States in tackling undeclared work.

These specific objectives are then further detailed into operational objectives or tasks. The Regulation provides for seven tasks to be performed by ELA. These tasks correspond to

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<sup>17</sup> Article 2 of Regulation (EU) 2019/1149.

<sup>18</sup> Article 2 does not explicitly use the term 'specific'. This is the terminology introduced in the intervention logic (Annex VI) and is used throughout this document.



the eight operational objectives identified in the intervention logic aiming to address the problem drivers identified above<sup>19</sup>:

- a) Facilitate access to information regarding rights and obligations concerning labour mobility for individuals, employers and social partner organisations.
- b) Manage and coordinate the European Coordination Office of EURES.
- c) Facilitate cooperation and the exchange of information between Member States with a view to the consistent, efficient and effective application and enforcement of relevant Union law.
- d) Coordinate and support concerted and joint inspections.
- e) Carry out analyses and risk assessment on issues of cross-border labour mobility (including social security coordination).
- f) Support Member States with capacity building regarding the effective application and enforcement of relevant Union law.
- g) Support Member States in tackling undeclared work.
- h) Mediate disputes between Member States on the application of relevant Union law.

The table below provides an overview of the main ELA tasks and the relevant activities associated to those tasks.

**Figure 1: Key activities per ELA task**

ELA tasks(operational objectives)	Key activities
Task 1a: Information and Services	Translations; Working Groups on Information; Information support services; Sectoral Workshops
Task 1b: Coordination of EURES	Coordination and network governance; Preparation of the ECO work programme; Drafting the annual performance measurement system report; Managing the EURES portal; Provide training session for the staff in the EURES Network; European (Online) Job Days; Communication
Task 2: Cooperation and exchange of information	Establishing and managing the cooperation and information exchange framework between national authorities; Promoting enhanced cross-border cooperation; Promoting the use of electronic tools and procedures for cross-border cooperation; Reporting activities
Task 3: Concerted and joint inspections	Coordination of and support for inspections and facilitating proper follow-up; Proposals to Member States to carry out CJI's; Working Group on Inspection; Learning and Training; Information campaigns; Strategic partnerships; Monitoring and reporting
Task 4: Analysis and Risk Assessment	Conducting analytical activities, including mappings, analyses and reports; Mapping of Member State' tools and approaches to risk assessment; Integrating labour mobility analyses and risk assessment
Task 5: Capacity building	Organisation of specific training sessions; Collection of good practices and organisation of relevant events; Mutual learning; Promotion of capacity building activities

<sup>19</sup> In the Regulation (EU) 2019/1149 tasks 1 and 2 are put together. See intervention logic in Annex VI.

ELA tasks(operational objectives)	Key activities
Task 6: Tackling undeclared work	Organisation and management of the meetings of the Platform tackling undeclared work; Mutual learning activities; Helping research new areas and build the knowledge base of the Platform; Communication and information activities
Task 7: Mediation	Mediate disputes between Member States; Information and communication activities; Training and knowledge sharing activities; Monitoring and reporting activities

Source: ELA Annual activity report 2022

Preferably, an operational objective is designed to support a single specific objective, whereas a specific objective can well be achieved by more than one strands of action (operational objectives). For the detailed intervention logic see Annex VI of this report. The intervention logic and its hierarchy of objectives constitutes an important tool for steering the process and developing indicators for monitoring and evaluation. The external factors which impacted on ELA's activities are discussed in Section 3.2 (2).

A key feature of ELA's area of competence is that important parts are covered by Directives. This means that EU law is implemented via national legislation and different national institutional set-ups add a layer of complexity when coordinating national regimes.

## 2.2. Points of comparison

The preferred option, as presented in the impact assessment accompanying the proposal to set up ELA, foresaw ELA to provide *'support to information and services to citizens and employers, cooperation, joint inspections, analysis and risk assessment, information exchange, and capacity building, while facilitating the adoption of decisions as regards conciliation mechanisms and cooperation in case of cross-border labour disruptions'*.<sup>20</sup> Except for the support to cooperation in case of cross-border labour disruptions, these tasks have been included in the adopted Regulation. To achieve this, ELA was foreseen to take over seven existing functions/bodies, namely: (i) the EURES European Coordination Office, (ii) the Conciliation Board from the Administrative Commission (AC) on the Coordination of Social Security Systems, the (iii) Audit Board and the (iv) Technical Commission of the AC, (v) the European Platform to tackle Undeclared Work, (vi) the Expert committee on the Posting of Workers; and (vii) the Technical Committee on the Free Movement of Workers. Incorporation of those bodies was expected to simplify the institutional landscape and to carry out functions in a more integrated way.<sup>21</sup> Except for the three bodies linked to the Administrative Commission (the Conciliation Board, the Audit Board and the Technical Commission), ELA took over all of these bodies.<sup>22</sup>

<sup>20</sup> European Commission, SWD(2018)68 final, Impact Assessment accompanying the Proposal for a Regulation of the EP and of the Council establishing a European Labour Authority, p.59.

<sup>21</sup> SWD(2018)68 final, p. 50.

<sup>22</sup> SWD(2018)68 final, p. 47.

In terms of effects, the impact assessment expected that the Authority would improve the provision of labour mobility analysis, by pooling relevant sources. Thanks to specialised and dedicated staff it would be in a good position to support joint inspections. The Platform Tackling Undeclared Work combined with National Liaison Officers would constitute a coordination mechanism for bilateral and multilateral information exchanges. The support provided by ELA would allow addressing problematic phenomena such as e.g. letterbox companies in an integrated manner.

The coordination of EURES was expected to have synergies with similar activities carried out by bodies integrated into ELA.<sup>23</sup> Joint capacity building and training measures could be initiated and outreach activities to workers and employers could be expanded to cover a broader range of topics and/or a wider audience.

The absorption of the Conciliation Board was expected to extend the conciliation function to other areas than social security coordination alone, whereas the Audit Board and Technical Commission were planned to be integrated by ELA on the grounds of the technical nature of their tasks.<sup>24</sup> ELA was expected to feed into discussions within the Advisory Committee for the Coordination of Social Security Systems, the Advisory Committee on the Free Movement of Workers and the Committee on Road Transport by presenting the findings of reports it had prepared with relevance to the scope of those committees. The advisory committees would continue their work as they did before the establishment of ELA and the Committee on Road Transport would continue its activities as part of the EU comitology structure.<sup>25</sup>

The highly qualitative approach of the impact assessment in assessing the problems, effects and impacts was linked to the difficulties of establishing causal links between the envisaged new body and socio-economic impacts in an area of fairly complex rule-setting and enforcement.<sup>26</sup> As a consequence several points of comparison rely heavily on the input and feedback from stakeholders<sup>27</sup> (Figure 2). To assess the success towards removing obstacles to fair labour mobility would need to rely on a comprehensive existing obstacles. Such inventory, which is particularly complex to establish, was not undertaken at the stage of the impact assessment, nor later on by ELA.

Considering the changes between what was foreseen as part of the preferred option in the impact assessment and the finally adopted Regulation, the points of comparison presented in Figure 1 refer only to those areas included in the adopted Regulation.

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<sup>23</sup> E.g. with the Platform Tackling Undeclared Work as a forum for the exchange of information and best practices and for engaging in cross-border cooperation and joint activities. SWD (2018)68 final p. 102.

<sup>24</sup> Respectively overseeing and facilitating cross-border payments settlement of reimbursement claims between social security institutions, and providing a forum to discuss technical aspects of the IT tools used in social security coordination, notably for the exchange of information (i.e. EESSI).

<sup>25</sup> SWD (2018)68 final p. 52/53.

<sup>26</sup> SWD(2018)68, p. 31.

<sup>27</sup> For limitations see section 1.2 above.

**Figure 2: Points of comparison**

Specific Objective of the intervention	Operational Objectives	Point of comparison (situation prior to 2019)
Facilitate access to information on rights and obligations regarding labour mobility across the Union as well as to relevant services	OO1. Improve the availability, quality and accessibility of information offered to individuals, employers and social partner organisations regarding rights and obligations to facilitate labour mobility across the EU OO2. Manage the European Coordination Office of EURES to support Member States in providing services to individuals and employers	Insufficient access to information and transparency on cross-border mobility rules was considered a problem both for individuals and for businesses. E.g. in road transport, 53% of the respondents to a public consultation carried out in 2017 considered that EU guidance on explaining relevant EU legislation in this field was not, or only partially, useful. This is especially problematic in view of the different interpretation of EU road transport legislation. For EURES, in 2019, 13 NCOs estimated that more than 75% of the available job vacancies were transferred to EURES, the total number of jobseekers on the EURES portal were 672 116 in 2019, with 413 036 registered via self-service. <sup>28</sup>
Facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union, including facilitating concerted and joint inspections	OO3. Facilitate the cooperation and acceleration of exchange of information between Member States and support their effective compliance with cooperation obligations, including on information exchange. OO4. Coordinate and support (at the request of one or more Member States, or by suggesting to the authorities of the Member States concerned) concerted or joint inspections in the areas within the Authority's competence. OO5. Assess risks and carry out analyses regarding labour mobility and social security coordination across the EU OO6. Support Member States with capacity building aimed at promoting the consistent enforcement of EU law related to labour mobility across the EU	National competent authorities lack the specialised knowledge and access to information to deal effectively with cross-border cases, this requires continuous exchange. Authorities are not able to verify the validity of documents issued by another Member State in real time (thus making inspections less effective). Authorities refrain from asking for information from another Member State about e.g. actual wage payments or wages to be paid in the case of posting. National authorities are not sufficiently aware how their performance compares with national authorities in other countries, and they have no easy access to discuss and to advise for organisational improvement.
Support cooperation between Member States in tackling undeclared work.	OO7. Tackle undeclared work and encourage cooperation between Member States through the European Platform to enhance cooperation in tackling undeclared work	The European Platform Tackling Undeclared Work was established in 2016, with the purpose of enhancing cooperation between Member States in fighting undeclared work. Nonetheless, the impact assessment accompanying the proposal for the establishment of ELA found multiple barriers, such as the lack of cooperation and enforcement mechanisms, the volatility of political investment in cooperation, as well as technical barriers to the exchange of information (e.g. differing legal competences between the contracting authorities, languages, and data collection methods).

<sup>28</sup> European Commission (2021), [Study supporting the ex-post EURES evaluation](#) and the second biennial EURES report, p. 31.

Mediate and facilitate a solution in cases of cross-border disputes between Member States	OO8. Facilitate a solution in the case of a dispute between two or more Member States regarding individual cases of application of EU law in areas covered by the Regulation	At EU level, a conciliation mechanism exists only in the social security coordination area. The dialogue and conciliation procedure aims at differing interpretations arising from the provisions of the Coordination Regulations. Decisions are not binding and some follow-up may be agreed upon.
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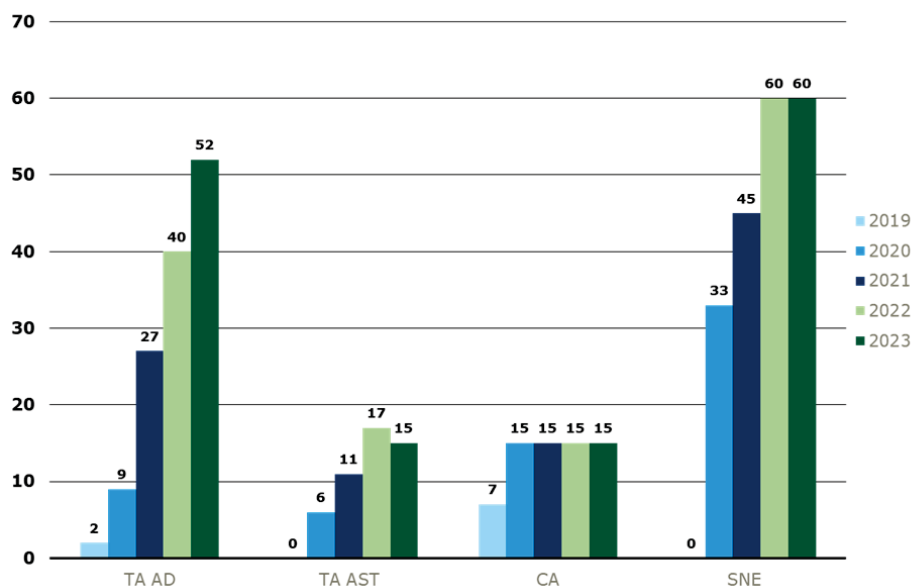
Note: See Supporting Study (p. 14/15).

### 3. HOW HAS THE SITUATION EVOLVED OVER THE EVALUATION PERIOD?

#### 3.1. Organisation and finances

As from end of 2023, ELA has 144 members of staff.<sup>29</sup> 60 of those are Seconded National Experts (SNEs) of which 27 work as National Liaison Officers (NLOs), a function explicitly identified in the Founding Regulation. ELA is organised in **3 thematic units** (see Figure 3): cooperation support (46 members of staff – including the NLOs), enforcement and analysis (29), and information and EURES (22) and **2 horizontal units**: resources (21), and governance and coordination (23). Within the units, staff is attributed to specific teams. Staff numbers have progressively grown over the evaluation period (see Figure 3 below).

*Figure 3: Development of ELA Staff<sup>30</sup>*



Source: supporting study, Annex V, p. 7 (and main document)

ELA's **governance** is structured around a Management Board comprised by representatives from each Member State, two Commission delegates, one independent expert appointed by the European Parliament and four delegates from social partners. Only the 27 representatives of the Member States and the 2 Commission delegates have voting rights. The 5 further members of the Management Board have no voting rights.<sup>31</sup> Including

<sup>29</sup> ELA (2024), Consolidated Annual Activity Report 2023, p. 57, Table IV. Difference with Figure 2 due to two open vacancies.

<sup>30</sup> TA: temporary agent. AD: Administrator, AST: Assistant, CA: Contractual Agent, SNE: Seconded national expert.

<sup>31</sup> [Management Board | European Labour Authority \(europea.eu\)](https://europea.eu) The composition of the Management Board is as follows: one member from each Member State with voting right (with alternate), 2 members

observers and the Executive Director of ELA, 43 persons are expected to participate in Management Board meetings. This structure is complemented by a stakeholder group which is chaired by ELA's Executive Director and composed of 5 representatives from trade unions, 5 representatives from employer organisations and 2 representatives from the European Commission, i.e. 13 persons altogether. The stakeholder group was set up to give social partners the possibility to exchange with the Executive Director and to advise ELA in all areas of its activity. While still involving many persons, ELA's governance structure is less voluminous than those of tripartite agencies such as Eurofound or EU-OSHA, where next to representatives from national administrations also social partners from all Member States have their representatives in the Management Board.

Different from other agencies such as Eurofound or EU-OSHA, an Executive Board is not mentioned in the Founding Regulation. Similarly other smaller, but official settings, such as Advisory Committees or Advisory Groups do not exist and are not foreseen in the Founding Regulation.<sup>32</sup>

The Authority may set up working groups or expert panels comprising representatives from Member States, the Commission or external experts for the fulfilment of its tasks.<sup>33</sup> ELA has set up the European Platform Tackling Undeclared Work as a permanent working group and has established 3 further working groups: on information, on inspection and on mediation. The working groups set up by ELA comprise representatives from all Member States and representatives from EEA countries, social partners, external experts, delegates from other agencies.

The decision to locate ELA in Bratislava was taken after the adoption of the Regulation in June 2019.<sup>34</sup>

ELA has achieved a fair level of visibility at the European level. Asking citizens whether they have heard of ELA, 13% of respondents indicated having heard of ELA. This is less

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from the European Commission with voting right (with alternates), one independent expert appointed by the European Parliament (no voting right, no alternate), 2 representatives from European Trade Unions, no voting right (with alternates), 2 representatives from European Employer Organisations, no voting rights (with alternates), 4 observers from EFTA countries (CH, NO, IS, LI – not alternates), 4 observers from other EU agencies (no alternates), the Executive Director of ELA taking part in the deliberations without voting right. That adds up to 43 persons. The Chairperson of the Management Board is elected from among the Members with voting rights.

<sup>32</sup> Regulation (EU) 2019/127 establishing the European Foundation for the improvement of living and working conditions (Eurofound), and repealing Council Regulation (EEC) No 1365/75 Article 10 and 12 (<http://data.europa.eu/eli/reg/2019/127/oj>) and Regulation (EU) 2019/126 of the European Parliament and of the Council of 16 January 2019 establishing the European Agency for Safety and Health at Work (EU-OSHA), and repealing Council Regulation (EC) No 2062/94, Article 10 (<http://data.europa.eu/eli/reg/2019/126/oj>) and Advisory Groups – not mentioned in the Regulation but established to provide EU-OSHA with strategic guidance and feedback. <https://osha.europa.eu/en/about-eu-osha/governance-eu-osha/composition-advisory-groups>

<sup>33</sup> [Regulation - 2019/1149 - EN - EUR-Lex \(europa.eu\)](#), Article 16. Article 16 (2) does not prescribe the composition of working groups.

<sup>34</sup> <https://www.ela.europa.eu/en/news-event/newsroom/member-states-decide-new-ela-seat>



than for the European Health Insurance Card (46%), but more than for EURES or the EURES website (9%).<sup>35</sup>

**Figure 4: ELA organigramme**



To facilitate the analysis, ELA's activities have been linked to operational objectives and operational objectives have been linked to a single specific objective (see Figure 5). Figure 5 also includes an overview on how many staff and how much financial resources were (in 2023) allocated to these activities<sup>36</sup>. In earlier years the allocation of the budget was not yet sufficiently stable (parts of the activities were still included in the Commission budget or not yet taking place).<sup>37</sup>

<sup>35</sup> Eurobarometer 528 (December 2022): Intra-EU labour mobility after the pandemic, Summary, p. 32. Familiarity ranges from less than 10% in Spain, France, Cyprus and Latvia up to 20% and more in Germany, Estonia and the Netherlands ([Intra-EU labour mobility after the pandemic - December 2022 - - Eurobarometer survey \(europa.eu\)](#)).

<sup>36</sup> This distribution is foreseen to remain stable for 2024 and 2025.

<sup>37</sup> See e.g. Figure 4 and Annex IV.



Figure 5 shows that two of the specific objectives of ELA, namely, to facilitate access to information and rights (including EURES) and to facilitate cooperation between Member States, absorbed more than 2/3 of human and financial resources. The next most significant area represented the horizontal activities, which arrived at 28.5% of staff and 14.4% of financial resources. Only around 2% of the resources were dedicated to the mediation role and 3.5% to 4.1% were used to support the activities on the fight against undeclared work.

**Figure 5: Overview of the links between ELA's specific objectives, operational objectives and activities with budgetary and human resources (2023)<sup>38</sup>**

Specific Objective	Operational Objectives	Activity	Staff	Budget <sup>39</sup>
<b>Facilitate access to information on rights and obligations with regard to labour mobility across the Union and relevant services</b>	Facilitate access to information regarding rights and obligations concerning labour mobility for individuals, employers and social partner organisations	Communication / Awareness raising Campaigns	5	1,710,117
		Information and Services	11	3,150,684
	Manage and coordinate the European Coordination office of EURES	EURES	11	11,756,213
			<b>27 (18.8%)</b>	<b>16,617,014 (42%)</b>
<b>Facilitate and enhance cooperation between Member States in enforcing relevant Union law, such as facilitating concerted and joint inspections</b>	Facilitate the cooperation and acceleration of exchange of information between Member States and supporting their effective compliance with cooperation obligations, including on information exchange	Cooperation and NLOs office	35	5,577,017
		Social partners liaison	1	422,817
	Coordinate and support concerted and joint inspections	Logistic and technical support to CJIs	14	3,259,544
	Carry out analyses and risk assessment on issues of cross-border labour mobility	Analysis & risk assessment	9	2,310,561
		Capacity building	8	2,981,117

<sup>38</sup> See Annex VI (Intervention Logic, for the links between activities, operational and specific objectives) and ELA (2023), Single Programming Document 2023-2025, p. 61 as well as Supporting Study, Annex III, Figures 5 and 6 (for the staff and budgetary figures). - Communication and awareness raising campaigns in Single Programming Document 2023-2025 are considered a horizontal activity.

<sup>39</sup> Budget includes staff costs.

	Support Member States with capacity building regarding the effective application and enforcement of relevant Union law	Facilitation of digital tools	1	398,058
			<b>68 (47.2%)</b>	<b>14,949,114 (37.8%)</b>
<b>Mediate and facilitate a solution in cases of cross-border disputes between Member States</b>	Mediate disputes between Member States on the application of relevant Union law	Mediation	3	693,168
			<b>3 (2.1%)</b>	<b>693,168 (1.8%)</b>
<b>Support cooperation between Member States in tackling undeclared work</b>	Support Member States in tackling undeclared work	Tackling undeclared work	5	1,602,979
			<b>5 (3.5%)</b>	<b>1,602,979 (4.1%)</b>
<b>Activities not linked to a specific objective</b>	Governance & policy coordination		8	1,455,502
	Compliance & Internal Control		6	531,278
	Financial Resources		8	1,062,556
	Human Resources		7	1,062,556
	ICT and facilities		5	664,097
	Management and support		7	929,736
			<b>41 (28.5%)</b>	<b>5,705,725 (14.4%)</b>

With an overall budget of EUR 49.5 million in 2024, the built-up phase of ELA has come to an end. ELA's budget so far comes exclusively from the general budget of the Union. Further resources such as project related support are considered possible in the longer term. Key budget items are Information and EURES (i.e. activities 1 and 2: about 7.5 million euro), Cooperation and NLOs (7 million euro), horizontal activities, governance and management without communication (7 million euro) and concerted and joint inspections (CJIs – 5 million euro). Capacity building; Labour Mobility Analysis/Risk Assessments; and Communication Campaigns counted for EUR 3 million each. From its very start in 2019 until the end of 2023 ELA had committed a budget of 112 million euro, ELA's payments amounted to around 73.5 million euro. By the end of 2023, outstanding payments were of around 39 million euro. 11.5 million euro was decommitted over the period up to the end of 2023.

**Figure 6: Resources allocated per activity<sup>40</sup>**

Activity	2022				2023				2024				2025			
	TAs	CAs	SNEs	Budget (EUR)	TAs	CAs	SNEs	Budget (EUR)	TAs	CAs	SNEs	Budget (EUR)	TAs	CAs	SNEs	Budget (EUR)
<b>Operational activities</b>																
1. Information and services	5		6	2 516 237	5		6	3 150 684	5		6	4 290 375	5		6	4 376 207
2. EURES	3	2	4	11 042 376	5	2	4	11 756 213	5	2	4	13 265 375	5	2	4	13 530 707
3. Cooperation and NLOs' office	4		30	5 080 641	5		30	5 577 017	5		30	6 844 375	5		30	6 981 340
4. Mediation	2		1	780 792	2		1	693 168	2		1	842 375	2		1	859 229
5. Concerted and joint inspections	5		8	3 250 098	7		8	3 259 544	7		8	4 752 875	7		8	4 847 966
6. Tackling undeclared work	2		2	2 007 722	2		2	1 602 979	2		2	1 840 600	2		2	1 877 421
7. Labour mobility analysis and risk assessment	4		2	1 211 584	8		2	2 310 561	8		2	3 001 250	8		2	3 061 297
8. Capacity building	4	1	3	2 365 445	4	1	3	2 981 117	4	1	3	3 668 000	4	1	3	3 741 378
9. Social partners liaison function			2	253 861			2	422 817			2	488 250			2	498 019
10. Facilitation of digital tools supporting labour mobility			1	126 931			1	398 058			1	484 125			1	493 810
<b>Horizontal activities (including some operational and all support activities)</b>																
11. Governance and policy coordination	5	1	1	1 038 514	6	1	1	1 455 502	6	1	1	1 713 000	6	1	1	1 747 278
12. Compliance and internal control system	3	1		507 722	3	1		531 278	3	1		656 500	3	1		669 639
13. Communication and awareness-raising campaigns	2	1		1 080 792	3	1		1 710 117	3	1		3 091 400	3	1		3 153 237
14. Financial resources	4	4		1 015 445	4	4		1 062 556	4	4		1 313 000	4	4		1 339 278
15. HR	4	4		1 015 445	4	4		1 062 556	4	4		1 313 000	4	4		1 339 278
16. ICT and corporate services	3	1		507 722	4	1		664 097	4	1		820 625	4	1		837 049
<b>Management and support</b>																
Management and support	7			888 514	7			929 736	7			1 148 875	7			1 171 868
<b>Total</b>	<b>57</b>	<b>15</b>	<b>60</b>	<b>34 689 842</b>	<b>69</b>	<b>15</b>	<b>60</b>	<b>39 568 000</b>	<b>69</b>	<b>15</b>	<b>60</b>	<b>49 534 000</b>	<b>69</b>	<b>15</b>	<b>60</b>	<b>50 525 000</b>

<sup>40</sup> ELA (2022), Single Programming Document 2023-2025, p. 61 - the table provides the budget allocated, i.e. foreseen for the different activities.

Earlier budgets did not follow the same structure and were much lower. The overall budget in 2019 was EUR 2.12 million, 2020: EUR 12.58, 2021: 22.38 million (EUR 9.28 million for Information and EURES). See Supporting Study, 'Full results of the cost-effectiveness analysis'

Prior to ELA becoming financially autonomous in May 2021, the Commission was responsible for its initial operations. Overall, the absorption rate of the budget (committed amount divided by the budget) is higher than 95% in all years except for 2019. However, the share of payment appropriations was quite low: until 2022, less than a quarter of all the committed amounts had been paid in a given year. In 2022 the payment implementation rate was 59%<sup>41</sup> and in 2023 it was 74%.

### 3.2. Delivering outputs and activities

In the respective consolidated activity reports the Management Board confirmed that ELA has delivered on its annual work programmes. The activities are further presented in Annex VIII. This section provides an overview of the outputs and activities (as far as available) for each of the four specific objectives of the agency.

Under the **first specific objective ('Facilitate access to information on rights and obligations regarding labour mobility')**, a significant number of activities took place.

To facilitate **access to information**, ELA organised 3 information campaigns (#Rights4AllSeasons, #Road2FairTransport, #EU4FairConstruction) and substantially contributed to a campaign for which preparation had started before ELA was launched (#EU4FairWork). Furthermore, ELA has set up a translation facility which has translated from beginning 2020 to end Q2 2023 around 600 documents upon request by national authorities. The Information Translation Facility is implemented through the Translation Centre for the Bodies of the European Union and mainly used to translate inspection-specific documents to facilitate concerted and joint inspections or to support the accessibility of official national websites.<sup>42</sup> The number of documents translated within a year had reached a peak in 2021, with slightly lower numbers in 2022 and 2023, indicating that an original backlog has been resolved.

The use of the **EURES Portal** by employers and jobseekers fluctuated strongly over the last five years.<sup>43</sup> In 2021, there were close to 63 000 new registrations of jobseekers via self-service on the EURES Portal, and approximately 680 000 jobseekers' CVs were transferred through the single coordinated channel to the EURES Portal. In 2022, the number of new registrations via self-service decreased to around 14 700, while the number

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<sup>41</sup> i.e. payments amounted to 59% of the commitment amounts made in 2022.

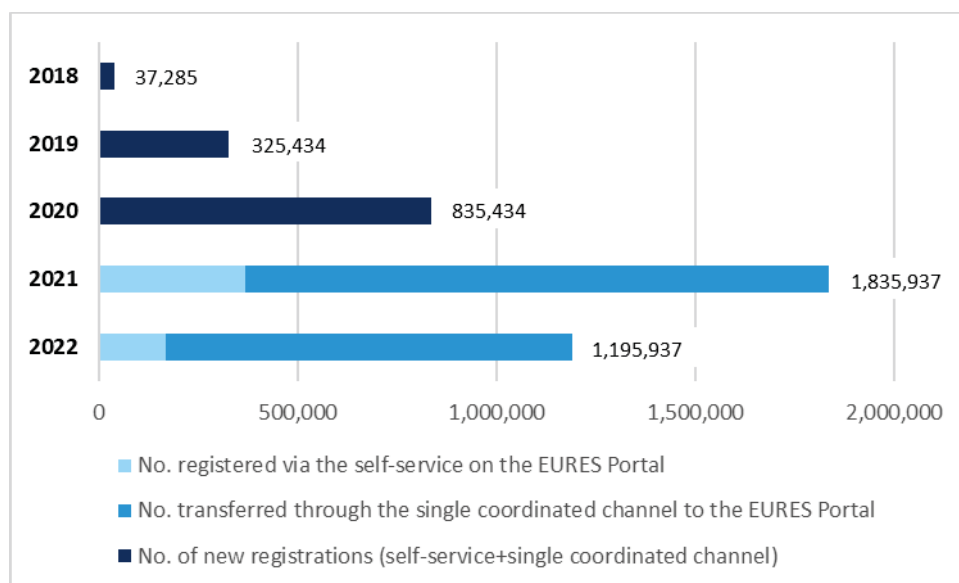
<sup>42</sup> ELA (2023), Consolidated Annual Activity Report 2022, p. 32.

<sup>43</sup> Supporting Study, Annex III, section 1.2.1.2.

of jobseekers transferred through the single coordinated channel to the EURES Portal increased to approximately 1.2 million (see Figure 7 below).<sup>44</sup>

The decrease in the number of registrations through self-service from 2021 to 2022 can be partially explained by the fact that during the transition phase the IT-platform required EURES to use two-factor authentication, whilst the increase in the number of CVs transferred through the single coordinated channel is linked to the compliance efforts of the European Commission.<sup>45,46</sup>

**Figure 7: Number of newly registered jobseeker profiles on the EURES Portal\***



\*Data for 2023 not yet available

Source: Supporting Study contractor's elaboration based on EURES annual PMS reports 2021-2022 and Commission SWD (2021), *Ex-post evaluation of the operation and effects of Regulation (EU) 2016/589 on a European network of employment services (EURES)*

**Under the second specific objective ('Facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union and**

<sup>44</sup> No clear explanation for the significant surge in new registrations emerged as part of this evaluation. See [SWD\(2021\)217 final](#), p. 35 (Ex-post evaluation of the operation and effects of Regulation (EU) 2016/589 on a European network of employment services (EURES), Accompanying the document Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the operation and effects of Regulation (EU) 2016/589 on a European network of employment services (EURES), workers' access to mobility services and the further integration of labour markets (submitted pursuant to Article 35 of Regulation (EU) 2016/589)) and Supporting Study, Annex III, section 1.2.1.2

<sup>45</sup> The possibility to opt for single factor authentication instead of the two-factor authentication became available from 9 October 2023.

<sup>46</sup> Decreasing unemployment rates and an ageing workforce might also contribute to less people introducing their CVs in such a system, however, they cannot explain such strong change. Nor does COVID-19, where effects would have taken place from 2019 to 2020. - For an analysis of intra-EU labour mobility and COVID see: European Commission (2022), [Annual report on Intra-EU labour mobility 2021](#).

including facilitating concerted and joint inspections’), activities gradually expanded during the evaluation period.

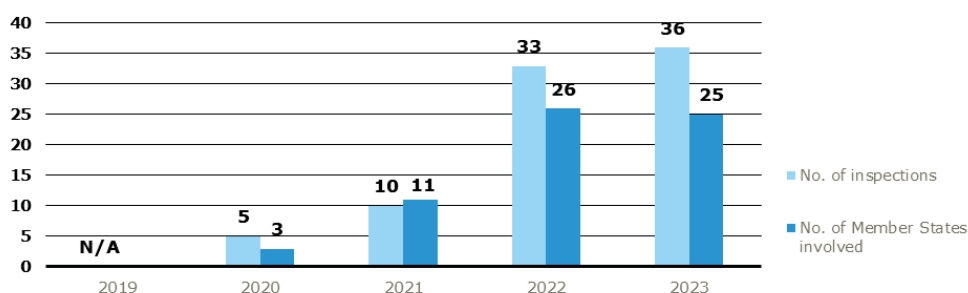
The NLOs dealt in 2021 and 2022 with respectively 88 and 110 requests for information on national systems. Almost all were resolved.<sup>47</sup> The time needed to resolve such requests was on average around 30 to 40 days. For 2023 the figure went down to 69 requests. This can be explained by an increasing number of informally resolved queries. Requests have also changed over time: from initially more simple requests concerning one or two other Member States towards more questions touching on all or almost all Member States.

ELA’s NLO office organised in 2022 and 2023 events at national level, next to Member State events supported by ELA and visits of ELA staff in Member States and vice versa. These events, mostly of up to 50 participants coming from national authorities (often labour inspectorates), or social partner organisations, covered a broad range of topics: road transport, platform work, cross-sectoral cooperation in enforcement, posting of workers and multilateral cooperation of enforcement authorities in several countries.

In 2022, a toolbox for the exchange of information between Member States was prepared, together with two reports about cooperation practices and challenges between Member States in specific sectors.<sup>48</sup>

Figure 8 shows the increase of **concerted and joint inspections** and participating Member States over time. In the first semester 2023 ELA supported 36 inspections and by the end of 2023 26 Member States had participated in such inspections<sup>49</sup>. The inspections focused on areas of particular importance for cross-border mobility: road transport, construction, and agriculture. They also targeted specific employment situations, such as long contractual chains with a high risk of involving letterbox-companies or other fraudulent forms of labour market intermediation.

**Figure 8: Number of cross-border inspections and Member States involved (2019-Q2 2023)**



<sup>47</sup> Supporting Study, Annex III, Figure 18.

<sup>48</sup> ELA (2023), Consolidated Annual Activity Report 2022, p. 16, p 23.

<sup>49</sup> Throughout 2023 Luxemburg had not yet participated in CJIs. see: ELA (2024), Annual Report on CJIs 2023, p. 8.



Source: Supporting Study. Contractor's elaboration based on ELA Annual Activity Reports (2019-2022), CJI Bulletins (2021, 2023) and the Report on CJIs (2022). Data for 2023 refers to Q1 and Q2.<sup>50</sup> – In 2023 altogether 76 cross-border inspections with 26 Member States involved.

Guidance documents for CJIs have been established in 2020.

For **analysis and risk assessments** ELA's homepage refers to five publications.<sup>51</sup> Three of these reports were established with the assistance of contractors.

ELA's **capacity building** activities ranged from the collection of good practices via trainings and workshops to peer-to-peer learning. In 2022 ELA trained around 300 persons on CJI related topics, mostly national labour inspectors, but also social partners and ELA's NLOs.<sup>52</sup> In support of the implementation of digital tools, ELA started in 2022 a Mutual Learning and Understanding Framework, IMI-PROVE, focusing in first instance on the IMI system modules for posting of workers and road transport.<sup>53</sup> The key instrument for data exchange under social security coordination, the Electronic Exchange of Social Security Information (EESSI) was not covered by ELA's activities during the evaluation period.<sup>54</sup> In line with ELA's mandate to generally encourage the use of digital tools, ELA organised since 2022 yearly 'tech conferences' bringing together national authorities, industry and academia, showcasing good practices.<sup>55</sup>

On the **two remaining specific objectives covering mediation on the one hand and tackling undeclared work** on the other, the following information could be gathered:

By the end of 2023 four **mediation** cases had reached ELA, 'one of which had reached a successful conclusion with the adoption of a non-binding opinion. The remaining three cases were closed due to the refusal of the other party to participate in the mediation procedure.'<sup>56</sup>

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<sup>50</sup> The total number of inspections for 2023 was 76, with 26 MS involved (Luxemburg did not participate).

<sup>51</sup> [https://www.ela.europa.eu/en/publications?f%5B0%5D=oe\\_publication\\_activities%3A151](https://www.ela.europa.eu/en/publications?f%5B0%5D=oe_publication_activities%3A151)  
[Publications | European Labour Authority \(europa.eu\)](#) (30/07/2024)  
Construction sector : Issues in information provision, enforcement of labour mobility law, social security coordination regulations, and cooperation between Member States,  
Artificial intelligence and algorithms in risk assessment. A Handbook,  
Mapping of national measures taken by the EU and EFTA Member States in employment and social security for displaced persons coming from Ukraine,  
Application of the General Data Protection Regulation (GDPR) in exchanging data for risk assessment, and Impact of teleworking during the COVID-19 pandemic on the applicable social security.

<sup>52</sup> Supporting Study, p. 61.

<sup>53</sup> [ELA Brochure A4.pdf](#)

<sup>54</sup> This activity was launched in May 2024: [Digitalisation in social security coordination: enhancing effectiveness and efficiency – ELA launches the PROGRESS Programme | European Labour Authority](#)

<sup>55</sup> E.g. the 2022 edition: [ELA TECH Conference 2022 - Digital solutions for labour mobility | European Labour Authority](#)

<sup>56</sup> ELA (2024), Consolidated Annual Activity Report of ELA 2023, p. 17.



The **Platform Tackling Undeclared Work** under ELA continued its operation, providing a mix of expert input and mutual learning between its members.

The Figure 9 below reflects a number of **available output indicators**, linked to ELA's activities focusing mostly on the years 2021/2022, when most of the complete data was available.

**Figure 9: Outputs of ELA's activities**

Task	Indicator	2020	2021	2022	2023 (Q1&Q2)
<b>Information and Services</b>	Support actions for specific sectors	N/A	15 reviews, 3 workshops	7 reviews, 2 workshops	8 reviews, 0 workshops
	Total number of documents translated	N/A	231	183	N/A
	ELA campaigns (reach)	#EU4FairWork (16 million)	#Rights4AllSeasons (60 million views in social media)	#Road2FairTransport (125 million online impressions)	#EU4FairConstruction (N/A)
<b>Coordination of EURES</b>	Jobseekers registered via self-service on the EURES Portal	N/A	63 000	14 700	N/A
	Employers registered on the EURES Portal	N/A	6 973	5 733	N/A
	Unique visitors to the EURES Portal	N/A	3.7M	3.4M	N/A
	European Online Job Days	N/A	28	44	12
	Job placements	N/A	53 200	48 731	22 348
	CV's transferred via single coordinated channel	N/A	~ 680 000	~ 1 200 000	
<b>Cooperation and exchange of information</b>	Requests referred to facilitate cooperation	12	37	107	38
	Requests solved	12	87	104	29
	National events by NLOs	N/A	N/A	8	6 confirmed for the entire year
<b>Concerted and joint inspections (CJIs)</b>	Cross-border inspections (CJIs)	5 (pilots)	10	33	36

	Member States attending CJIs	3	11	25	25
	Infringements identified	N/A	N/A	1 762	420 (until June)
	Mutual learning/training for CJIs	1	2	9	3
	Number of experts trained	70	80	315	200
<b>Analysis and Risk Assessment</b>	Analytical reports	1	3	4	6
<b>Capacity Building</b>	Peer-to-peer, staff exchanges	1 training	4 workshops, 1 staff exchange	2 trainings, 2 workshops, 15 staff exchanges, 2 peer learning dialogues	3 trainings
<b>Tackling Undeclared Work</b>	Mutual learning formats	N/A	2 Learning Resource Papers 1 Platform seminar 1 Thematic review workshop 5 Good practice fiches 2 Peer learning dialogue	3 Learning Resource Papers 1 Platform seminar 2 Thematic review workshops 1 Webinar 12 Good practice fiches 2 Peer learning dialogue 10 Staff exchanges 3 Output papers	2 Learning Resource Papers
<b>Mediation</b>	Mediation cases	N/A	N/A	1 case initiated	2 cases initiated

Notes: n/a – not available

Source: Commission own elaboration based on ELA reports, mainly the Consolidated Annual Activity Reports, EURES Performance Measurement System and inspections reports

The output identified in Table 9 corresponds to the six key drivers motivating the set-up of ELA, described in Section 2.1. While the overarching objective of ELA is to contribute to fair labour mobility across the Union, a direct effect of the identified outputs on this objective is difficult to measure due to the still limited time of operation of the agency as well as the diversity of social security systems, employment conditions and industrial relations between Member States, and the multifaceted nature of these systems. At this stage the assessment is therefore focused on progress towards the operational and specific objectives.

### 3.3. External factors influencing the delivery

Considering the main developments affecting the EU labour markets and intra EU labour mobility during the period when ELA was set up, the intervention logic identifies three

main types of external factors to be considered when evaluating ELA, presented below. The impact of these external factors on the performance of the Agency are addressed in section 4 (see in particular 4.3).

### *1. Unforeseen crises (e.g. COVID-19 and the Russian war of aggression against Ukraine)*

The **COVID-19 pandemic** impacted in particular the starting up of the agency, with delays in recruitment of staff, a shift of in-person meetings to online formats and delays in the organisation of key activities such as the concerted and joint inspections which only started in September 2021. **Russia's war of aggression against Ukraine** disrupted mobility patterns in the EU, with more than 4 million people arriving from Ukraine and benefitting from temporary protection in the EU Member States.

### *2. Socio-economic trends (e.g. digitalisation and changing demography)*

**Digitalisation** affects labour mobility in various ways: it can contribute to more efficient exchange of information between Member States<sup>57</sup>, more easily available information about vacancies and applications including also the use of artificial intelligence for the matching between vacancies and job searchers, but also lead to more flexible work patterns, such a cross-border telework creating specific challenges in the application of the rules on social security coordination. An important step in digitalising information provision and procedures was taken with the adoption in 2018 of the Regulation on a single digital gateway<sup>58</sup>. It foresees, among others, the access to EURES through the single 'Your Europe' portal and the digitalisation of procedures for the request and delivery of entitlement documents for the purpose of social security coordination. Since the latter requirement had to be implemented by the Member States by the end of 2023, it can be expected to play a role in the support ELA will be providing on digital tools in the forthcoming period.

Finally, digitalisation affected and will affect the ways in which ELA carries out its tasks. Artificial intelligence can be expected to play an increasing role in providing information more efficiently and in a more targeted way (e.g. EURES), reduce the effort in carrying out translations and producing assessment and analysis.

**Demographic developments** and especially the ageing workforce are resulting in an outflow of a significant part of the active population from the labour market. This increases labour shortages to which enhanced labour mobility can be part of the answer<sup>59</sup>.

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<sup>57</sup> Such as through the [Electronic Exchange of Social Security Information](#) system which connects 3400 social security institutions in 32 countries

<sup>58</sup> 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

<sup>59</sup> E.g. Communication 'Demographic change in Europe – a toolbox for action', COM(2023)577

### *3. Relevant labour mobility and policy developments*

Since the inception of ELA and the end of the first semester 2023, the EU labour market has changed significantly: employment rates have increased<sup>60</sup>, unemployment rates and differences between unemployment rates decreased<sup>61</sup>. In light of these developments movers are in the meantime less seen as taking the employment possibilities of local workers. Instead, they are more seen as causing brain drain and aggravating labour shortages in the countries from where they leave. As a means to address the substantial labour shortages in Europe, the attraction of third country nationals to the Union is gaining increasing attention.

With Brexit intra-EU labour mobility figures declined, as the UK, which used to be a major destination for EU movers, was no longer part of the Union. However, in the meantime figures have largely recovered back to pre-Brexit levels.

Changing mobility patterns call for a continuous adaptation of the policy and legislative framework. The complexity and sensitivity of these adaptations are illustrated by the negotiations on the revision of the EU legislation on social security coordination which started in 2016 and could still not be concluded<sup>62</sup>.

To clarify the rules applicable in the cross-border road transport, the Commission adopted in 2020 the Mobility Package I<sup>63</sup> assigning in some cases explicitly a role to ELA.

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<sup>60</sup>[https://ec.europa.eu/eurostat/databrowser/view/lfsi\\_emp\\_a/default/table?lang=en&category=labour.employment.lfsi.lfsi\\_emp](https://ec.europa.eu/eurostat/databrowser/view/lfsi_emp_a/default/table?lang=en&category=labour.employment.lfsi.lfsi_emp)

<sup>61</sup>[https://ec.europa.eu/eurostat/databrowser/view/tps00203/default/table?lang=en&category=t\\_labour.t\\_employment.t\\_lfsi.t\\_une](https://ec.europa.eu/eurostat/databrowser/view/tps00203/default/table?lang=en&category=t_labour.t_employment.t_lfsi.t_une)

<sup>62</sup> Commission proposal: <https://ec.europa.eu/social/BlobServlet?docId=16784&langId=en> It should be noted that the revision of these Regulations would not impact the mandate and tasks of ELA in the field of social security coordination.

<sup>63</sup> [Mobility Package I - European Commission \(europa.eu\)](#)

## **4. EVALUATION FINDINGS (ANALYTICAL PART)**

### **4.1. To what extent was the intervention successful and why?**

To assess ELA's performance this report follows a three step-approach: first (Section 4.1.1.) it looks at how different activities have contributed to the specific objectives (effectiveness). This part responds to the evaluation questions 1.1 to 1.8. In a second step the analysis looks into the efficiency of the activities and the functioning of the overall organisation (Section 4.1.2.). This part provides responses to evaluation questions 1.9 to 1.14. The third step assesses how coherent ELA's activities are with those of other organisations and bodies (Section 4.1.3.), thus responding to evaluation questions 1.15 to 1.20.<sup>64</sup>

Overall, the intervention has supported cooperation between national authorities in particular in facilitating inspections of posted and otherwise mobile workers. It organised events with Member States to raise awareness of ELA's existence and its areas of activity. Progress towards its specific objectives can, in the absence of result indicators, only be approximated indirectly. Altogether, the evaluation points to room for improvement in the implementation of specific activities and when it comes to the coordination between the specific activities. Challenges related to staffing, budget management and execution, also emerged.

#### **4.1.1. Effectiveness**

##### ***1. Overall considerations***

ELA has delivered to various degrees (details in the following sections) on activities contributing to its four specific objectives. Differences in the level of delivery can mostly be attributed to explicit prioritisation which was discussed and approved in the Management Board and considered necessary during the set-up process. The budget was allocated according to the planned level of priority. Satisfaction with the output provided was in general fairly high across the stakeholder groups, indicating a good quality of the products, still, interviewed national authorities as well as ELA staff underlined that better prioritisation of activities could further improve the usefulness.<sup>65</sup>

ELA has made progress in improving the availability and accessibility of information on labour mobility rights and obligations within the EU through information campaigns. Stakeholders appreciated ELA's proactive engagement and the development of tools enhancing cooperation between national authorities. ELA also contributed to facilitating

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<sup>64</sup> For the evaluation matrix see Annex III.

<sup>65</sup> Annex V, p. 116 and Supporting Study, Annex VI p. 49 and p. 71-73.

and strengthening cooperation among Member States, including by supporting coordinated and joint inspections.<sup>66</sup>

Performance indicators were not available for the reference period and activities covered by the evaluation, strongly limiting the possibility to monitor development and assess ELA's progress towards its specific objectives and to which extent the activities had an impact.<sup>67</sup>

During the period under evaluation ELA started preparing 'strategies' in several of its areas of activity (e.g. capacity building, EURES), without however preparing a more encompassing strategy covering all its activities, with clear objectives and milestones.

Consistent with the weaknesses of the performance measurement system, the interviews carried out during the evaluation and the results of the case studies revealed that the extent to which ELA's work translated into tangible change on the ground was so far still unclear.<sup>68</sup>

The stakeholder surveys reported that cooperation and interaction with ELA came with increased costs and efforts for the concerned organisations, which were, however, mostly considered worth the investment due to the benefits of participating in ELA's activities. Participants in ELA's activities considered that some meetings were too long or being organised too frequently. They also pointed to the need for a better coordination between activities.<sup>69</sup> This corresponds to the general observation<sup>70</sup> that activities of different departments within ELA (e.g. Communication and Enforcement) were not well coordinated and the responsibilities within ELA not easy to understand.<sup>71</sup>

## ***2. Access to information on rights and obligations with regards to labour mobility across the Union and relevant services***

On the side of **communication and awareness raising campaigns**, ELA had a quick start with its information campaigns (undeclared work, seasonal work, construction and road transport) achieving a significant outreach.<sup>72</sup> In the absence of outcome and result related indicators the effects of the campaigns cannot be assessed.

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<sup>66</sup> Supporting Study, Section 4.

<sup>67</sup> As the period of ELA operation is increasing it can be expected that also its impacts will start to show and thereby increasing the need and importance of impact indicators.

<sup>68</sup> Annex V, p118/119 .

<sup>69</sup> Annex V, p. 123.

<sup>70</sup> Annex V, p. 121 and 123.

<sup>71</sup> Annex V, p. 121 - The organigramme also raises questions: e.g. is all analysis performed by the 'analysis and risk assessment' cell? – or do other 'cells' also perform analysis? – What is the division of labour between staff working on 'information and services' and the 'communication' staff? – Who has the responsibility for campaigns and how are the thematic units involved in those?

<sup>72</sup> #Rights4AllSeasons Campaign -60 million views in social media; #Road2FairTransport Campaign - 125 million online impressions

ELA's information campaigns as a primary method for facilitating access to information were generally viewed positively by stakeholders, including by public administration representatives and EU-level social partners.<sup>73</sup> The promotion activities as part of the campaigns were particularly welcomed.

Concerning the implementation and coordination of campaigns, communication between ELA and its stakeholders (ranging from national authorities to social partners – via surveys, interviews, and case studies) showed some weaknesses. Main issues concerned the timeliness and targeting of communication by ELA and reluctance or inability by stakeholders to provide and disseminate the information as quickly as requested by ELA.<sup>74</sup> Stakeholders views varied based on their direct interest. ELA staff focused more on the volume of work and coherence in terms of tasks, whilst the Management Board looked at the outreach of such campaigns. Social partners were most concerned about their timely involvement in the preparation of the campaigns, and the impact to their main beneficiaries (workers and employers).<sup>75</sup> National authorities as well as social partner organisations, expressed the desire to be consulted and involved early on, so to be able to influence the campaigns, to better link them with own activities and to bring on board further (e.g. regional or thematic) partners. ELA showed awareness of these issues and indicated it was aiming to improve the situation.<sup>76</sup>

When it comes to **information and services**, ELA's information working group undertook a mapping of relevant information sources. Stakeholders, primarily social partners but also experts from public employment services and labour inspectorates, identified a further need for easily accessible and practical information concerning rights and obligations for mobile workers and employers. They argued that much of the existing information is fragmented across different EU-level and national websites and is insufficiently useful. Given that national authorities are in charge with the quality of the information available on their websites, there is a subjective approach regarding their views. Nevertheless, this issue is addressed through a focus on coherence with EU initiatives, such as the Single Digital Gateway, which provides a centralised approach.

In the public consultation, the provision of information to individuals, employers and social partner organisations regarding rights and obligations to facilitate labour mobility was the most frequently identified area for further involvement of ELA.<sup>77</sup>

In 2020 ELA set up a facility, to provide translations of information on labour mobility and social security coordination, which 76 out of 124 respondents to public consultation,

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<sup>73</sup> Annex V and Supporting Study, Section 4.1.1.1..

<sup>74</sup> Supporting Study, Annex VII, Case study 1, p. 13.

<sup>75</sup> Annex V and Supporting Study, Annex VI, Sections 2.1.1. 4.6.1.1 and 5.4.1.1

<sup>76</sup> Supporting Study, Annex VII, Case study 1, p. 9.

<sup>77</sup> Annex V, p. 117 and Belgian Presidency of the Council of the EU (2024), Fair Mobility in the EU and the role of the European Labour Authority, p. 48 and 51 ([https://belgian-presidency.consilium.europa.eu/media/nvenvc42/report\\_ela\\_eu2024be.pdf](https://belgian-presidency.consilium.europa.eu/media/nvenvc42/report_ela_eu2024be.pdf)), Supporting Study, p. 49



among them representatives of national authorities in 19 Member States (responses from 24 Member States), considered as very useful. Only six respondents found this service not useful. The service was in particular welcomed by national authorities<sup>78</sup>, which benefited fully from the task. ELA's support via the translation facility helped national authorities save costs, which could have influenced the positive approach.<sup>79</sup> The service was perceived as valuable also by others stakeholders, (e.g. Social Partners, members of the ELA Management Board) centralising the service, ELA ensured a coordinated approach to translation, in different areas of its work, by using also existing Commission's Translation Centre for the Bodies of the European Union (CdT).

As regards **EURES**, ELA took over the management of the EURES European Coordination Office (ECO); the annual programming cycle; the Performance Measurement System; the EURES portal; training for the EURES Academy; EURES communication activities; the European (Online) Job Days; and the Report on Labour shortages and surpluses.<sup>80</sup> This transition went smoothly<sup>81</sup>, despite persistent staff vacancies and the limited experience of newly recruited personnel.<sup>82</sup> During the initial phase, ELA was able to build on the enthusiasm of its staff and stakeholders, including substantial good will.<sup>83</sup> However, over the period under evaluation, the effectiveness of the activities in support of EURES declined and certain issues emerged that negatively impacted performance (see below).<sup>84</sup>

In taking over the management of ECO, ELA adopted a 'business continuity' approach, which facilitated the acquisition and learning process of the different tasks associated with the role of the ECO.<sup>85</sup> Smaller adaptations were made, making the EURES Portal more user-friendly; increasing the ambitions of the Report on Labour Shortages and Surpluses by adding elements of general labour market analysis; new ways of interacting with national coordination offices (NCOs) by focusing on bilateral meetings; the EURES Communication Strategy for 2021-2024 was drafted to increase awareness of EURES; a review of the training offer was undertaken.<sup>86</sup> These changes were overall positively received by the national authorities, however, the partners were also critical about shortcomings of ELA's work, such as a too long time-horizon for the implementation of the new Portal Strategy, a lack of induction courses for new staff or insufficient attention

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<sup>78</sup> This is the best value for activities to provide information on rights and obligations concerning labour mobility. It is followed by targeted workshops (74), provision of accessible information (73) and communication and dissemination activities (e.g. information campaigns (64)) (Responses to Question 6 in the stakeholder survey; n=124). – For details: Supporting Study, Annex VI, p. 31.

<sup>79</sup> Supporting Study, Section 4.12.1.

<sup>80</sup> Supporting Study, Annex VII. Case study 2, Table 6.4

<sup>81</sup> Supporting Study, Annex VII, Case study 2, p. 34.

<sup>82</sup> Supporting Study, Annex VII, Case study 2, p. 21.

<sup>83</sup> For a detailed analysis see Supporting Study, Annex VII, Case study 2.

<sup>84</sup> Supporting Study, Annex VII, Case study 2, p. 34/35.

<sup>85</sup> Supporting Study, Annex VII. Case study 2, p. 22.

<sup>86</sup> Supporting Study, Annex VII. Case study 2, pp. 25-26.



to EURES ‘matchmaking’ function/activity (of jobseekers with vacancies) as compared to information provision. The broader analysis concerning labour shortages has been publicised in conferences together with Eurofound, however, it meant going beyond a focus on cross-border labour mobility and it meant entering the area of general labour market analysis. National coordination offices repeatedly regretted that, different from the Commission, ELA as manager of ECO is not in the position to provide guidance on legal questions.<sup>87</sup>

Responses to the surveys supporting the evaluation (by the EURES NCOs, Commission representatives) and the findings of the case study on the EURES Coordination Office indicate that EURES is not fully integrated into ELA’s portfolio of activities. NCO’s were the more critical voices in this context, given their direct interest in EURES. Nevertheless, also social partners and national ministries were vocal actors in terms of identifying the need to improve ELA’s effectiveness in this activity

The system which monitors job placements facilitated through the EURES Portal or staff<sup>88</sup> that was put in place by the Commission was no longer used by ELA. As a result, no figures are included in the programming documents as targets nor in the annual activity reports to present the achievements. A KPI that the Commission had used in the last EURES evaluation and which could have been maintained<sup>89</sup>, was the ratio of the number of placements with EURES support to the total number of workers that changed country within the EU within a year. The EURES network facilitated at least 84 580 placements in 2018 and 83 360 placements in 2019. The Annual Reports on Intra-EU Labour Mobility<sup>90 91</sup> estimate that 880 000 persons changed country within the EU to work in 2018, and 825 000 in 2019. EURES placements therefore corresponded to 9.6% of active movers in 2018 and 10.1% in 2019. The number of EURES placements in 2021 and 2022 – 53 200 and 48 731 (figure 9) – in relation to the annual number of active movers – 650 000 and 713 000 – results in a considerable decrease to 8.2% and 6,8% of the EURES market.

Surveys, interviews and the EURES case study show that a significant number of stakeholder groups are dissatisfied about this development.<sup>92</sup> Overall, the effectiveness of the EURES portal in so far as it is used by citizens is declining, falling below the comparison points identified (Figure 2).

This development arises from specific decisions taken by ELA, as outlined above. Beyond that, the declining effectiveness could be partially due to the complex division of responsibilities between ELA and the Commission services as foreseen in the Founding

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<sup>87</sup> Supporting study, Annex VI, p 135.

<sup>88</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021SC0217>

<sup>89</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52021SC0217>

<sup>90</sup> <https://op.europa.eu/en/publication-detail/-/publication/ab706f9b-74bf-11eb-9ac9-01aa75ed71a1/language-en>

<sup>91</sup> <https://op.europa.eu/en/publication-detail/-/publication/40821c65-2a24-11eb-9d7e-01aa75ed71a1>

<sup>92</sup> Annex V, p. 120/121.

Regulation<sup>93</sup>. While the Commission continued to be responsible for the technical operation of the EURES Portal and related IT services and the financial schemes under EURES<sup>94</sup>, ELA managed the ECO and was the system owner of the EURES portal. Such a division allowed the Commission to outsource the ECO management while EURES could continue to benefit from the Commission's corporate solutions and IT developments. Over time ELA developed a different view on the steps to be taken. While the Commission services put priority on aligning EURES with Europass, this was not considered a priority by ELA as reflected in the allocation of staff and activities carried out by ELA<sup>95</sup>. On the other hand, ELA expressed a need regarding the development of a stand-alone IT platform towards end-users, something not foreseen in the EURES Regulation.

### ***3. Facilitate and enhance cooperation between Member States in enforcing relevant Union law, such as facilitating concerted and joint inspections***

The analysis of the activities contributing to this specific objective showed that ELA introduced structure to these activities and has considerably improved their functioning compared to the start of the operation of the Authority.<sup>96</sup>

Four operational objectives (six activities) contributed to this specific objective. The financially biggest consisted in facilitating the cooperation and acceleration of exchange of information between Member States and supporting their effective compliance with cooperation obligations (for details see Figure 5). The cooperation and NLOs office as well as the social partners liaison function contributed to this operational objective.

Most of the NLOs were appointed at an early stage in 2020. This resulted in a situation where in 2020 there was more staff seconded from national authorities than other members of staff (33 vs. 30). This created some difficulties with regard to the availability of NLOs to work in ELA's premises.<sup>97</sup> Following a selection procedure organised by the relevant Member State, ELA carries out administrative checks on the proposed designated NLO before the secondment starts<sup>98</sup>. Initially, ELA tried to integrate NLOs as well as other SNEs in the thematic work of ELA. This approach was revisited, and after extensive discussions in the Management Board, a specific team was formed in the cooperation support unit, the **cooperation and NLOs office**, regrouping the NLOs and providing for **social partner liaison**. By answering questions concerning their respective national systems and

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<sup>93</sup> Supporting Study, p. 84 and Supporting Study, Annex VII, p.33/36.

<sup>94</sup> The Targeted Mobility Schemes and the Cross-Border Partnerships.

<sup>95</sup> Supporting Study, Annex VII, Case study 2.

<sup>96</sup> Supporting Study, Annex VII, p. 55.

<sup>97</sup> European Court of Auditors (2023), Annual report on EU agencies for the financial year 2022, p. 168, para 3.18.8.: 'ELA's internal rules require seconded national experts and national liaison officers to reside in Bratislava. ... ELA was unable to produce any proof, in response to a request we made, that a certain NLO lived in Bratislava. ... ELA's ex-ante checks on these declarations are weak: they are based solely on the declarations of the SNEs and NLOs, and not on documentary evidence. There are no ex-post checks.' [Annual report on EU Agencies for the financial year 2022 \(europa.eu\)](https://www.europa.eu/annual-report-2023).

<sup>98</sup> Regulation (EU) 2019/1149, Article 32 (1). For a recent effort see: Management Board Decision 2024/7: [https://www.ela.europa.eu/sites/default/files/2024-05/Decision\\_07\\_Revision\\_of\\_SNE\\_rules\\_2024.pdf](https://www.ela.europa.eu/sites/default/files/2024-05/Decision_07_Revision_of_SNE_rules_2024.pdf).

organising events (conferences, workshops) with their respective national authorities (in some cases, several NLOs jointly organised such events for their national authorities) the NLOs provided a platform for ELA to present its activities.

The supporting role played by NLOs in areas such as support to CJIs or cooperation and exchange of information across Member States was confirmed in interviews with national authorities. However, the interviews, as well as the survey with ELA staff, revealed also differences in the interpretation of the role and responsibilities of NLO, by the NLO him/herself and/or the sending Member States.<sup>99</sup> For the interviews, respondents from ELA staff flagged that MS should be left the discretion to decide on the number of NLOs, whilst other ELA staff pointed out that NLOs involvement in unit meetings and daily work should be decreased, defining also their role taking into account their limited capacity to perform administrative work. From the perspective of national authorities, given their direct interest in the work of the NLOs, the position was more favourable towards their involvement and contribution to ELA's tasks.

**Logistic and technical support to concerted and joint inspections (CJI)** is often perceived as ELA's flagship activity.<sup>100</sup> Main outcomes of these inspections were, next to a better understanding of inspection practices in the participating countries, immediate access to and understanding of e.g. social security registers in countries of origin.<sup>101</sup> As such ELA's support to CJIs was highly appreciated to facilitate and enhance cooperation between Member States. Nevertheless, the reports on these inspections, which are provided by the authorities in the hosting Member State, were often made available to ELA late in the process or not provided at all. As a result, ELA's access to lessons from previous inspections and its ability to develop remedial measures, such as trainings or communication material, were delayed.

Discussions in the inspections working group led to routines of organising CJIs that allowed the involved parties to contribute to the best of their abilities. At the end of the period under evaluation issues concerning late or insufficient involvement have mostly phased out.<sup>102</sup> However, in the absence of a meaningful KPI an assessment of the effects of CJIs, beyond the perception of their usefulness cannot be made.

**Analysis and risk assessments** was an area not identified as a priority within ELA (see Figure 5). Beyond the recognition that ELA's analytical efforts are so far mostly limited to mapping, the supporting study identified a lack of coordination or cooperation between

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<sup>99</sup> Supporting Study, Section 5.4.2.

<sup>100</sup> See e.g. Belgian Presidency of the Council of the EU (2024), Fair Mobility in the EU and the role of the European Labour Authority, p. 6 and p. 12 ([https://belgian-presidency.consilium.europa.eu/media/nvenc42/report\\_ela\\_eu2024be.pdf](https://belgian-presidency.consilium.europa.eu/media/nvenc42/report_ela_eu2024be.pdf))

<sup>101</sup> Case study 3, Supporting Study, Annex VII and ELA (2023), Report on concerted and joint inspections

<sup>102</sup> This concerns all CJIs, but in particular so called 'week of actions' where inspections are conducted in several MS at the same time to attract attention and raise awareness of certain issues. See also Supporting Study, Annex VII, Case study 3.

ELA's analytical efforts and the organisation of CJIs. This, however, was also related to reluctant reporting by Member States about structural issues occurring during CJIs. Data protection and privacy issues were other barriers to the process<sup>103</sup>. The Founding Regulation does not provide ELA with a detailed position when it comes to processing of personal data and national authorities are reluctant to share their information, which hindered their ability to offer analytical services at a company level or to proactively identify and refer suspected cases to Member States. ELA staff highlighted<sup>104</sup> that data protection concerns were a major factor causing deficiencies in risk assessments and the integration of such assessments with other tasks, including CJIs and EURES services. National authorities<sup>105</sup> and the Report of the Belgian Presidency of the Council of the EU on the work of ELA raised similar concerns regarding the possibility of ELA to process personal data for some of the tasks defined in the founding Regulation.<sup>106</sup>

Over the first years of ELA's operation **capacity building** activities were organised on a rather ad hoc basis. Still, they were assessed very positively by stakeholders and they also played an important role for the development of the Authority.<sup>107 108</sup>

According to ELA staff and Management Board Members capacity building was initially assigned a lower priority compared to other ELA tasks, despite Article 11 of the founding Regulation mandating its role in supporting Member States with consistent enforcement of Union law. However, the importance of capacity building has been recognized and reflected in a growing budget and the launch of initiatives such as the 'Call for Good Practices.' The initiative and subsequent training and workshops have been well-received by stakeholders for fostering technical competencies and stakeholder collaboration<sup>109</sup>. ELA's capacity-building efforts, which include activities like seminars and peer-learning events, have played a role in enhancing cooperation, information exchange, and supporting concerted and joint inspections. A capacity building strategy 2024 – 2030 was prepared during the evaluation period (adopted in 2023), capacity building was partly dealt with as a specific operational activity<sup>110</sup> and partly as a horizontal feature, with links to other operational objectives.<sup>111</sup> It is not clear whether the programmes mentioned as part of the

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<sup>103</sup> Annex V, p. 119 and Supporting Study, p. 124. - Both ELA staff and stakeholders flagged concerns regarding data protection rules.

<sup>104</sup> Supporting Study, Annex VI Section 4.4.1.5.

<sup>105</sup> [https://wayback.archive-it.org/12710/20240719000258/https://belgian-presidency.consilium.europa.eu/media/nvenvc42/report\\_ela\\_eu2024be.pdf](https://wayback.archive-it.org/12710/20240719000258/https://belgian-presidency.consilium.europa.eu/media/nvenvc42/report_ela_eu2024be.pdf)

<sup>106</sup> Supporting Study, Annex VI, Section 4.4.1.5.

<sup>107</sup> Supporting Study, p. 62.

<sup>108</sup> E.g. in March 2023 ELA organised a 2-day training event on SOLVIT which was greatly appreciated and also the capacity building provided in the context of Posting 360 was appreciated by Member State authorities and Commission.

<sup>109</sup> Supporting Study, Section 4.1.1.2.

<sup>110</sup> ELA (2022), Single Programming Document 2023-2025 p. 28 and p. 47. – Strategic area 5 of the multiannual programming is called 'contributing to capacity building' and Activity 8 of the annual work programme is 'capacity building'.

<sup>111</sup> ELA (2023) [Capacity Building Strategy 2024-2030](#), p. 6.

strategy (IMI-PROVE, Posting 360, Transport Support and PROGRESS) constitute the main/exclusive activities as regards capacity building or whether and to which extent further efforts are to be expected. The role of the ‘Cooperation and NLO’s office’ for capacity building is not explained in the strategy.

**Facilitation of digital tools** received in 2023 limited support (see Figure 5), although it is expected to contribute to 4 specific objectives and one horizontal objective. This situation together with the importance attributed to digitalisation triggers the question why it is not mainstreamed into the different other topics, as it might have quite distinct implications in different areas.

The activities performed under this specific objective led to progress as compared to the points of comparison. The NLOs provide for the possibilities to ask for information from another Member State and Joint Inspections have helped inspection authorities to achieve more direct cooperation and mutual understanding of routines, as well increased competences how to effectively inspect work situations of mobile workers.

#### ***4. Mediate and facilitate a solution in cases of cross-border disputes between Member States***

Mediation was one of the least prioritised operational objectives by the Authority<sup>112</sup> over its first years of operation, with a very limited budget share dedicated to it in 2021 and 2022 (respectively, 1% and 3% of ELA’s budget).<sup>113</sup>

The purpose of these activities is to resolve cross-border disputes between Member States, without prejudice to the competence of the Administrative Commission for the Coordination of Social Security Systems. Article 13 of the Founding Regulation sets out that there should be a two-stage process and also further details of how the process should be organised. Based on these requirements ELA had set up a working group with Member States which – supported by contractors – developed detailed and extensive rules of procedures. Four main documents were prepared.<sup>114</sup> For each of the workflows and guidelines, several accompanying templates to standardise the procedures were developed. This set of documents was finalised in August 2022.<sup>115</sup> In parallel, ELA had negotiated cooperation agreements with SOLVIT and with the Administrative Commission for the

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<sup>112</sup> This was also perceived like that by ELA staff and Management Board members. In the survey only 8% considered mediation as prioritised. – Annex VII, p. 131 and Supporting Study, Annex VI, p. 72 (Figure 68).

<sup>113</sup> Supporting Study, Annex V, Section 3.3.1.5.

<sup>114</sup> General Guidelines and Workflows for the mediation procedure (only in English); Guidance for the Member States on the ELA mediation procedure (in all EU-27 languages); Guidance for the Mediators and Mediation Board on the ELA mediation procedure (in all EU-27 languages); Workflow Guidance for the interaction between ELA and the Administrative Commission for the Coordination of Social Security Systems (only in English).

<sup>115</sup> Approved as ‘Guidelines on the Rules of Procedure for mediation of the European Labour Authority’ by ELA’s Management Board ([Decision No 16/2022](#)).



Coordination of Social Security Systems (concluded in 2021)<sup>116</sup> and undertaken efforts to inform about and popularise the mediation role.

While no solid estimates were available concerning the number of potential cases for mediation, the use of this service by Member States could become more likely with ELA gaining more experience and stakeholders realising the value added and quality of ELA's work over a longer period. Furthermore, against initial intentions, none of the activities performed by the Administrative Commission (in particular the Conciliation Board) were transferred to ELA. As such, up until now, the contribution of the activity to the operational objective has been low and mainly indirect, thus overall, there is no progress with respect to the point of comparison. Possible causes for the lack of progress relate to the fact that no other tasks were transferred from the Administrative Commission to ELA. ELA was mainly expected to provide mediation in new areas. In that context it is worth mentioning the generally low number of cases and experience of other similar mediation bodies with longer experience in the field (e.g. the Administrative Commission or the European Banking Authority).<sup>117</sup> Furthermore, the entirely voluntary, non-binding<sup>118</sup> and still heavy procedure combined with the need for ELA to build up trust among Member States could be a further explanation for the low use of the mediation service during the evaluation period. In addition, this activity was not prioritised by ELA. Finally, the mediation function was fully operational and available to interested parties only since September 2022, while the evaluation covered the period until June 2023. Thus, the short period of fully functional service (10 months) and the low number of cases does not allow for drawing robust conclusions.

### ***5. Support the cooperation between Member States in tackling undeclared work***

The key action under this operational objective was to transfer the European Platform Tackling Undeclared Work ('the Platform') from the Commission to ELA. ELA decided to make the Platform part of the enforcement unit and to operate it in a way as similar as possible to other working groups within ELA. While enforcement always had been an important element of its work, the Platform follows a 'holistic approach', meaning that the

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<sup>116</sup> Supporting Study, Annex VII, Case study 4, p. 61.

<sup>117</sup> As an example, seven cases were submitted to the Conciliation Board of the Administrative Commission between 2010 and 2017 (p. 17, [IA supporting the proposal for European Labour Authority](#), SWD (2018) 68 final. The European Banking Authority mediation procedure dealt with 2 cases since 2018 (Supporting Study, Annex VII Case studies, Case study 4 on mediation). In view of that, it may be unrealistic to expect a high number of mediation cases per year.

<sup>118</sup> The importance of voluntary and non-binding nature of the mediation was emphasised by social partners in targeted consultations in preparing the ELA proposal (p. 17, [IA supporting the proposal for European Labour Authority](#), SWD (2018) 68 final,) as well as during the consultations supporting the evaluation.

Platform was not set up to ‘just’ fight undeclared work<sup>119</sup>, but to adopt a wider approach, including the exploration of causes of problems and – ideally – preventative work.<sup>120</sup>

Since its start in 2016 the Platform did not limit itself to address issues related to un- or underdeclared work in situations with a cross-border dimension but was a forum of a fairly broad exchange between labour inspectorates and in some cases labour ministries to tackle undeclared and falsely declared work in its various forms, thereby also reducing the risk of workers to be exposed to labour exploitation and to explore how different internal set-ups support or complicate the authorities’ work. Thus, the Platform supported mutual (organisational) learning among high-ranking practitioners, with a fairly heterogeneous background, reflecting the diversity of structures at the national level. With this design, the Platform could be seen as a precursor to ELA as a whole (except for the EURES part).<sup>121</sup>

Labour inspectorates and national ministries were the two most positive groups of stakeholders on the performance of the Platform. Stakeholders viewed the opportunity to exchange with other national authorities as the most useful contribution created by ELA. Furthermore, 55% of the respondents to the public consultation considered the quality of ELA’s work in relation to the Platform as ‘very high’ or ‘rather high’.<sup>122</sup>

Meanwhile, a number of social partners representatives, highlighted insufficient cooperation between the Working Group on Inspections and the UDW Platform<sup>123</sup>, expressed the need for more sectoral exchanges to address diverse determinants of undeclared work, and emphasised the importance of integrating the Platform’s knowledge into ELA’s operational objectives.<sup>124</sup>

Comparing the situation in 2023 with the situation in 2019, the Platform has managed the transition to ELA and maintained a strong element of mutual learning and exchange, including on questions how to strategically manage labour inspections (Figure 9). The

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<sup>119</sup> See e.g. the Summary of the first Seminar of the Platform Tackling Undeclared Work, December 2016: ‘Developing a Holistic Approach to Tackling Undeclared Work’ <https://www.ela.europa.eu/sites/default/files/2021-09/UDW%20PS-holistic-exec%20sum.pdf> - Next to the ‘fight’ against undeclared work, which is typically characterised by the attention to better enforcement, the Platform paid equal attention to motivational aspects, such as the design of voucher systems for household services or minimum income schemes and information campaigns to inform workers of their rights and of the advantages of declared work.

<sup>120</sup> European Commission (2023), Study on the effectiveness of policies to tackle undeclared work, (<https://data.europa.eu/doi/10.2767/065213>), p. 39 ff. – The study shows that the motivation for undeclared work is often economic necessity i.e. insufficient possibility to generate minimum income with regular employment.

<sup>121</sup> The Platform had undertaken first step to organise CJIs, it had done preparatory work for ELA’s first campaign and it had organised mutual learning and capacity building events.

<sup>122</sup> Annex V and Supporting Study, Section 4.1.1.4..

<sup>123</sup> Notably, the composition of the Working Group and the UDW Platform is very similar, with most members being present in both.

<sup>124</sup> Supporting Study, Annex VI, Section 4.3.2.



potential to more systematically assess, together with the national authorities, how their performance compares with national authorities in other countries was not explored.

#### 4.1.2. Efficiency

Efficiency of such a young organisation as ELA is difficult to assess as the set-up phase develops routines and explores how to deliver in the best way on the mandate. Such experimentation comes with failures and organisational learning.

The absence of a system of key performance indicators did not allow for a thorough monitoring and for ELA to communicate clearly on its performance towards its stakeholders. Only 24% of the respondents to the stakeholder survey considered ELA to be highly efficient when performing its work.<sup>125</sup>

The set-up process as well as staff structure and fluctuations made it difficult for the staff to handle ELA's workload and to implement the budget. While significant improvements can be recognised throughout the period under evaluation, there is room for further improvements of the functioning of ELA (without additional resources).

#### ***1. Cost-effectiveness of actions and balance between operational and administrative expenditure***

Throughout most of the evaluation period, ELA did not have a coherent strategy for tracking key performance indicators (KPIs). Without such an analytical framework, effectiveness as part of the overall cost-effectiveness assessment cannot be measured. The 2022 Annual Activity report did include some task-related output indicators, but it lacked comprehensiveness and quantified results-focused indicators. This limited the analysis and assessment of the cost-effectiveness of activities, which combined the quantitative data with qualitative insights and stakeholders' perceptions from desk research, surveys, and interviews.

A comparison of the financial forecast included in the Proposal for the Regulation and the structure of the actual commitments made by ELA shows that, even when disregarding 2019, the set-up process went somewhat slower than expected, and the share of administrative costs was in particular in 2019-2020, linked to a small budget, higher than expected. Since 2021 the share of the administrative budget corresponds to the forecast. ELA had difficulties implementing the available budget, leading to increasing outstanding payments over the years.

***Figure 10: Expenditure forecast in the Commission proposal for a Regulation (in million euro and as %) <sup>126</sup>***

	2019	2020	2021	2022	2023	2024
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<sup>125</sup> Supporting Study, Annex VI, Question 20 of the Stakeholder Survey (24% of 205 respondents).

<sup>126</sup> COM(2018)131 final, Proposal for a Regulation of the European Parliament and of the Council establishing a European Labour Authority, p. 59.

Staff	2.416	6.658	11.071	15.125	17.349	17.696
	22%	30%	28%	34%	34%	34%
Admin costs	0.568	1.115	6.47	5.16	5.65	5.763
	5%	5%	17%	11%	11%	11%
Operational costs	8.088	14.172	21.39	24.695	28	28.56
	73%	65%	55%	55%	55%	55%
Total commitments	11.072	21.945	38.931	44.98	50.999	52.019

**Figure 11: Actual commitments made by ELA (in million euro and in %)<sup>127</sup>**

	2019	2020	2021*	2022	2023**
Staff	0.35	3.07	6.46	11.15	13.92
	19%	25%	30%	33%	35%
Admin costs	0.99	3.25	2.75	4.27	5.62
	53%	26%	13%	13%	14%
Operational costs	0.54	5.99	12.16	18.06	20.44
	29%	49%	57%	54%	51%
Total commitments	1.88	12.31	21.37	33.48	39.98

\* In 2021 part of ELA's activities was still paid by the Commission

\*\* For 2023: budget, other years: commitments

In the initial stage, ELA was developed around key activities, EURES, the Platform Tackling Undeclared Work, the network of NLOs and CJIs. Some activities (e.g. CJI) took time to develop and others were seen as non-priority because of resource constraints, such as lacking staff and expertise. The latter resulted in some activities still not being fully developed at the end of the evaluation period. Such areas were e.g. ELA's contribution to social security coordination or ELA's analysis/risk assessment capacity, and the mediation function.

Since 2021, more than 50% of ELA's budget went to operational costs. That meant that operational expenditure accounted in ELA for a higher share than in other agencies falling under the remit of DG EMPL (Eurofound, Cedefop around 25%, EU-OSHA below 50%). The share of staff costs was lower (2023: 35%) than for the other agencies (Eurofound, Cedefop: around 66%, EU-OSHA: more than 40%). This corresponded to the values

<sup>127</sup> ELA Annual Activity Reports 2019-2022, Supporting study, Annex V, p. 4 (Table 1).

estimated in the Impact Assessment,<sup>128,129</sup> but is particularly challenging as the share of SNEs, who are not able to initiate financial operations, is higher in ELA than with other agencies.

**Figure 12: Operational and staff cost per ELA operational objective 2021 and 2022**  
130 131

	2021			2022		
Operational Objective	Operational costs	Staff costs	Total costs	Operational costs	Staff costs	Total costs
Information and Services	€ 1,064,523 65%	€ 563,042 35%	€ 1,627,565	€ 888,946 61%	€ 558,986 39%	€ 1,447,932
EURES	€ 7,960,400 97%	€ 223,625 3%	€ 8,184,025	€ 11,576,697 96%	€ 463,944 4%	€ 12,040,641
Cooperation and exchange of information	€ 381,686 45%	€ 465,871 55%	€ 847,557	€ 410,666 22%	€ 1,456,417 78%	€ 1,867,083
Mediation	€ 95,419 53%	€ 85,985 47%	€ 181,404	€ 379,628 69%	€ 167,526 31%	€ 547,154
Concerted and joint inspections	€ 831,757 63%	€ 490,410 37%	€ 1,322,167	€ 1,525,000 70%	€ 639,083 30%	€ 2,164,083
Tackling undeclared work	€ 1,353,417 90%	€ 151,554 10%	€ 1,504,971	€ 415,370 67%	€ 207,575 33%	€ 622,945
Analysis and Risk Assessment	€ 20,000 8%	€ 228,758 92%	€ 248,758	€ 601,623 64%	€ 335,052 36%	€ 936,675
Capacity building	€ 138,995 43%	€ 182,466 57%	€ 321,461	€ 1,232,511 74%	€ 431,368 26%	€ 1,663,879
Total	€ 11,846,197 83%	€ 2,391,712 17%	€ 14,237,909	€ 17,030,441 80%	€ 4,259,951 20%	€ 21,290,392

Source: Own computations by the authors of the supporting study based on the Annual Activity Report of ELA, the Annual Work programmes, and the Annual accounts. The total budget committed to Contract Agents, Temporary Agents and SNE staff was divided by the respective total amount of FTE allocated in different years to obtain the average staff costs per staff category. The committed budget was taken from the Annual Activity Reports, and the amount of FTE allocated was taken from the Annual Work programmes. To obtain the total staff costs, the average staff costs per staff category were multiplied by the number of FTE in each operational objective and for each staff category. For 2021, it is only known the division of FTEs over the Pillars, and the division over operational objectives within the pillars was based on the division in 2022.

<sup>128</sup> Annex IV and Supporting Study, Annex V, Table 2.

<sup>129</sup> The distribution between the different cost-categories appears to have stabilised as from 2022.

<sup>130</sup> Supporting Study, p. 90 (Table 8) or Supporting Study, Annex V, Table 5.

<sup>131</sup> Actual payments.

The strong weight of operational costs was mainly due to EURES and the Platform Tackling Undeclared work. These two activities accounted in 2021 for 79% of the operational costs and in 2022 for 70%. Accordingly, without these two activities, ELA would have had a substantially lower share of operational costs, to be expected for an organisation in a very fast built-up process.

Comparing 2021 and 2022 figures also shows that still at that time, cost structures at ELA were in parts not yet stabilised. The high staff costs for ‘cooperation and exchange of information’ as from 2022, stem from the payments to the NLOs contributing to this operational objective. The skewed budget allocation also became evident in the results of the activities. Some activities such as analysis and risks assessment, capacity building and mediation were still underdeveloped at the beginning of 2023. Interviewees reported having perceived a lack of coordination between units of ELA. The presence of multiple newsletters within the European Labour Authority (ELA) also suggests that there may be an opportunity for improved internal coordination, which could potentially lead to better use of resources.<sup>132</sup>

While travelling and meeting partners in person might have been important during the set-up phase, responses from the surveys as from the interviews<sup>133</sup> suggest that participants agree that meetings and travelling could have been organised in a more efficient way, with shorter, less or virtual meetings.

Translations are essential to facilitate understanding in a multilingual environment and providing translations demonstrated ELA’s usefulness and increased the acceptance of ELA by its national partners. Users highlighted that such translations would not have been achievable for them without the assistance of ELA. Whether this meant that the overall costs of translations were lower because of the Translation Facility cannot be directly measured. However, centralising such a service for which a lot of overlap between the type of information that is translated exists, could lead to efficiency gains. The average costs per translated document decreased from roughly EUR 2 300 in 2020 to less than EUR 2 200 in 2021. The evaluation didn’t gather evidence on the extent to which ELA used or explored other possible tools for translation (such as machine translation).

The transfer of EURES to ELA has created a complex interface between the Commission and ELA. It has led to unintended effects, such as higher costs for the EU budget and higher costs for national EURES members and partners when searching for legal guidance and, compared to the past, less jobseekers actually individually registered with EURES (see section 3.2 and 4.1.1). The cost per placement is a key metric for evaluating the cost-effectiveness of EURES.<sup>134</sup> The ex-post evaluation of EURES showed improving cost-

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<sup>132</sup> E.g. the Platform Tackling Undeclared Work features traditionally a newsletter, while the Authority as such also features a newsletter, both covering in important parts similar topics.

<sup>133</sup> Supporting Study, Annex VI, Section 4.3.3, p 51.

<sup>134</sup> EURES activities are one of the few where the evaluation had results and costs developments and could compare the evolution of cost-effectiveness over time.

effectiveness from 2016 to 2019 due to a lower cost per placement. ELA has discontinued this indicator post-2019. A relative comparison in terms of placements through EURES shows a decrease from over 80 000 in 2019 to nearly 49 000 in 2022 (the latter being influenced by no portal data included and COVID impact). Also, the placements decrease from 53 200 in 2021 to 48 731 in 2022, whilst the budget increased by 47%. Hence, the cost-effectiveness of the current arrangements cannot be considered as satisfactory.

As regards the Platform Tackling Undeclared Work, the budget which went to external contractors has remained very much stable, however, with 5 members of staff the number of people providing support to the platform has doubled compared to the situation when it was organised by the Commission.

Joint inspections are rather resource intensive.<sup>135</sup> The evaluation arrives at the estimate that in 2022 the average CJI did cost approximately EUR 46 000.<sup>136</sup> Similar to other authorities (e.g. police), the national inspectors' powers are linked to a specific territory. Hence, they are only able to accompany and assist the hosting organisation in another Member State and have no executive or investigative powers.

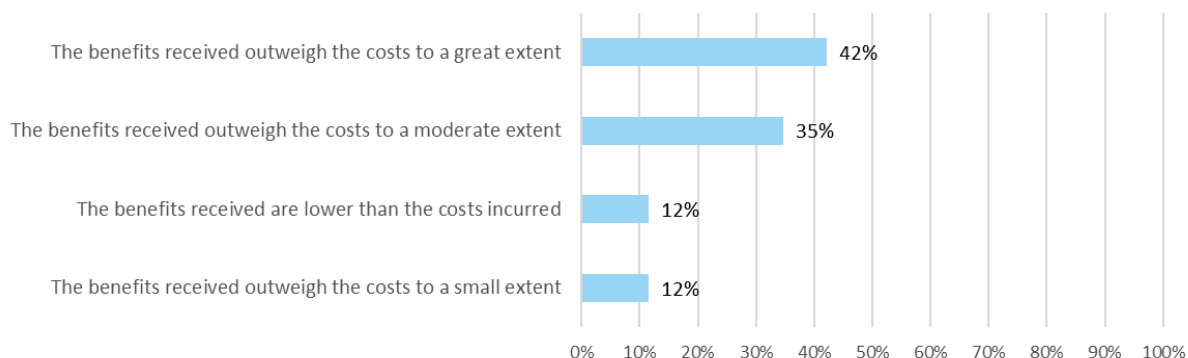
A detailed analysis of full costs (including e.g. working time of national officials or costs of coordination between different organisation entities at the national level) incurred by Member States and other stakeholders, remained outside the scope of the analysis. It can nevertheless be noted that ELA's stakeholders, national authorities as well as social partners, recognise that while engaging with ELA leads to an increase in the costs for their organisations, for the majority benefits outweigh costs. 42% of the respondents are of the opinion that benefits outweigh costs to a great extent, while 24% consider their involvement with ELA mainly as an obligation or an investment, suggesting that there is room for improvement.

***Figure 13: How do the costs you have referred to compare to the benefits of ELA's activities and services for your organisation? (n=121)***

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<sup>135</sup> They require labour inspectors from one Member State to travel to another and to stay there for some time, as well as providing interpretation at the place of inspection and efforts to coordinate between two (or more) organisations.

<sup>136</sup> See Supporting Study, Annex VII, Case study 3. In informal discussions ELA staff reported that in 2023 the average costs per CJI were at around 20 000 Euro. Even if the calculation method might be somewhat different from the supporting study, this suggests considerable improvements from 2022 to 2023.



Source: Supporting Study, Annex VI, Survey to representatives of ELA stakeholders (2023)

## 2. Appropriateness of resource-investment

From a financial perspective, there was broad agreement among staff and management that ELA had sufficient financial resources to carry out its tasks<sup>137</sup>, but there were issues with fund utilisation, particularly in the early years of operation.

With 60 out of 144 members of staff being SNEs, ELA had the highest proportion of SNEs of all Union decentralised agencies.<sup>138</sup> Since SNEs are temporary workers not directly contracted by ELA, a high share of SNEs provides particular challenges for the organisation. In a young organisation it increases staff instability as the limited duration of SNEs stay with the organisation is making consolidation more difficult. In the longer term, however, reliance on SNEs could be an advantage as they can bring diverse perspectives and experiences to the organisation. It may also present an opportunity for knowledge transfer and skills development within ELA and back to the Member States, thereby promoting a better understanding of how Europe works within national administrations. However, combined with a high level of contracting and a considerable number of trainees, this can create instability in the organisation.<sup>139</sup> The issue was also raised by the European Parliament in its discharge for the year 2021<sup>140</sup> and was acknowledged by ELA itself.

The European Parliament's discharge procedures for the European Labour Authority expressed repeatedly concerns about ELAs financial management, and highlighted the importance of strengthening the management and control systems to ensure the proper functioning of the Authority.<sup>141</sup> Recruitment processes, including a gender imbalance of

<sup>137</sup> Annex V, Section Efficiency.

<sup>138</sup> [Texts adopted - Discharge 2021: European Labour Authority - Wednesday, 10 May 2023 \(europa.eu\)](https://www.europa.eu/press-communication/infographic/2023/05/10/ta-9-2023-0191_en.pdf).

<sup>139</sup> European Court of Auditors (2023), [Annual report on EU agencies for the financial year 2022](https://www.eca.europa.eu/press-communication/infographic/2023/05/10/ta-9-2023-0191_en.pdf), para 3.18.11 and 3.18.12.

<sup>140</sup> [Texts adopted - Discharge 2021: European Labour Authority - Wednesday, 10 May 2023 \(europa.eu\)](https://www.europa.eu/press-communication/infographic/2023/05/10/ta-9-2023-0191_en.pdf) Article 11 and 12.

<sup>141</sup> Discharge 2021, Art. 4 ([https://www.europarl.europa.eu/doceo/document/TA-9-2023-0191\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0191_EN.pdf)) and Discharge 2022, Art. 35-37 ([https://data.europarl.europa.eu/distribution/doc/TA-9-2024-0281\\_en.docx](https://data.europarl.europa.eu/distribution/doc/TA-9-2024-0281_en.docx)).

senior management and operational deficiencies, in particular the significant reduction in the registration rates for EURES are further points mentioned critically in the discharge.

As outlined in the Single Programming Document 2023-2025, ELA planned to increase the number of Temporary Agents. Nonetheless, ELA noted that its powers to change the distribution between Temporary Agents, Contract Agents and SNEs were limited, as the Authority was bound by the financial legislative statement accompanying the Founding Regulation of ELA. Thus, only a rather limited change to the distribution between the different types of staff was implemented.<sup>142</sup> The situation in ELA was further complicated as 41 members of staff (28.5% - see Figure 5) worked on horizontal or administrative tasks, where SNEs are underrepresented and partly for legal reasons excluded (e.g. financial and human resources). These figures show that in spite of ELA being bigger than e.g. Eurofound, Cedefop, ETF, EU-OSHA, EIGE and FRA, the share of staff working on non-operational activities is approximately as large, and sometimes even larger (FRA and EIGE work with consistently lower shares).<sup>143</sup>

Almost half of staff that responded to the survey (25 of 58 respondents) and one member of the Management Board indicated a mismatch between envisaged activities and available human resources in the period under evaluation<sup>144</sup>. Whilst most respondents to the ELA stakeholder and staff and Management Board surveys agree that there was a need for prioritisation in ELA's tasks, it was<sup>145</sup> flagged by representatives from all groups that the way in which de-prioritisation/ prioritisation took place created problems in the development process.

Interviewees with trade unions represented in ELA's governance structure, stressed the need for ELA to focus on a limited number of tasks to ensure efficiency. In some areas, such as (a) the mediation function, where very low demand existed, or (b) the provision of labour market analysis beyond direct connection with labour mobility, resources have been invested in efforts which cannot be considered absolutely necessary for a highly cost-effectively and targeted operation of ELA.

### ***3. Monitoring and reporting***

The Authority has implemented various monitoring and reporting mechanisms since its inception, including the adoption of Consolidated Annual Activity Reports (CAARs) and an Internal Control Framework (ICF) aligned with the European Commission's revised framework. The ICF was further refined, and in 2022, the Authority developed ICF indicators, finalised its risk register, and began developing dashboards for budget monitoring. Despite these efforts, there was no clear strategy for measuring key

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<sup>142</sup> Supporting Study, p. 91.

<sup>143</sup> European Commission (2023), Study supporting the evaluation of EU Agencies: Eurofound, Cedefop, ETF and EU-OSHA, p. 132.

<sup>144</sup> Annex V, Section Efficiency.

<sup>145</sup> Supporting study, Section 4.1.1.5..



performance indicators until 2022, which limited the robustness of analysis and the assessment of the Authority's results in the evaluation. The Court of Auditors observed a lack of formalised procedures based on direct evidence.<sup>146</sup> The Court of Auditors also repeatedly identified weaknesses in ELA's management, ranging from significant carry-overs to irregular procurement procedures and the use of non-suitable members of staff (interim agent, trainee) to perform core financial activities.<sup>147</sup>

In 2022, the Authority identified its main strategic areas and developed a set of performance indicators linked to these areas, which were reported in the Consolidated Annual Activity Report for the first time, however, the identified focus on output-related indicators and targets (e.g. number of meetings, number of reports) does not allow for insights into the results or impact of ELAs activities. Such insights would potentially become possible with indicators such as increased registrations in prior declaration tools, commitments following participation in mutual learning, achieved matchings between jobseekers and vacancies, or the value of sanctions imposed in the follow-up to CJIs. Such indicators need, however, to be developed with regard to the activities and the data collection possibilities and will need to be discussed with Member States, as they might need to provide data. Additionally, more complex achievements like building trust between Member State administrations and improving coordinated policy development, due to increased awareness of rules in other countries, are not captured by the current monitoring system. It might be possible to capture such achievements by using indicators such as the share of labour inspections at national level which involve a cross-border dimension or indicators comparing the volume of cross-border mobility with inter-regional mobility at national level or the number of Member States which have a strategy to tackle Undeclared Work. These higher-level achievements need to be reflected in a good monitoring system.<sup>148</sup>

The available information and the stakeholder input clearly show that the mechanisms for monitoring, reporting, and evaluation were still in their infancy and required further improvement. This view was supported by survey responses from ELA staff and the Management Board<sup>149</sup>, with nearly half of the respondents calling for more consistent reporting across units and better performance management and monitoring.

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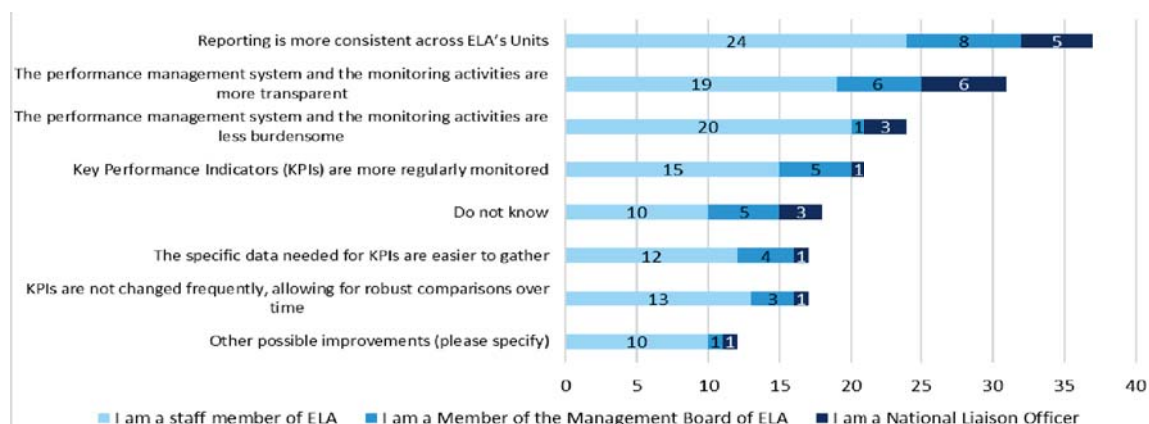
<sup>146</sup> European Court of Auditors: 2021 – Annual report on EU agencies for the financial year 2021 (2022), Para 3.18.10., p. 173 [Annual report on EU agencies for the financial year 2021](#) and European Court of Auditors: 2022– Annual report on EU agencies for the financial year 2022 (2023) Para 3.18.8. [Annual report on EU Agencies for the financial year 2022](#)

<sup>147</sup> European Court of Auditors: 2023 – Annual report on EU agencies for the financial year 2023 (2024), p. 179 (Follow-up of previous years' observations) [Annual report on EU agencies for the financial year 2023](#)

<sup>148</sup> See Blauburger, Michael; Heindlmaier, Anita (2023) The European labour authority in practice, WSI study no 32e, p. 28.

<sup>149</sup> Supporting Study, Annex VI, p. 124.

**Figure 14: How could ELA improve the performance management system and its monitoring activities to effectively keep track of the Authority's performance? (n=85) (multiple answers possible)**



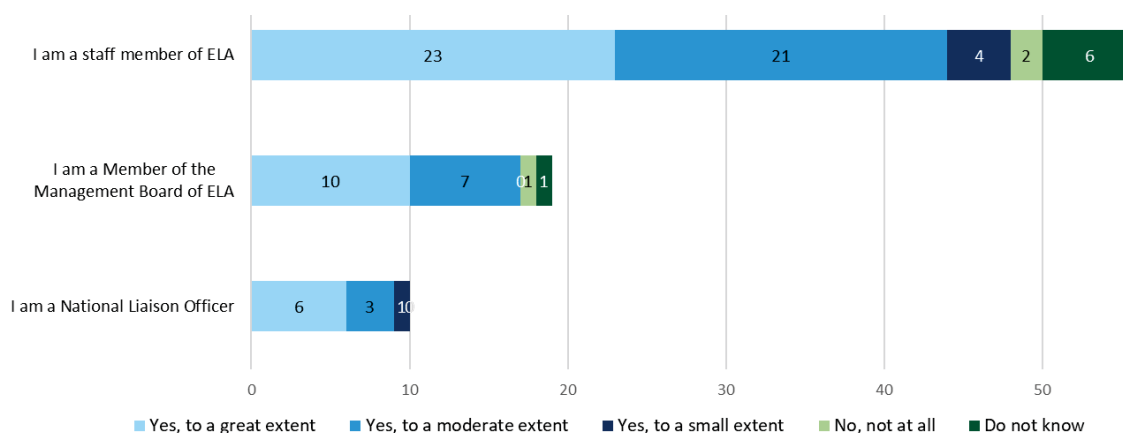
Source: Supporting study - Survey to ELA staff and Management Board (2023)

#### 4. Governance

In 2021, ELA adopted its first organisational structure, which was 'designed to promote an integrated and collaborative approach to fulfilling its mandate' (see Section 3.1.).

Survey results from ELA staff and the Management Board indicated mixed views about the governance structure's support for ELA's planning and implementation activities. 39 of the responding members of ELA staff (including NLOs) and Management Board strongly agreed to the statement that the governance structure of ELA was adequate, 31 found it to a moderate extent adequate, and 15 either had no opinion at all or were not convinced of the governance structure.

**Figure 15: Has the governance structure of ELA – i.e. the Management Board, Executive Director and Stakeholder Group – adequately supported the planning and implementation of ELA's activities? (n=85)**



Source: Supporting Study: Survey to ELA staff and Management Board (2023)

Issues raised included insufficient establishment of internal coordination and communication structures, as well as a lack of project management tools and a predictable common calendar of activities. The survey of ELA staff and the Management Board also revealed significant staff disagreement regarding the clarity of task division across ELA's units and the level of cooperation between them.

Despite these challenges, the majority of respondents among ELA staff and Management Board members held a broadly positive view of ELA's governance structures.

The survey to ELA stakeholders, the public consultation and interviews suggested that the Management Board generally functioned well, even though there was some limited criticism on the high frequency of management board meetings and on the selection of some board members who were not decision-makers or relevant stakeholders at the national level<sup>150</sup>.

The evaluation did not find significant issues with the functioning of the Stakeholder Group. Nevertheless, social partners advocated for more focused discussions and a strategic role with active involvement of the Stakeholder Group in agenda setting<sup>151</sup>.

#### **4.1.3. Coherence**

During the evaluation period ELA became well embedded in the broader EU policy governance structure. ELA attracted substantial political attention at all levels. This was due to the organisation of and participation in a high number of events (partly with the support of the NLOs) and systematic Member State visits by the Executive Director as well as to the support received from EU level social partners (trade unions in particular).<sup>152</sup>

In line with its recent establishment and the absence of major policy changes since the adoption of its Founding Regulation, ELA's mandate and activities were coherent and complementary to EU level policies.<sup>153</sup> Cooperation between ELA and Commission services took place across different departments and topics.<sup>154</sup>

ELA worked closely with national authorities to ensure the application of updated EU rules such as those stemming from the revised Posting of Workers Directive<sup>155</sup>, which aims to guarantee fair wages and a level playing field for posted workers, the social aspects of the Mobility Package I for the road transport, and the Single Digital Gateway Regulation<sup>156</sup>, aimed at providing easier access to information and administrative services for citizens and

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<sup>150</sup> Supporting Study, Annex VI, Section 4.4.2

<sup>151</sup> Supporting study, Annex VI, Section 2.2.

<sup>152</sup> Supporting Study, p. 38 (Section 3.2.1.2).

<sup>153</sup> See also section 4.3 concerning the limitations of ELA's activities.

<sup>154</sup> E.g. with DG MOVE and DG GROW on IMI-PROVE

<sup>155</sup> <https://eur-lex.europa.eu/eli/dir/2018/957/oj>

<sup>156</sup> <https://eur-lex.europa.eu/eli/reg/2018/1724/oj>

businesses, thus ensuring coherence with EU legislation was a direct objective of ELAs activities.

ELA's activities were coherent with that of other agencies and bodies. Formal cooperation agreements or Memoranda of Understanding were concluded with the European Commission<sup>157</sup>, Eurofound, Cedefop<sup>158</sup>, EU-OSHA<sup>159</sup>, the Administrative Commission for the Coordination of Social Security Systems<sup>160</sup> and SOLVIT<sup>161</sup>. While coherence was not put in question in the interviews, it was highlighted, that cooperation with some organisations could be strengthened (explicitly identified were Europol and ILO).

No stakeholders identified major overlaps. No indications were found of inconsistencies or contradictions in the mandates and activities of the Authority and other relevant EU decentralised agencies. While some cooperation with other agencies (e.g. FRA) has developed, this cooperation was not developed enough yet to observe synergies.

### ***1. Coherence with EU level policies and cooperation with the European Commission***

ELA's annual work programmes as well as the single programming documents of ELA demonstrate the coherence between EU policies and ELA's activities. The Impact Assessment identified ensuring a deeper and fairer internal market and a deeper and fairer economic and monetary union as the Commission's political priorities in 2019.<sup>162</sup> The Commission 2024-2029 has identified 'Competitiveness' and 'European Social Fairness' as priorities, concretely aiming at making business easier and deepening our Single Market and ensuring social fairness in today's economy.<sup>163</sup> It was also observed that other topics such as greening of the economy, demographic change or managing migration and the relations with third countries were already among President Juncker's priorities<sup>164</sup>, without, however, featuring prominently in ELA's portfolio. There has been a substantial continuity in the key areas of ELA's competence, indicating the continued coherence of ELA's activities with the EU policy priorities from the time of setting up the Authority until

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<sup>157</sup> Memorandum of Understanding between the [European Commission and ELA](#), ELA Management Board Decision 3/2022, of 15/03/2022.

<sup>158</sup> Memorandum of Understanding between [ELA and the European Centre for the Development of Vocational Training](#), ELA Management Board Decision 17/2022, of 24/11/2022.

<sup>159</sup> Framework for cooperation between the [European Agency for Safety and Health at Work and ELA](#), ELA Management Board Decision 18/2022, of 24/11/2022

<sup>160</sup> Cooperation Agreement [ELA-Administrative Commission for the coordination of social security systems](#), ELA Management Board Decision 26/2021, of 17/12/2021.

<sup>161</sup> Cooperation Agreement [ELA-SOLVIT](#), ELA Management Board Decision 18/2021, of 10/11/2021.

<sup>162</sup> SWD(2018)68 final (Impact Assessment accompanying the Proposal for a Regulation of the European Parliament and of the Council establishing a European Labour Authority), p. 99.

<sup>163</sup> [The European Commission 2024-2029](#)

<sup>164</sup> European Commission (2015) The EU explained: Ten priorities for Europe -- [ten priorities for europe-NA0115476ENN.pdf](#)

present, considering also the operational character of ELA, which does not allow for policy making.

An important policy area with implications for labour mobility and ELA's tasks is digitalisation. The compliance of Member States with the Regulation on a single digital gateway<sup>165</sup> is complementing and facilitating ELA's support on providing digital tools as well in providing information (see section 3.3 (p. 26) and section 4.1.1 (p. 30)).

Understanding the distribution of roles and achieving good collaboration with the Commission services took some time.<sup>166</sup> It has been flagged by interviewees<sup>167</sup> that the relationship varied (based on the volume of exchanges and the work between the parties) depending on the Directorate-General with which ELA collaborated (DG EMPL, DG GROW, DG MOVE, DG DIGIT, and DG HOME). Cooperation appeared to be easier in areas which were characterised by less strictly predefined tasks.

A point of discussion concerns ELA's role vis-à-vis third-country nationals, as some of ELA's activities are also relevant for migrant workers. Activities to support the recruitment or labour market matching of third country nationals from outside the EU to companies within the EU are not covered by the Founding Regulation. However, when third country nationals are exposed to risks related to intra-EU mobility or posting, ELA can intervene. For instance, problems occurring because of fraudulent forms of posting of third country nationals can and have been addressed by ELA and have been revealed during CJIs. In several areas of ELA's work, including e.g. seasonal work or work on construction sites third country nationals are frequently in problematic situations and subsequently ELA can play a role in improving their situation.

Other concrete examples of ELA's work are linked to the people fleeing Russia's war of aggression in Ukraine. In this context, ELA facilitated the development of the Talent Pool Pilot through EURES, helping people fleeing the war in Ukraine make their profiles available to potential employers across the EU. Additionally, ELA's analysis of labour shortages provided input for the EU shortages list for the Talent Pool proposal, aimed at attracting talent from third countries and adapting to Member States' evolving needs.

Support to third country nationals is a relevant part of ELA's objective to assist Member States and the Commission in the effective application of Union law related to labour mobility across the Union and the coordination of social security systems. However, ELA

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<sup>165</sup> The Regulation was adopted in 2018 and Member States has to implement requirements by the end of 2023. 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

<sup>166</sup> See Memorandum of Understanding between European Commission and ELA: <https://www.ela.europa.eu/sites/default/files/2022-04/decision-03-2022-mou-com.pdf>.

<sup>167</sup> Annex V, p. 124/125 and Supporting Study, Annex VI. p. 142.

is different from other agencies and bodies which have a dedicated focus on criminal law enforcement, immigration and border management or fundamental rights.

By working on its assigned tasks effectively, in full coherence with the EU's legal migration policies and the relevant legal framework concerning third country nationals and without requiring a change of mandate, ELA can contribute to reduce labour exploitation including of third country nationals within the EU. A contribution to the fight against trafficking in human beings, as far as it involves labour exploitation, can thus be considered a positive development of ELA's activities.

Furthermore, requests towards ELA to 'do more' to reduce labour exploitation of third country nationals do not fully take account of the operational possibilities of the Authority, which has no executive power. It is within the practical possibilities of the Platform Tackling Undeclared Work to e.g. develop recommendations concerning inspection-intensity or to encourage mutual learning and peer learning dialogues that allow for more effective and more efficient organisation of enforcement activities, thus allowing to use available resources in the best possible way. Still, the work of the Platform Tackling Undeclared Work, is focused on exchange of information, awareness raising within administrations and mutual learning and as such less directly active in the operational activities falling under ELA's mandate as for instance the concerted and joint inspections.

ELA is also well-placed to improve the situation of mobile EU and migrant workers by starting from particular problematic situations, thoroughly analysing the structures leading to exploitative working conditions including for third country nationals or in specific sectors. By sharing this analysis with the concerned Member States ELA can have a direct positive impact towards fair working conditions for both mobile EU and migrant workers. In cases where the analysis shows existing gaps in, or infringements of EU legislation, ELA could inform the European Commission thereof.

## ***2. Coherence of mandate and activities with Commission / EU agencies/ EU bodies***

ELA's activities were largely complementary to those of other EU agencies. The majority of ELA staff and Management Board and external stakeholders agreed that ELA's activities were coherent, in particular with Eurofound and EU-OSHA. Key topics of Eurofound's work concern employment and labour markets as well as anticipating and managing change and working conditions and sustainable work, thus also looking at imbalances in the labour market, however, without specific focus on labour mobility. EU-OSHA and ELA share the concern for healthy working conditions, however, with a different focus, so that no overlap was identified. A lesser potential for synergies was identified with Cedefop and ETF due to their different focus areas<sup>168</sup>. ELA's operational

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<sup>168</sup> Annex V, p. 124/125 and Supporting Study, Annex VI, p. 92.



nature complemented the research-oriented activities of other agencies, with synergies in areas such as working conditions, employment, labour markets, occupational health and safety.

Stakeholders and ELA-staff and Management Board most frequently identified Europol and the European Union Agency for Law Enforcement Cooperation as the most relevant other agencies<sup>169</sup> for ELA. This was also reflected in the responses from national labour inspectorates, ministries, social partners and the Commission services. An example of an emerging cooperation between EU-level agencies is the collaboration between Europol, the European Union Agency for Fundamental Rights and ELA to fight labour exploitation. ELA provided its contacts with labour inspectorates to contribute to the work of the other agencies.<sup>170</sup> This collaboration also demonstrates that these agencies are already active and complementary as regards third country nationals and labour exploitation.

In areas such as skills, AI, and research/studies, by leveraging the analysis and work already done by other agencies (e.g. on skills needs and labour shortages by CEDEFOP and Eurofound, or the support for accession countries provided by ETF), ELA avoided overlaps even though some risk for duplication remains concerning skills forecasts and labour shortages. Close cooperation on the programming documents between Agencies and ELA and clear ‘steer’ provided by the Commission’s guidelines on the annual and multi-annual programming (Article 24 of the Regulation) is meant to avoid overlaps and ensure synergies in the respective areas. Beyond that, neither the supporting study nor the recent evaluation of the four EU agencies Eurofound, Cedefop, ETF and EU-OSHA see a risk of incoherence between these aforementioned agencies and ELA. Specifically as regards the coherence between ELA and EU-OSHA, , the latter has no specific focus on cross-border situations. Conversely, ELA has no direct competence on health and safety at the workplace. In cases where activities of both agencies target the same audience, such as in the campaign on seasonal work, cooperation was ensured. This campaign also showed the very distinct focus of the activities of the respective agencies. The potential for a merger of ELA with one of the aforementioned agencies is assessed as low, considering the very specialised nature of ELA focusing on intra-EU labour mobility and social security coordination.<sup>171</sup>

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<sup>169</sup> Supporting study, Annex VI, Section 4.3.5, p. 57.

<sup>170</sup> See e.g. the report prepared by the European Union Agency for Fundamental Rights: Six points for workplace inspectors (2024), <https://fra.europa.eu/en/print/pdf/node/45503>

<sup>171</sup> SWD(2024)XX p. 46 and 67. – See also European Commission (2023), Study supporting the evaluation of EU Agencies: Eurofound, Cedefop, ETF and EU-OSHA, p 197.



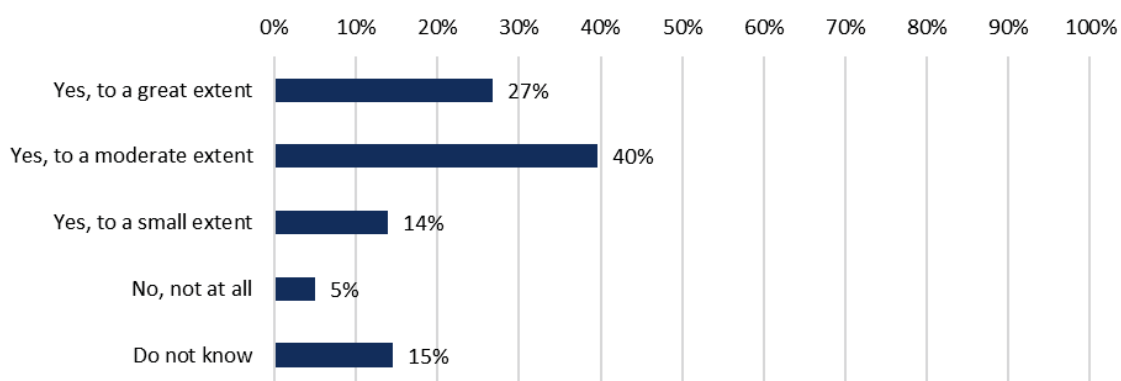
### 3. Cooperation with other organisations

ELA and the Administrative Commission for the Coordination of Social Security Systems developed a Cooperation Agreement<sup>172</sup>, in particular concerning mediation cases involving social security coordination. The agreement, mandated by Article 13(11) of the ELA Regulation, aims to ensure good cooperation, coordinate activities, and avoid duplication in mediation cases. During the evaluation period, the number of mediation cases and other activities on social security coordination have been very limited.

The evaluation also addressed ELA's coherence with other relevant organisations and stakeholders at the EU, international, and national levels. Complementarity with the International Labour Organisation was identified, and ELA worked with the ILO with respect to inspections and mobility, despite the absence of a formal framework. The potential for improved cooperation was noted.<sup>173</sup>

At the national level, ELA's activities were seen as complementary to those of other organisations, agencies and stakeholders. ELA played a significant role in facilitating the sharing of national experiences, and providing coordinated information, which contributed to enhancing the capacities of various national authorities.

**Figure 16: Do you think ELA's activities are complementary to those of other organisations/agencies/stakeholders at national level? (n=179)<sup>174</sup>**



Source: Question 22 of the Online survey to representatives of ELA stakeholders (2023)

## 4.2. How did the EU intervention make a difference and to whom?

Considering that Member States remain responsible for the enforcement of EU legislation in the area of intra-EU mobility, ELA made a difference by supporting EU coordination

<sup>172</sup> The [Agreement](#) was adopted by the Management Board on 17 December 2021, signed by both parties in December 2021 and entered into force on 1 June 2022.

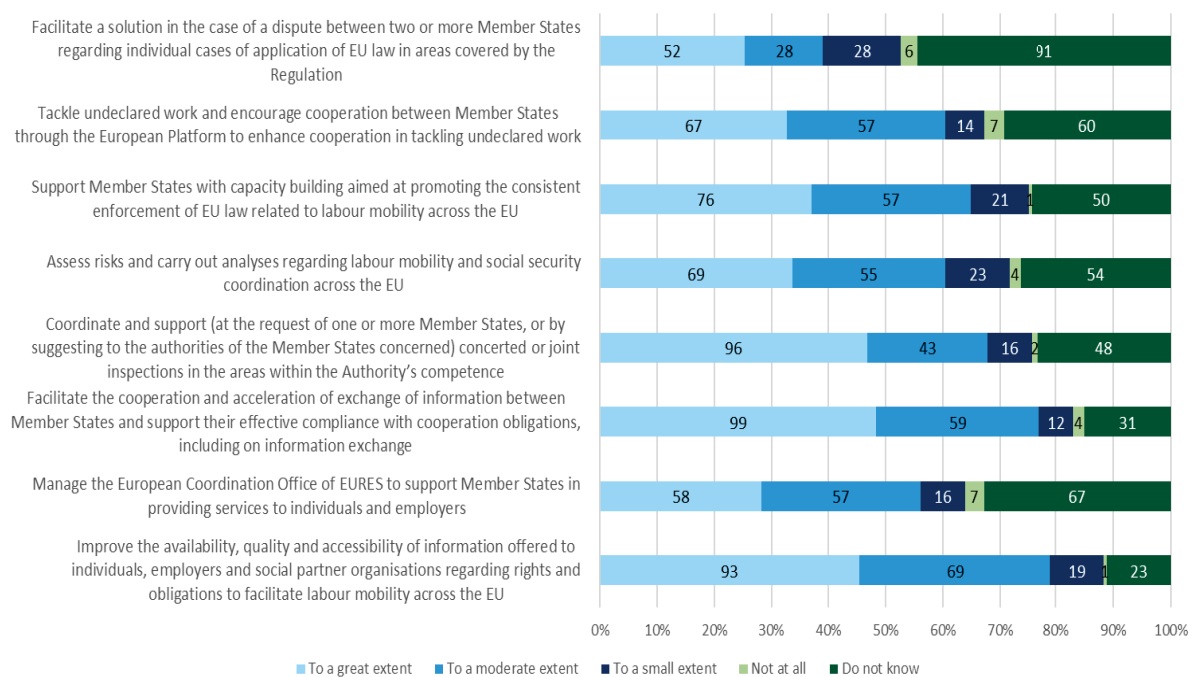
<sup>173</sup> Supporting Study, Annex VI, Section 4.3.5. p. 58.

<sup>174</sup> Activation: If answered "National Ministry", "National labour inspectorate", "Social security coordination organisation", "Social partner", "National public employment service", "Other national body" in Q1

and cooperation in an area where otherwise cooperation would merely take place on a bi- or limited multilateral basis without the involvement of all Member States. Such uncoordinated situation would require in the long run more resources and is less systematic, less flexible, less transparent and more complex than the coordination provided by a central ‘hub’ currently provided by ELA. Practical experience indeed showed weaknesses concerning the consistent and effective enforcement of rules in cross-border situations.<sup>175</sup>

The survey with representatives of ELA stakeholders highlighted that ELA was best placed to facilitate the cooperation and acceleration of exchange of information on labour mobility between Member States, and to support their effective compliance with cooperation obligations.

**Figure 17: To what extent is an organisation like ELA, acting at EU level, best placed to do/achieve the following? n=205**



Source: Survey to representatives of ELA stakeholders (2023)

When respondents were asked to elaborate on their answers, certain views emerged more frequently, particularly from social partners and EU institutions/agencies. While information activities were deemed useful, they should not be the main focus. Respondents suggested that national campaigns are more effective for providing information to individuals, and that the ELA contribution in this area might be limited. They noted that

<sup>175</sup> See COM(2018)131 final, [eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018PC0131](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018PC0131) p. 1-3.

ELA is not fully reaching its potential due to its restricted mandate and suggested it needs more autonomy, such as the ability to initiate inspections. Additionally, ELA's analysis and risk assessment work was criticized for not meeting standards, offering only basic information already known by public authorities.

Hence, ELA's value added comes therefore from its abilities to coordinate on questions and issues concerning intra-EU labour mobility and social security coordination. Analysis, interviews with experts as well as surveys confirm this. The value added of ELA in this respect has not been put in question by respondents in the surveys and interviews.<sup>176</sup>

Based on the input from the public consultation, rights of workers in the context of cross-border labour mobility (77%, i.e. 94 out of 122 responses), posting of workers (71%, i.e. 87 out of 122), and tackling of undeclared work (59%, i.e. 73 out of 122) were the areas where most respondents indicated that ELA's work led to additional value/benefits compared to what could have been expected from Member States' bodies alone, either to a great or to a moderate extent.<sup>177</sup>

ELA acts as focal point for activities concerning the implementation of EU legislation in the areas of labour mobility and social security coordination with a 'hands on' operational approach, the introduction of CJIs and the in-depth work on posting being first steps in that direction.<sup>178</sup>

ELA's stakeholders (national administrations as well as social partners) consistently acknowledge that ELA has allowed for improved networking and knowledge sharing; trust and coordination among national administrations have improved; training and capacity building activities were appreciated.<sup>179</sup>

So far one Member State committed to send cost-free SNEs<sup>180</sup> to ELA, which shows that the added value of the Authority is recognised and it is considered worthwhile to invest in its activities (process effect).

The analysis as well as the surveys, however, also show that ELA still has difficulties to fully deliver on its added value. As an example, high quality and up-to-date information on labour mobility needs to be coordinated at Union level in order to ensure a consistent, clear, and efficient approach<sup>181</sup>, yet stakeholders still find information concerning rights

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<sup>176</sup> Supporting study, Section 4.3.6.

<sup>177</sup> Supporting Study, Section 4.2.1.

<sup>178</sup> Annex V, p.123 and Annex IV (Benefits), see also Supporting Study, p. 107.

<sup>179</sup> Annex V, p. 124.

<sup>180</sup> Cost-free SNE meaning that wage and expatriation allowance etc. are paid by the sending country, whereas ELA only pays for expenses directly linked to the workplace (office, IT equipment, travel in case of missions etc).

<sup>181</sup> COM(2018)131 final (Proposal for a Regulation of the European Parliament and of the Council, establishing a European Labour Authority), p. 5. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018PC0131>.

and obligations fragmented and not sufficiently useful. ELA operates in a highly complex environment where national and EU level competences are balanced in a way that solutions are often not easy to achieve. The creation of EU added value in this area inevitably takes time.

### 4.3. Is the intervention still relevant?

Around 10.1 million European citizens of working age (20-64) lived in 2023 in a European country other than their country of citizenship. This corresponds to 3.8% of the respective population in the European Union, an overall low share of the population. With the green, digital and demographic transitions, Member States are faced with labour shortages and major economic restructuring. Cross-border labour mobility is one of the means to address these challenges, including by alleviating regional labour market imbalances<sup>182</sup>. The possibility for employers to temporarily send employees to another Member State to provide services, without distorting the market and while protecting the rights of workers, as provided by the posting rules, contributes to an efficient use of resources. Although there is a clear need to enhance fair labour mobility and posting to sustain European competitiveness in the longer term<sup>183</sup>, the overall figures for cross-border mobility and postings remained low. Nevertheless, they increased slowly in the medium term despite the disruptive effects of the COVID-19 pandemic (see Figure 18).

**Figure 18: Labour mobility and cross-border transfer of social security payments (2019 and 2023)**

	2019 <sup>184</sup>	2023 <sup>185</sup>
	Total (EU-28)	EU-27
Working age movers (20-64 years)	13 million (of which 3 million with UK) <sup>186</sup>	10.1 million
Cross-border workers	1.5 million	1.83 million
Postings	4.6 million	5.5 million
Transferred Pensions <sup>187</sup>	5.5 million	6.18 million (2022)

<sup>182</sup> <https://www.ela.europa.eu/en/publications/labour-shortages-and-surpluses-europe-2023>

<sup>183</sup> As underlined in the Draghi report ‘A competitiveness strategy for Europe’ presented in September 2024.

<sup>184</sup> Intra-EU labour Mobility report 2020 - <https://op.europa.eu/en/publication-detail/-/publication/ab706f9b-74bf-11eb-9ac9-01aa75ed71a1/language-enhttps://op.europa.eu/en/publication-detail/-/publication/ab706f9b-74bf-11eb-9ac9-01aa75ed71a1/language-en>

<sup>185</sup> Intra-EU labour Mobility report 2024 (upcoming) European Commission (2025), Annual Report on Intra-EU labour Mobility – Edition 2024. [Annual Report on Intra-EU Labour Mobility 2024 - European Commission](#)

<sup>186</sup> 2.64 million movers towards the UK and approx. 395 000 UK-citizens in the EU.

<sup>187</sup> See cross-border pensions, statistical database 2016-2022: <https://ec.europa.eu/social/BlobServlet?docId=27441&langId=en>

Family benefits <sup>188</sup>	0.76 million	1.2 million (2022)
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A 2023 report published by the European Parliament estimates, that in 2020 the EU added value – in terms of boosting the collective GDP – generated by free movement of workers to the main destination countries was in the order of EUR 104 billion. Continued attention to the concerns of mobile workers, including well-functioning social security coordination, i.e. the topics directly in the competence of ELA, were considered of high importance.<sup>189</sup> However, barriers to mobility persist, in the form of limited access to information, social security challenges and the risk of social dumping or labour exploitation.<sup>190</sup> Since ELA was established, the EU has introduced further policies to address these obstacles, including digital tools like the Electronic Exchange of Social Security Information (EESSI) to further reduce administrative burdens, making social security coordination more efficient. This requires continued support by an organisation monitoring and accompanying their implementation and functioning at the EU-level, a task belonging to ELA's competences. The objective of ELA to contribute to ensuring fair labour mobility across the EU and to assist Member States and the Commission in the coordination of social security systems within the Union<sup>191</sup> remains relevant and important. A perception also shared by European citizens.<sup>192</sup>

The continued relevance of contributing to fair mobility was highlighted at various occasions throughout the last five years: during the pandemic the vulnerability of but also the importance of seasonal workers to ensure good food-supplies was an important topic. A recent study<sup>193</sup> which analyses the situation of posted workers provides the underpinning of these findings. The strikes organised by truck drivers in 2023<sup>194</sup> also demonstrated that efforts are still needed to obtain fair labour mobility and that some companies exploit enforcement gaps resulting from a lack of coordination between national systems in a

<sup>188</sup> Export of family benefits, number of family members involved. <https://ec.europa.eu/social/BlobServlet?docId=27442&langId=en>

<sup>189</sup> European Parliament (2023), Increasing European added value in an age of global challenges, Mapping the cost of non-Europe (2022-2032), p. 222. [EPRS\\_STU\(2023\)734690\\_EN.pdf\(europa.eu\)](https://eprs.stu(2023)734690_EN.pdf(europa.eu))

<sup>190</sup> Intra-EU labour mobility report 2022 - <https://op.europa.eu/en/publication-detail/-/publication/00ed7c30-dd96-11ed-a05c-01aa75ed71a1/language-en>

<sup>191</sup> Regulation (EU) 2019/1149, Article 2

<sup>192</sup> European Commission (2024), Special Eurobarometer (546) on Social Europe; carried out among EU citizens in 2024, p. 10. ([Social Europe - April 2024 - - Eurobarometer survey\(europa.eu\)](https://ec.europa.eu/eurobarometer/surveys/toc/546))

<sup>193</sup> European Commission (2024), Study supporting the Monitoring of the Posting of Workers Directive 2018/957/EC and of the Enforcement Directive 2014/67/EU: <https://ec.europa.eu/social/BlobServlet?docId=27555&langId=en>

<sup>194</sup> Several strike actions of truckers (mainly from third countries), driving on behalf of a EU companies (in particular the Polish freight company Mazur was identified) in western Europe (mainly Germany). Most public attention was with a strike in Graefenhausen. [Lkw-Fahrer-Streik an A5 in Gräfenhausen: "Das ist doch kein Leben" | hessenschau.de | Wirtschaft](https://www.hessenschau.de/Lkw-Fahrer-Streik-an-A5-in-Graefenhausen-Das-ist-doch-kein-Leben-Wirtschaft)

fraudulent way. A Eurobarometer survey<sup>195</sup> confirmed the continued relevance of ELA's specific objective to facilitate access to information on rights and obligations regarding labour mobility. Nearly half (48%) the respondents considered that working abroad would help them to do their job better, and nearly four in ten (39%) would look abroad for improved job opportunities. When considering difficulties that were mentioned, having to deal with cumbersome and paper-based procedures to prove social security coverage entitlements (4%) were the most frequently mentioned difficulties, followed by having insufficient awareness of the EU rules and their rights (3%).<sup>196</sup>

While the anecdotal evidence presented above only provide examples to demonstrate the persistence of challenges to cross-border mobility they show that EU action continues to be needed. While the public consultation confirmed that ELA's activities have been highly relevant to ensure workers' rights in cross-border situations, it is not possible at this stage to draw conclusions on whether ELA had a measurable impact on the reduction of the overall number or seriousness of problems. This is also due to the fact that ELA has so far not invested in a solid stocktaking of the size and scope of problems in its area of competence. Furthermore, awareness and reporting of problems have likely increased due to the setting up ELA.

The public consultation carried out as part of this evaluation also indicated that ELA's work was considered highly relevant for workers' rights in cross-border labour mobility. Posting of workers and tackling undeclared work were also considered relevant areas. EURES was marked as a relevant area, but it is noteworthy that at the same time 44% of respondents answered with 'do not know'. This shows that while EURES is supposed to be an instrument directly at the service of mobile citizens, there is still a lack of awareness of it.

The areas of 'social legislation in road transport' and social security coordination were identified areas of somewhat less relevance which could possibly be due to the technical nature of these areas and by the low level of activities on social security coordination during the evaluation period. The mediation function is a specific activity currently limited to Member States' authorities in the area of social security coordination and therefore not widely known among those that are not involved in that matter<sup>197</sup> Nevertheless, the low number of mediation cases carried out during the evaluation period raises the question how relevant this activity is.

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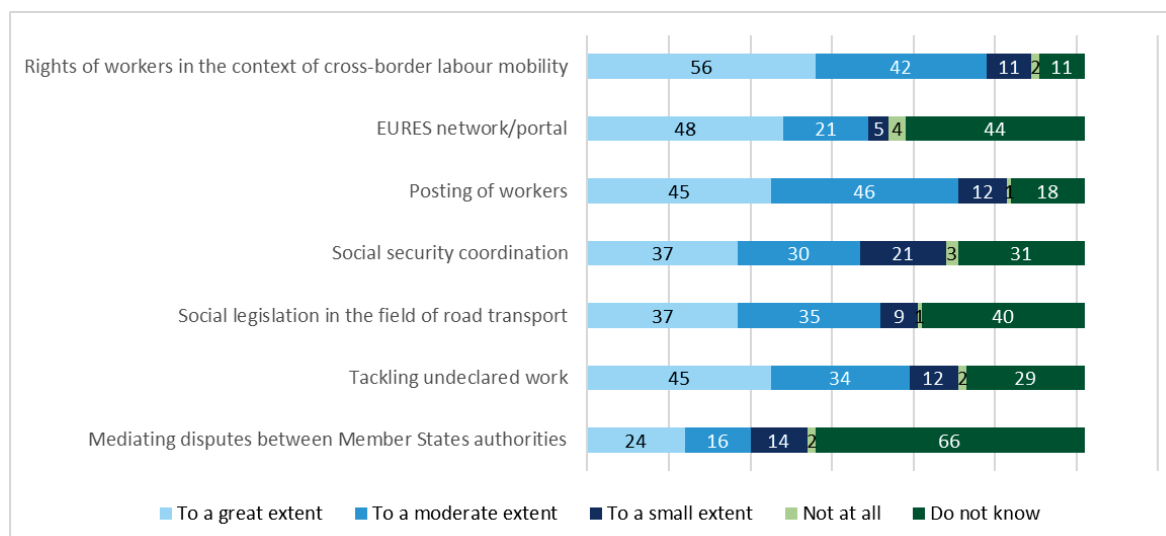
<sup>195</sup> EBS 528 (2022) "Intra-EU labour mobility after the pandemic – December 2022 – Eurobarometer survey (europa.eu)". This trust in the advantages of labour mobility merits the support provided by EURES.

<sup>196</sup> Special Eurobarometer (546) on Social Europe carried out among EU citizens in 2024. (<https://europa.eu/eurobarometer/surveys/detail/3187>), p. 54.

<sup>197</sup> More than half of respondents indicated that they did not know about this aspect (Figure 19).



**Figure 19: To what extent do you believe that the work of ELA has been relevant to the following areas? (N=122)**



Source: Public Consultation (2023)

In terms of sectors covered by the activities of ELA, the focus was put during the evaluation period on sectors that fall within its mandate and have the highest levels of labour mobility: road transport<sup>198</sup>, seasonal work, and construction. From that perspective, the choice of sectors to be covered by the activities was relevant. However, there were requests for ELA to address additional sectors, including by extending the mandate. These requests concerned particularly the aviation and inland waterway sectors<sup>199</sup>. The scope of ELA's activities may encompass these sectors, provided that the matters tackled are within the boundaries of the directives and regulations under ELA's mandate (e.g. posting of workers and social security coordination).

There is a broad consensus across all stakeholders' groups, that the digital transition, migration from outside the EU, and labour and skills shortages trends can be expected to further impact ELA's work.<sup>200</sup> During the evaluation period, ELA demonstrated the relevance of its mandate as regards digitalisation in support of labour mobility by organising IMI-PROVE and well attended tech conferences (see section 3.2). With the digitalisation becoming increasingly important, including in the public sector<sup>201</sup>, the support provided by ELA to Member States through training and exchanging of good practices remains relevant. It can also be expected that the nature of ELA's activities to fulfil its objective to facilitate access to information will evolve and rely increasingly on the use of AI and algorithmic management. Considering that access to information, its

<sup>198</sup> In line with the 2020 Commission's Mobility Package, ELA published in 2022 a [Framework for action in road transport](#).

<sup>199</sup> Supporting Study, Annex VI (Stakeholder consultation report (Staff Survey))

<sup>200</sup> Annex V, p. 122.

<sup>201</sup> Cf Europe's digital decade target to have 100% of public services online by 2030: [Europe's digital decade: 2030 targets | European Commission](#)



content and the use of these instruments will still need to be managed, ELAs mandate in this area remains relevant. Specifically, for EURES, the introduction of AI will profoundly alter the job search and recruitment process<sup>202</sup> by enabling the EURES network personalised job recommender and matching, automated candidate screening and providing predictive analytics. ELAs mandate remains relevant in accompanying these changes.

Considering migration from outside the EU, ELA carried out activities regarding people fleeing Russia's war of aggression in Ukraine.<sup>203</sup> These activities cannot be considered very relevant since largely redundant compared to activities undertaken by the Commission and other agencies<sup>204</sup>.

As regards labour and skills shortages, the relevance and coherence of this ELA activity can be questioned given the lack of focus on labour mobility aspects. The general issue of labour and skills shortages falls rather within the mandates of Eurofound<sup>205</sup> and Cedefop<sup>206</sup>. Nevertheless, the ongoing challenge of labour shortages will continue to require support for labour mobility to fill in some of these shortages. This underlines the relevance of ELAs mandate on this aspect, also in future.

For some stakeholders (trade unions, EP) the relevance of ELA would be increased by giving it direct enforcement powers. This would, in their view, enhance the effective application and enforcement of Union law related to labour mobility and thus reduce unfair or exploitative treatment of workers in cross-border situations. Nevertheless, the absence of enforcement powers is a direct consequence of the subsidiarity principle enshrined in the Treaties of the European Union and its interpretation in the area of labour and social affairs.<sup>207</sup>

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<sup>202</sup> See e.g. [How AI can improve the talent acquisition process - European Union](#)

<sup>203</sup> [Support for people fleeing from Ukraine | European Labour Authority](#)

<sup>204</sup> [EU support for Ukraine | European Union](#)

<sup>205</sup> One of Eurofound's objectives is to provide support to devising employment policies (Article 1 of Regulation (EU) 2019/127)

<sup>206</sup> One of Cedefop's tasks is to analyse labour market trends in relation to skills (Article 2 of Regulation (EU) 2019/218)

<sup>207</sup> This is similar to [Europol](#) and [Eurojust](#) that also provide support to Member States national authorities. As an example, the Europol webpage informs the public, that "The Agency supports investigations initiated by Member States, though Europol officers never arrest citizens or instigate investigations."

## 5. WHAT ARE THE CONCLUSIONS AND LESSONS LEARNED?

### 5.1. Conclusions

During the period under evaluation, ELA managed to finalise its organisational set-up and started delivering on the objectives set out in its founding regulation and programming documents. ELA's work on intra-EU labour mobility and social security coordination was generally coherent with that of other EU entities, cooperation and information exchange was facilitated.

Despite calls made by the Commission in the respective opinions on the draft single programming documents, ELA thus far did not develop a strategic approach for the accomplishment of its objectives. In the absence of such strategy and since ELA has not set up a comprehensive and outcome-oriented monitoring system covering all activities and including KPIs, targets and SMART objectives, a definite overall assessment of ELA's performance of its tasks during the evaluation period is difficult. Progress towards ELA's specific objectives can, in the absence of result indicators, only be approximated indirectly. While this evaluation may in several respects have more the character of a progress report, it aims to contribute to a better evidence base for the next evaluation.

Stakeholder feedback suggests that the delivered outputs were used by relevant stakeholders. It also pointed to insufficient interaction with specific stakeholders (e.g. employers) and lack of targeting. Altogether, the evaluation points to room for improvement in the implementation of specific activities and when it comes to the coordination between the specific activities. No major issues could be identified regarding the governance structure of ELA (consisting of a Management Board and a stakeholder group) even though the high frequency of meetings of the Management Board seems to point to a hybrid approach on the role of the Board between high-level decision making and supervisory activities providing guidance to the agency's management.

#### Effectiveness

As regards the effectiveness of activities under the four specific objectives, the following can be noted:

#### *1) Facilitate access to information on rights and obligations regarding labour mobility across the Union as well as relevant to services.*

The **campaigns** launched by ELA (#EU4FairWork; #Rights4AllSeasons, #Road2FairTransport, #EU4FairConstruction) received a significant audience measured by the number of clicks and views. No conclusions on the effectiveness of these campaigns can be drawn in the absence of outcome related indicators or indications whether the campaigns reached the right audience and increased their knowledge. Effectiveness seems to have been negatively affected by insufficiencies in timing and targeting of

communication by ELA and reluctance by partners to provide and disseminate information within the deadlines requested by ELA.

Despite ongoing efforts, the **information** concerning rights and obligations for mobile workers and employers remains fragmented across various sources at EU and national level. ELAs **translation** facility was welcomed, in particular by national authorities<sup>208</sup>.

In the start-up phase, the transfer process of **EURES-ECO** from the Commission to ELA went smoothly. The overall performance was however affected by different priorities between ELA and the EURES network. Even though ELA discontinued the system monitoring job placements facilitated through the EURES portal or staff, based on the additional evidence gathered it can be noted that the effectiveness of the EURES declined, counted in the number of job placements. Stakeholders expressed dissatisfaction with ELA's focus, pointing out that the divided responsibilities and differing priorities led to a decrease in the effectiveness of EURES activities. They also criticized ELA for spreading its efforts too thin, which weakened its ability to fully support key EURES functions. Furthermore, ELA's diverging views on the delimitation of responsibilities between ELA and Commission and on the interpretation of key tasks, put a strain on the coherence of ELAs activities with those of the Commission.

## ***2) Facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union and including facilitating concerted and joint inspections.***

Together with information campaigns, ELA has put a priority on the organisation of **concerted and joint inspections**. The number of these inspections increased significantly and ELA managed to involve 25 Member States by the end of 2023. No conclusion can however be drawn on the effectiveness of CJIs, in the absence of a relevant KPI and related measurement of their impact. To make such an assessment, a useful information would be the change of behaviour in the inspected company after the initial inspection, i.e. how many of the violations detected in the initial inspection still exist in a follow-up inspection 6 or 12 months later.

**Analysis and risk assessment** activities were given a lower priority and there were only few outputs produced. Where those activities were carried out, a lack of coordination or cooperation between ELA's analytical efforts and the organisation of CJIs could be noted, partially due to the absence of (timely) information provided by Member States and data protection concerns.

**Cooperation and exchange between Member States national authorities** has been effectively and smoothly facilitated by ELA<sup>209</sup>. The high proportion of SNEs including the

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<sup>208</sup> This could represent a certain bias considering that the costs for translations were now incurred by ELA and not by national authorities.

<sup>209</sup> It should be noted however that during the period under evaluation support to social security coordination was not yet fully developed.

NLOs is a strength of ELA, allowing it to establish a network with and between national authorities leading to more direct and quicker information exchange between ELA and the national authorities. The high proportion of SNEs also creates challenges in particular in combination with the high level of outsourcing. This is important both for maintaining and enhancing expertise within the organization<sup>210</sup> and because SNEs are not allowed to engage in financial management.

ELA started **capacity building activities**, including in support of **digital tools** such as the internal market information system (IMI) for road transport. These activities have been appreciated by Member States authorities. During the evaluation period, ELA did not yet extend capacity building activities to digital tools in the area of social security coordination<sup>211</sup>.

### ***3) Mediate and facilitate a solution in case of cross-border disputes between Member States***

While guidelines and organisational arrangements were put in place, the use of the **mediation function** of ELA remained low and limited to social security coordination. Considering that by the end of 2023 only four mediation cases reached ELA, of which 3 were prematurely closed and 1 successfully finalised, no conclusions can be drawn on the effectiveness of this activity.

Nevertheless, in the interviews, some stakeholders highlighted the need for ELA to focus on a limited number of essential tasks for efficiency, noting that resources were being allocated to areas like the mediation function with low demand and labour market analysis beyond direct labour mobility, which were not essential for a cost-effective and targeted operation.

### ***4) Support cooperation between Member States in tackling undeclared work.***

The transfer of the European Platform Tackling Undeclared Work into ELA did not create difficulties, but making the Platform part of the Enforcement and Analysis Unit has hampered the development of synergies with other ELA activities. This negatively affected the effectiveness of the Platform's activities.

## **Efficiency**

The absence of an adequate monitoring system did not allow for a solid assessment of the cost-effectiveness of ELA's operations. During the evaluation period, ELA managed to

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<sup>210</sup> SNEs working for a limited period in ELA and with outsourcing may imply that less knowledge is built within the organisation itself.

<sup>211</sup> It should be noted however that ELA adopted in November 2023 its capacity building strategy 2024 – 2030 covering the programmes IMI-PROVE (launched in 2022), Posting 360, Transport Support (both launched in 2023) and PROGRESS (launched in 2024).

reach financial autonomy, but still with a low level of budget execution<sup>212</sup>. Moreover, while all envisaged activities were being developed, they appear to be insufficiently mutually integrated, negatively impacting the Authority's efficiency. Efficiency gains could be observed in the organisation of translations. Further potential for such gains was identified for the organisation of CJIs and meetings, even though the actual savings that could be obtained from these gains could not be determined. It appears that the efficiency of EURES decreased during the evaluation period, considering the increasing cost of the activity compared to the lower number of job placements.

## **Coherence**

ELA's mandate and activities were found to be coherent and complementary to those of other EU entities, international organisations, and national stakeholders. No significant overlaps were identified, underscoring ELA's distinct role within the EU framework. ELA progressively enhanced the delivery of activities and outputs as set out in the respective work programmes which in turn reflected EU policies and priorities, including those revised or enacted during the evaluation period (e.g. the Mobility Package I).

## **EU added value**

ELA has successfully facilitated the cooperation between national authorities on joint inspections and has run information campaigns reaching many citizens. ELA ensured EU level cooperation and coordination between all Member States in an area where otherwise relations would only be established on a bilateral basis or with the involvement of a limited number of Member States.

By centralising these activities, ELA has addressed a previously unmet need for operational support in implementing EU policies related to EU labour mobility. However, beyond these achievements, there remains room for improvement in most areas of activity (see effectiveness and lessons learned).

## **Relevance**

ELAs objectives and activities remain overall relevant, including in view of trends in EU labour mobility and its economic benefits, the evolving policy framework, aiming at better and more efficient implementation of rules, and digitalisation. However, some areas were considered of lesser relevance, most prominently the mediation function and some stakeholders (e.g. trade unions represented in ELA's governance structure) stressed the need for ELA to focus on a more limited number of tasks to ensure efficiency. For EURES it is expected that AI supported matching will impact its operation.

Despite calls for the strengthening of ELAs mandate, the evaluation does not point to a pressing need for the revision of the mandate. Still, some potential areas for improvement,

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<sup>212</sup> The budget absorption rate consistently exceeded 95% except in 2019, but payment appropriations were low with under 25% paid annually until 2022, when the rate improved to 59%, and further to 74% in 2023.

possibly needing a change of the Founding Regulation, could concern competences to handle personal data, a strengthened ability to ask Member States for cooperation around CJIs and more influence on the appointment of NLOs.

## 5.2. Lessons learned

1. An evaluation of the performance of ELA in line with Article 40 of the Founding Regulation relies on the availability of clear objectives, performance indicators including targets and the measurement of these that was not available for the evaluation period. This resulted in particular in difficulties assessing the cost effectiveness of ELAs activities. ELA could thus improve its **monitoring system**.

This could be achieved by:

- (i) defining SMART objectives at the level of the general objective as well as at the levels of specific and operational objectives;
- (ii) identifying meaningful KPIs to measure achievements;
- (iii) systematically setting targets for all KPIs; and
- (vi) better monitoring of services / outputs use and the effects at national level. (Section 4.1.1.1.)

To develop an effective monitoring system, it is essential to distinguish between activities (e.g. meetings and social media posts) and objectives (e.g. cross-border recruitments, resolving irregular employment cases). Furthermore, an intervention logic should be underpinned with an operational understanding of 'fair labour mobility' and SMART objectives; for example, beyond assessing stakeholder satisfaction with information accessibility, ELA could create indicators to measure the time and effort required for stakeholders to obtain necessary information or to measure the impact of activities. (see also points 3 and 5 below).

2. Besides providing the necessary input for future evaluation of the agency, such a monitoring system could support **enhanced strategic management** by the agency's leadership, providing steer and direction to the organisation and increasing its overall performance. A particular attention could be paid to provide meaningful objectives in areas that were less developed thus far (i.e. analysis/risk assessment, mediation), to mainstreaming digitalisation efforts and to enhanced cooperation and coherence within the organisation and with other organisations, in particular EU agencies. To fully develop and benefit from better coordination and synergies between activities, the organisational structure might need to be revised. (Section 4.1.1.1.)
3. A clear example of the potential benefits of enhanced internal coordination and coherence concerns the **concerted and joint inspections (CJIs) and analysis/risk assessment** activities. While the analysis/risk assessment could help to better target the inspections, the outcomes of the CJIs could in turn feed into the analysis, help identifying systematic problems and provide input for training courses and capacity building. Reporting from inspections could be provided by Member States within a limited timeframe, even if some follow-up to CJIs might still be ongoing. A clarification on ELAs position as regards data protection and privacy could help



gathering national data. Pending the input by Member States, ELA could envisage carrying out surveys to obtain more immediate feedback on the support provided. (Section 4.1.1.3.). Relevant indicators that would be helpful could be e.g. the number of inspections initiated by the ELA's analysis/risk assessment, benefits generated by joint inspections (e.g. improved workers' situation, collected/recovered taxes and/or social security contributions) and other information about cases on cross-border fines.

4. ELAs activities, building on the work by its information working group and with the involvement of social partners, could be further intensified to increase usefulness and targeting (e.g. specific sectors), addressing the persistent fragmentation at both EU and national level of **information** on the rights and obligations of mobile workers and employers. (Section 4.1.1.2) ELA could further explore efficiency gains by using digital tools (machine translation) for its Translation Facility. (Section 4.1.2.1)
5. Regarding **information campaigns**, ELA could enhance the measurement of their impact and use. The themes (e.g. sector) for such campaigns should be based on a thorough analysis and could facilitate the definition of the precise objectives and target groups of such information campaigns. Relevant indicators that would be helpful could be e.g. requests by employers and workers for additional information about rights and obligations of specific groups of mobile workers targeted by the campaign.
6. While ELA has already established a first strategy for **capacity building**, it could be further clarified whether this strategy will be limited to the mentioned programmes<sup>213</sup> or whether and to which extent further efforts are to be expected.
7. ELA could increase its efforts to ensure **EURES** becomes fully part of its activities and focuses its analytical work on labour mobility. At the same time ELA could enhance the provision of adequate services to the EURES network enabling it to offer services to jobseekers and employers making optimal use of digital tools. ELA could examine how to improve the effectiveness and efficiency of EURES, the overall management of EURES coordination group and it could be explored how to come to a clearer division of tasks and responsibilities between the Commission services and ELA, especially in relation to IT tools (EURES portal) and legal interpretation of different aspects of the EURES Regulation (Section 4.1.1.2.). When it comes to the increased use of digital tools such as algorithmic management, ELA by its management of the European Coordination Office of EURES, could play a central role in identifying and addressing related risks such as potential job displacement, biased algorithms, and loss of human interaction and

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<sup>213</sup> IMI-PROVE, Posting 360, Transport Support and PROGRESS



empathy in the recruitment process. ELA could further support the use and development of digital tools by the Member States.

8. The very limited use of ELA's **mediation function** requires a better understanding of its potential in terms of number of cases that could be presented. A discussion with Member States could start with a further exploration of the underlying reasons for the limited use of this function and, building upon that, the identification of options to allow ELA to deliver on this task in a cost-effective way. (Section 4.1.1.4.)
9. ELA could re-examine the role of the **European Platform Tackling Undeclared Work** and the place it occupies in the organisation. A key question in this regard is whether the Platform can be given a more strategic role and how it could be better integrated with other activities of the Authority, such as the working group on inspections. (Section 4.1.1.5)
10. ELA could still improve efficiency in the organisation of its meetings and in its use of **resources** in general, both financial and human. As to the latter, ELA could further explore the best ways to achieve an appropriate balance between developing in-house expertise and relying on external contractors. Furthermore, establishing a robust administrative framework is crucial for enhancing budget and financial management (especially in the context of budgetary execution), procedural efficiency, and HR management. This includes formalizing written procedures and potentially adopting ISO processes to ensure streamlined operations and strategic resource allocation. The further stabilisation of ELA staff should ensure as ELA has high share of SNEs. The possibility to convert SNEs into temporary agents could help in addressing this challenge (Section 4.1.2.2.).
11. Carrying out and **delivering on the objectives foreseen under the current mandate** could continue to be the focus of the agency as the evaluation points to room for improvement as regards the performance of the agency based on the current mandate and objectives. At the same time, it notes certain limitations in the mandate that could affect ELA's potential. In case a change to the mandate or scope of activities of the agency were to be considered, a thorough analysis of the need for such modification, the costs and benefits and possible side-effects could be required. Some targeted changes could be explored to enhance the efficiency and effectiveness of ELA's work and could concern competences to handle personal data, a strengthened ability to ask Member States for cooperation around CJIs, increased information provision, ELA's role vis-à-vis third country nationals, ELA's responsibilities with regard to the development of EURES, and the conversion of a number of SNEs into permanent staff. (Section 4.3.)

**Lead DG, Decide Planning/CWP references**

The evaluation was led by the Directorate-General for Employment, Inclusion and Social Affairs, with a Decide planning reference PLAN/2023/2058.

**Organisation and timing**

An **Inter-service Steering Group** (ISG) was set up, coordinated by the Directorate-General for Employment, Inclusion and Social Affairs (represented by staff from EMPL E.1, EMPL E.2, EMPL C3, EMPL G5), and Commission services including the Secretariat General, and the Directorate-Generals for : Mobility and Transport (DG MOVE); Internal Market, Industry, Entrepreneurship and SMEs (DG GROW); Human Resources and Security (DG HR); Budget (DG BUDG); Communication (DG COMM); the Directorate-General for Migration and Home Affairs (HOME) was added to the Inter-service Steering Group later. It has been provided the opportunity to comment on the final report of the supporting study as well as the evaluation and to participate in the 6<sup>th</sup> meeting of the ISG, taking place on 26 September 2024.

The ISG also acted as steering group for the **supporting study** supporting the evaluation, which was carried out by Ramboll. Contract VC/2023/0127 was awarded after reopening of competition (tender VT/2022/057) within the multiple framework contract VC/2021/0336). The contract VC/2023/0127 started on 02.05.2023. The first draft final report was submitted by the contractor on 26.02.2024. The draft was discussed in the inter-service steering group on 19.03.2024. Several iterations of the draft final report followed on: 26.04.2024, 28.06.2024 and 27.09.2024. The inter-service steering group provided the last set of comments on the draft final report by 19.07.2024 and the contractor delivered the revised final report on 27.09.2024, along with the agreed annexes (including an annex on the stakeholder consultation).

The **call for evidence** published on 06.10.2023 explained the context, purpose and scope of the evaluation and informed stakeholders that an external evaluation study was being carried out, supported by a public consultation. The **public consultation** was open for 12 weeks from 06.10.2023 to 05.01.2024. The factual summary was published on 22.02.2024. **Targeted consultations** were carried out mainly within Q3 and Q4 2023. See Annex V for further details on the stakeholder consultations carried out.

**Exceptions to the better regulation guidelines**

All Better Regulation requirements were fulfilled.

**Consultation of the RSB (if applicable)**

The evaluation was selected for the scrutiny of the Regulatory Scrutiny Board. The evaluation staff working document was discussed at the meeting on 13 November 2024. The Regulatory Scrutiny Board issued a negative opinion on 15 November 2025. Table 2 below shows how this report took into account the RSB comments before resubmission. The revised version of the document was sent to the RSB on xx January 2025.

### Evidence, sources and quality

The evaluation was based on the evidence collection and analysis carried out by external experts (contract with Ramboll to carry out the supporting study, see above).

Annex II provides additional information on the methodological approach taken. To ensure quality, the ISG provided feedback throughout all steps of the evaluation process, and the European Labour Authority was given the opportunity to comment on the supporting study to ensure accuracy of the factual information and data.

**Table 1: Chronological overview of the evidence collection process**

Date	Type of activity
09.12.2022	ISG meeting to discuss the Tender specifications
06/02/2023	Launch Request for services
03/03/2023	Offers received
02.05.2023	Signature of Contract
15.05.2023	ISG meeting: kick-off meeting with contractor
15.06.2023	ISG Meeting: Inception report of supporting study and discussion about the consultation strategy and public consultation
06.10.2023 – 05.01.2024	Publication of Call for Evidence and Public consultation
04.12.2023	ISG Meeting: Interim report of supporting study
Q3-Q4.2023	Targeted consultations
26.02.2024	Draft final report
19.03.2024	ISG meeting: draft final report supporting study
26.04.2024	Revised draft final supporting study report
26.09.2024	ISG meeting on the draft Staff Working Document
27.09.2024	Receipt of final version of supporting study

**Table 2: How RSB comments have been addressed**

Opinion (RSB comments)	How and where comments have been addressed
<p>The Board notes the additional information provided and commitments to make changes to the report.</p> <p>However, the Board gives a negative opinion because the report contains the following serious shortcomings:</p> <p>(1) The report does not adequately explain how the performance of the ELA can be assessed given the lack of clear objectives and appropriate performance indicators. It does not assess ELA's contribution to fair labour mobility across EU.</p> <p>(2) The analysis is not clear about the serious limitations of the evidence and its robustness, and the actions needed to remedy this.</p> <p>(3) The conclusions do not accurately reflect the critical findings of the analysis. The lessons learned do not adequately present operational suggestions for improvement.</p>	<ul style="list-style-type: none"> <li>• The SWD has been significantly revised to take on board the RSB comments contained in the 15 November opinion and in the quality checklist received from the RSB on 08 November. See below the main changes to address the points to improve:</li> <li>• It might be noted that, while the absence of appropriate performance indicators indeed creates problems, it is an issue which cannot be fixed with the evaluation. The Commission will, however, continue to use its role in the management board and other bodies to urge ELA to make significant improvements. All this is better clarified in the revised version, including the limitations of the evaluation.</li> <li>• While the absence of performance indicators and the weaknesses in strategic management are key weaknesses, the evidence found is still good enough to arrive at conclusions and lessons learned, which indicate that missing performance indicators are not the only area in which ELA can improve.</li> <li>• A more careful and consistent wording of conclusions and lessons learned is provided.</li> </ul>
<p><b>What to improve:</b></p> <p>(1) The report should clearly explain the purpose and scope of the intervention, the underlying needs that necessitated the setting up of ELA, and how the ELA was envisioned to contribute to solving the identified problems. The report should analyse the evolution of the nature and magnitude of the problems, taking account of the key developments in the functioning of the European labour market since establishment of ELA relevant to this evaluation.</p>	<ul style="list-style-type: none"> <li>• To clarify further the purpose and scope of the intervention and the need to establish ELA, including its targeted role to solve the identified problems, Section 2.1. was substantially redrafted explaining better the context and the actions taken.</li> <li>• Additional details on how the EU labour market, including fair labour mobility, evolved since the establishment of ELA were further developed in particular in Sections 2.1 and 3.3.</li> </ul>

<p><b>(2)</b> Given that the evidence, as indicated in the report, is limited and in many cases insufficiently robust, the report should discuss this more explicitly. When using the staff survey, or consultations with the national agencies that the ELA coordinates, or ELA's reports, the report should clearly address potential stakeholder bias. The report should consider whether further evidence could be collected (for example, from EURES).</p>	<ul style="list-style-type: none"> <li>• Specific caveats on the data limitations were introduced in Sections 1, 4.1.1. and 4.1.2.</li> <li>• For EURES, additional data is presented for the matching process, for the years 2021-2022, based on the EURES Performance Measurement System. This is reflected mostly in the Effectiveness (Section 4.1.1) and Efficiency (Section 4.1.2.).</li> </ul>
<p><b>(3)</b> The report should clarify the cost-effectiveness analysis. Given that at present it seems that the analysis is based solely on stakeholder perceptions regarding the usefulness and satisfaction with ELA's tasks, lacking a cost element, the relevant parts of the report, including Annex VII, should be revised to avoid confusion. Any statements of "positive", "negative" or "inconclusive" efficiency should be underpinned by the analysis.</p>	<ul style="list-style-type: none"> <li>• Given that the compulsory Annex IV - provides and overview of costs and benefits the relevant elements from Annex VII were adjusted and transferred to the main text.</li> <li>• Section 4.1.2. Efficiency was amended to reflect the existing caveats of the process (lack of monitoring, lack of KPIs, no granularity of data). This was further aligned with the Cost-Effectiveness sections (methodology and limitations) in Annex II.</li> <li>• Table 1 from the previous Annex VII, was moved to the main text Section 2.1. to highlight the link between ELA's main tasks and key activities.</li> <li>• Section 4.1.2. Efficiency was further consolidated with the existing cost developments and intended effects in terms of the developed tasks (information, EURES, inspections etc). Additional figures on EURES were also provided.</li> <li>• The challenges presented in the Table 2 of the former Annex VII were incorporated in Section 4.1.1. and Section 4.1.2.</li> </ul>
<p><b>(4)</b> The report should examine the coherence between the ELA's activities and relevant legislation revised or enacted during the evaluation period (for example the Single Digital Gateway).</p>	<ul style="list-style-type: none"> <li>• To clarify the coherence between ELA's activities and relevant legislation implemented during the reference period we added additional arguments in Sections 4.1.1. and 4.1.3.</li> <li>• These amendments detail how ELA's activities focused on support for the Member States with the enforcement of the revised Posting of Workers Directive, the social aspects of the Mobility Package for</li> </ul>

	the road transport and also contributed to the implementation of the Single Digital Gateway Regulation.
<p>(5) External factors such as digitisation developments, the changing demography, the revision of the Regulation on Coordination of Social Security Systems etc. should be analysed in more detail, including the way they have affected the relevance and performance of the intervention assessed. Moreover, since the report recognises that digital transition, migration from outside the EU, and labour and skills shortages are likely to influence ELA's operations, it should further examine the relevance of ELA's current mandate to address these significant trends in the future.</p>	<ul style="list-style-type: none"> <li>• Section 3.3 was further developed to include more details on the external factors that were identified in the intervention.</li> <li>• The analytical chapter (4) and in particular section 4.3 on relevance describes the influence of these external factors on ELAs operations and the relevance of ELAs mandate to address these trends in the future.</li> <li>• Additional clarifications regarding the impact of digital transition, migration from outside the EU, and labour and skills shortages were included in Section 4. 3..</li> </ul>
<p>(6) Conclusions should be thoroughly revised to ensure they are consistent with the analysis and its limitations. Given the significant methodological limitations and the lack of an adequate monitoring system with KPIs, targets, and SMART objectives, these caveats must be fully reflected in conclusions. As regards lessons learned, the report should address the critical observations identified in the analysis and provide a thorough overview of how these limitations may be mitigated in the next evaluation period, including further detail of what the performance monitoring system based on sound indicators and sampling strategy will look like.</p>	<ul style="list-style-type: none"> <li>• Both the conclusions and the lessons learned have been thoroughly revised.</li> <li>• A particular emphasis has been put on the methodological limitations and the absence of an adequate monitoring system.</li> <li>• The lessons learned include concrete suggestions on how ELA could come to an enhanced strategic approach underpinned by a robust performance monitoring system.</li> </ul>
<b>2<sup>nd</sup> Opinion:</b>	
<p>The Board .... expects the lead DG to rectify the following aspects:</p> <p>1. The report does not adequately assess ELA's contribution to fair labour mobility across the EU. The effectiveness and efficiency of the intervention require further analysis, including why parts of the intervention</p>	<ul style="list-style-type: none"> <li>• The document has been revised in a targeted way to accommodate the comments made by the RSB.</li> </ul> <p>The main changes introduced are:</p> <ul style="list-style-type: none"> <li>• ELA's contribution to fair labour mobility has been clarified by establishing a better connection between effectiveness and</li> </ul>



<p>have not worked as expected.</p> <ol style="list-style-type: none"> <li>2. The continued relevance of the intervention is not sufficiently analysed.</li> <li>3. The conclusions need to fully reflect critical insights from the analysis presented.</li> </ol>	<p>efficiencies of the interventions on the one side and ELA's objectives on the other. Also, the limitations of the analysis have been further clarified.</p> <ul style="list-style-type: none"> <li>• The continued relevance of the intervention has been made more explicit in Section 4.3.</li> <li>• Conclusions have been adjusted in a targeted manner to better reflect insights of the analysis.</li> </ul>
<p><b><u>What to improve</u></b></p> <p>(1) The evaluation should define in specific and measurable terms what success would look like in achieving the general objective of enhancing fair labour mobility in the EU. It also needs, as far as possible, to provide an empirical analysis of the prevalence and nature of practices that presently inhibit fair labour mobility. The intervention logic needs to provide definitions of the specific objectives in SMART terms, and clearly identify how attaining the specific objectives contributes to reaching the general objective in order to facilitate the assessment.</p>	<ul style="list-style-type: none"> <li>• It is explained that most of the needs, justifying the set-up of ELA were 'negative' in nature, i.e directed towards avoiding problems. This together with the diversity of social security systems, employment conditions and industrial relations, between Member States, makes it difficult to 'measure' progress towards fair labour mobility.</li> <li>• While it was not possible to retroactively introduce SMART objective, for which the respective indicators have not been collected the revision provides more examples how SMART indicators might look like.</li> </ul>
<p>(2) Following the above steps the report needs to develop relevant indicators, identify and the data necessary to assess if the intervention has successfully improved the situation, including if there has been a change in the scale of unfair labour mobility practices since the introduction of the initiative, and to what extent this change is the result of the intervention rather than other possible factors. The report should also provide sufficient detail of what an adequate performance monitoring system based on sound indicators and sampling strategy should look like, including for future evaluations. It should use the intervention logic and ELA's hierarchy of objectives to propose Key Performance Indicators (KPIs) in the lessons learned section.</p>	<ul style="list-style-type: none"> <li>• It is better explained in the SWD that the Impact Assessment primarily relied on anecdotal evidence, and while ELA has attempted to map the situation and develop indicators to describe the scale and severity of challenges, providing such indicators remains challenging. This difficulty arises because some of ELA's activities focus on largely unseen issues, such as undeclared work or rule violations, while other efforts aim to improve cooperation, often assessed through indirect measures.</li> <li>• Beyond that the changes introduced in the SWD make concrete suggestions for the improvement of ELAs monitoring system, while respecting that ELA should develop this system to make it fit with its operation.</li> </ul>



<p>(3) The report should further evaluate the continued relevance of the intervention. It should assess to what extent market failures exist, which could contribute to decreasing fair labour mobility, and if they continue to persist. The report should analyse if the prevalence of such problems has changed since the introduction of the intervention. The report should also analyse the continued relevance of the intervention in the context of emerging policy needs, including the focus on competitiveness and reduction of regulatory burdens</p>	<p>Section 4.3. has been revised to:</p> <ul style="list-style-type: none"> <li>• better clarify the continued relevance of the intervention,</li> <li>• put the evaluation in the context of ensuring European competitiveness and</li> <li>• explain the limits to which the report can analyse ELAs impact on the prevalence of such problems.</li> <li>• It has also been clarified in Section 2.1. that the diversity of national systems intrinsically requires efforts and rules to ensure coordination.</li> <li>• The Conclusions part has also been amended to reflect the adjustments from Section 4.3.</li> <li>•</li> </ul>
<p>(4) The analysis of effectiveness and efficiency should be improved. In general, the report contains limited evidence on impacts generated, in the absence of appropriate KPIs and monitoring systems. The report relies overly on stakeholder perception's and does not analyse the full range of possible respondents. The conclusions should better reflect dissenting opinions, for example on the relevance of the mediation activity.</p>	<ul style="list-style-type: none"> <li>• The report reflects that the mediation function has hardly been used so far. Reasons for this are provided. It is pointed out in Section 2.1 on possible biases of stakeholder responses, that it is very difficult for the evaluator to understand whether the answer that this activity was not useful, just states the obvious: meaning: it has not been used, or whether it includes the further reaching statement that it should be abandoned. In the revised version of the lessons learned it is clarified that this merits discussions with Member States as they are the main addressees of this activity.</li> <li>• The part on mediation from the Conclusions (5.1.3.) had been amended with dissenting views on the relevance of the mediation function.</li> </ul>
<p>(5) On some points, including the mediation service and EURES, the report indicates inefficiencies or outcomes that fall below expectations. In such cases the report needs to analyse the causal reasons why the intervention has underperformed.</p>	<ul style="list-style-type: none"> <li>• The reasons for the shortcomings of EURES and the mediation function have been summarised/flagged in the respective sections (4.1.1.2. and 4.1.1.4.).</li> <li>• For mediation, additional information from the Case study in the context of the Supporting study was added to better understand the general context and demand for mediation, also in light of a strong call by stakeholders for the mediation to be voluntary and non-binding. (Section 4.1.1.4.)</li> </ul>

	<ul style="list-style-type: none"> <li>• For the mediation function the lessons learned have been revised, indicating a need for a discussion with Member States, to explore the possibilities for a cost-efficient service. (Section 5.2. point 8)</li> </ul>
<p>(6) The analysis of costs should be improved. The discussion on cost-effectiveness does not clearly acknowledge the lack of relevant analytical framework. The report deals mostly with costs as presented in the ELAs budget allocations, the full costs, accruing to all of ELA's stakeholders, should be assessed.</p>	<ul style="list-style-type: none"> <li>• The link between weaknesses in the performance measurement system and difficulties to assess the cost-effectiveness of activities is clarified. It is also better explained that the analysis is built on the ELA budget while costs outside ELAs budget (e.g. stakeholder expenditure as far as not reimbursed by ELA) could only be taken into account via subjective assessment of stakeholders, whether for them benefits outweigh costs. (Section 4.1.2.1.)</li> </ul>
<p>(7) The analysis of coherence with relevant legislation and other EU agencies should go beyond merely listing them and should substantiate arguments with examples or other relevant evidence. The discussion on how ELA's mandate aligns with other EMPL agencies should (a) include findings of potentially overlapping outputs between ELA and Eurofound and (b) clarify the distinct focus of ELA and EU-OSHA on healthy working conditions. This should inform conclusions on the relevance of ELA's missions</p>	<ul style="list-style-type: none"> <li>• It is better explained that ELA was recently set up to better implement EU level policies and that since then no major changes of the political framework have taken place.</li> <li>• Concerning the coherence between ELA and other agencies, the relationship with Eurofound is explained in more detail, whereas different from ELA, OSHA has no specific focus on cross-border situations and different from OSHA, ELA has no direct competence on health and safety at the workplace. In cases where the competences of both agencies have the same target audience, such as in the campaign on seasonal work, cooperation was ensured. (Section 4.1.3.2.)</li> <li>• The Coherence part from the Conclusions was also amended to clarify that no significant overlaps were identified. (Section 5.1.)</li> </ul>
<p>(8) Critical reflections emerging from the analysis of effectiveness and efficiency need to be fully reflected in the conclusions. When the evaluation notes that the intervention neither delivers expected benefits in terms of enhanced fair</p>	<ul style="list-style-type: none"> <li>• Targeted changes have been made to the dedicated sections on EURES/mediation in the findings, and the additional critical reflections were introduced in the conclusions (Section 5.1. – chapeau; 5.1.3. mediation and 5.1.1. EURES).</li> </ul>

labour mobility nor its individual components of the intervention - such as EURES, mediation mechanism - work as expected this should be reflected in the overall assessment of the initiative.	
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**1. Overall approach to the evaluation work**

The main goal of the evaluation is to deliver an assessment of the European Labour Authority (ELA) taking into account its efficiency, coherence and EU added value and relevance, during the period Q3 2019- Q2 2023.

DG EMPL used a mixed approach for this evaluation, by building on the work of external experts to (i) collect and analyse the relevant evidence (including consultation work) (via a supporting study); (ii) provide initial answers to all evaluation questions; and (iii) present evidence-based conclusions and lessons learnt.

The supporting study followed a mixed methods data collection approach, combining qualitative and quantitative research tools and sources to collect wide evidence on the ELA performance. The evaluation focused on assessing the performance of ELA at a broader EU-level and it did not focus on the performance in each individual Member State and sector, primarily due to data and sampling constraints.

The overarching methodological approach was based on ELA's Intervention Logic (see Annex VI), which formed the foundation of the evaluation's analytical framework (see Annex III), encompassing the evaluation inquiries. To conduct the evaluation, the team of experts covering the supporting study completed the following tasks:

- Desk based mapping of ELA's activities, outputs and results.
- Targeted stakeholder consultations, including:
  - An online survey to ELA staff and Management Board members.
  - An online survey to representatives of ELA stakeholders (including EU policy makers, relevant EU agencies, ELA national counterparts - i.e. labour and social security authorities including relevant ministries, labour inspectorates, public employment services-, EU level Social partners and international organisations).
  - 23 targeted interviews with representatives from the European Commission, ELA, ILO, ELA Management Board members, members of National Coordination Offices, and social partners.
  - A workshop with eight representatives from EU and national level social partners.
- Public consultation and call for evidence, open to the general public.
- Four<sup>214</sup> thematic case studies, including:
  - Case study 1: Information and awareness raising in the field of road transport;
  - Case study 2: European Coordination office of EURES;
  - Case study 3: ELA's support in concerted and joint inspections;

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<sup>214</sup> The case studies originally foreseen for this evaluation were five, however the fifth case study (Functioning of ELA - Synergies between core tasks) is not presented as a standalone case study. Its key inputs have been integrated where relevant throughout the supporting study.

- Case study 4: Mediation task of ELA
- Cost-effectiveness analysis.
- Validation focus group with a selected range of stakeholders.

## ***2. Desk based mapping of ELA's activities, outputs and results***

The objectives of the preliminary desk research were threefold:

- To deepen the understanding of the Authority and its work and the wider policy context/framework in which it operates to ensure the refinement of the intervention logic;
- To get a better understanding of the types of sources available, particularly to feed into the refinement of the evaluation framework and evaluation questions matrix, as well as to support the mapping exercise;
- To identify what information is already available through existing sources versus what knowledge gaps need to be filled through the supporting study, which will guide the refinement of the evaluation matrix and the development of data collection tools for consultations. This notably concerns data/information on costs, providing initial information for the cost effectiveness analysis.

Qualitative and quantitative information was gathered concerning ELA starting from Q3 2019, which was the baseline year, up to Q2 2023. The information gathered contributed to a first assessment of ELA's performance and inform subsequent tasks with a specific focus placed on finding out potential gaps in the evidence-base, to be addressed through primary data collection methods.

Qualitative data was gathered through desk-based review of analytical and documentary evidence.

The following sources were used:

- EU-level documents regulating the legal framework of ELA and other reports produced by European institutions;
- Analytical studies and auditors' reports;
- Studies, documents and reports prepared by ELA;
- Planning, monitoring and reporting documentation produced by ELA and other internal administrative documentation related to ELA's operation, administration and governance.

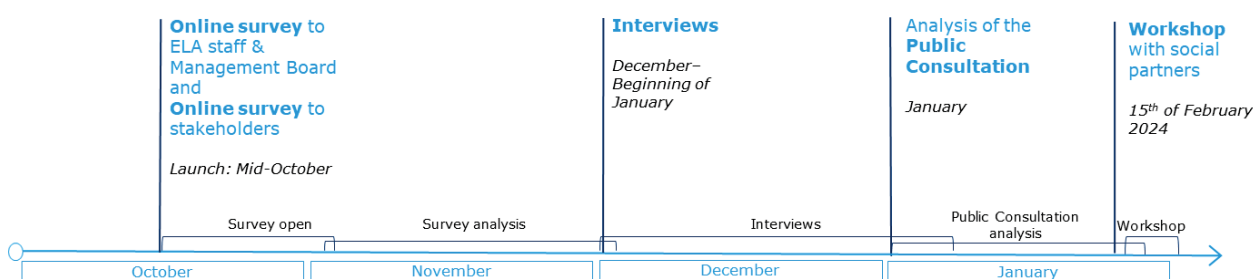
Quantitative data was gathered through planning, monitoring and reporting documentation produced by ELA (e.g. annual activity reports, annual accounts, etc.) as well as other internal administrative documentation.

### 3. Consultation activities

Consultation activities gathered the views of a wide spectrum of relevant stakeholders.

The purpose of consultation activities was to collect the information needed to supplement what was already available through existing sources of evidence. This consisted of a public consultation and targeted consultations, including two online surveys (one targeted at ELA staff and Management Board, and one targeted at key ELA stakeholders), targeted interviews, and a workshop with social partners. Figure 1 below presents the timeline for the stakeholder consultation activities that were carried out. Both surveys were launched in the middle of October (13th October) and remained open until 7th November. Following an initial analysis of the surveys, 23 in-depth interviews were conducted throughout December/beginning of January. Following the closure of the Public Consultation on 5th January, the analysis of the responses received was performed. Ultimately, on 15th of February, a workshop with social partners was carried out.

**Figure 1: Timeline for stakeholder consultations**



The evidence collected from the consultation activities was triangulated with the evidence gathered through the rest of the study tasks, as well as fed into the evidence base for each of these tasks as relevant.

#### **Survey targeting ELA staff and Management Board and survey targeting ELA stakeholders**

The surveys gathered data concerning all five evaluation criteria. They served a dual purpose for the research team: on one hand, quantifying diverse aspects of the Agencies' performance based on these criteria, and on the other hand, gathering qualitative input to enhance the evaluation process.

The aggregated number of **respondents for the two surveys is 290**. Both surveys remained open for 25 days (from October 13<sup>th</sup> until November 7<sup>th</sup>, 2023).

The **ELA staff and Management Board survey** was completed by **85 respondents**. Respondents working as staff members of ELA are the largest group of respondents (65.9% - 56 out of 85 respondents), followed by members of the Management Board of ELA, 22.4% of the respondents (19 out of 85 respondents). Lastly, National Liaison Officers are the smallest group of respondents (11.8% of responses – 10 out of 85 respondents).

**ELA stakeholders survey** was completed by **205 respondents**. In terms of place of work, respondents working for national ministries are the largest group of respondents (23.4%).

Together with respondents working for national public employment services and national labour inspectorates, they represent over 61% of the total number of respondents.

The survey results have been embedded in the ELA evaluation supporting study.

### Interviews

The in-depth interviews fed into the analysis of all evaluation criteria. **23 in-depth interviews** with the Authority's key stakeholders, including EU institutions, social partners, the ILO and Member State representatives, and ELA staff (Table 1). The purpose of these interviews was to gather in-depth insights that were unavailable through the literature review and were challenging to capture using the closed-ended questions employed in the rest of the consultation activities.

*Table 1: List of EU-level and international interviewees*

Category of stakeholder	Type of stakeholder	No of interviews
EU-institutions	DG EMPL	1
	DG MOVE	2
	DG GROW	1
EU Agencies	ELA	6
International organisations	ILO	1
Public authorities at national level	Management Board Members	7
	EURES National Coordination Office	3
Social partner at EU level	ETUC	1
	Business Europe	1
Total		23

### Workshop with social partners

A workshop involving **EU and national social partners** was conducted to discuss awareness of ELA and its activities' impact among social partners and on-the-ground workers and employers. Held online, the session featured eight participants from various sectors, including construction, transport, food, and agriculture.



## Public consultation

The public consultation was available from 6 October 2023 to 5 January 2024 in 24 official EU languages (i.e. it targeted the wider public)). Eight weeks after the conclusion of the public consultation, a factual summary was published on the European Commission's webpages<sup>215</sup>, whereas the consultation's analytical findings can be found in Annex VI, which is appended to the final report.

The aim of the public consultation was to allow a wider public to give its views concerning ELA. The consultation's questionnaire included both close and open-ended questions and covered all five evaluation criteria.

Dissemination efforts included promotion on social medial channels, both of the Commission and ELA (Facebook, LinkedIn, X), and sharing the survey with all ELA relevant groups (Management Board, Platform Tackling Undeclared Work, Mediation Working Group, Information Working Group, Inspections Working Groups, Posting Forum, EURES European Coordination Group etc), the Employment Committee, the Public Employment Services (PES) Network, the Europass Advisory Group, the ESCO Advisory Committee, the Council of the European Union (Social Questions Working Party), Members of the European Parliament – Employment Committee, European Social Partners – Sectoral Social Dialogue Committees, academia representatives, other DGs (DG MOVE, DG GROW, DG HOME with their relevant networks – SOLVIT, European Migration Network etc), civil society organisations.

144 contributions to the public consultation were made via the EU web-portal “Have Your Say”. Five ad-hoc contributions were sent via email by SGI Europe, DGB German Trade Union Confederation, the Danish Ministry of Employment, the European Cockpit Association and the French Ministry of Employment.

Following a systematic quality check of all answers received, the total number of questionnaires considered for the analysis was **142**.

124 out of 142 responses were provided by stakeholders from across 24 Member States.<sup>216</sup>

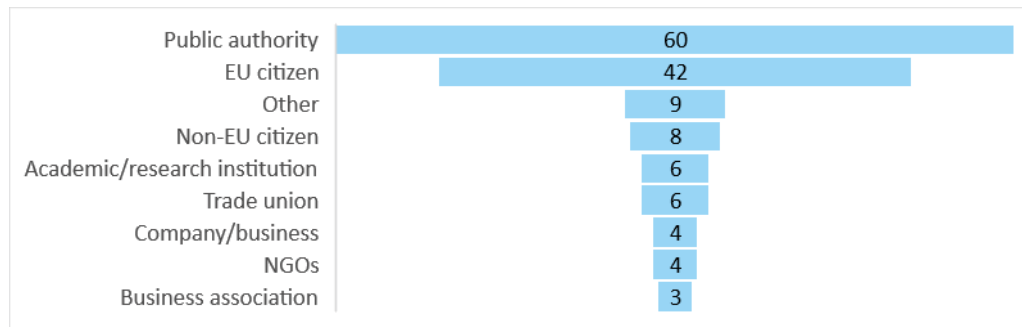
Responses to multiple-choice questions in the were analysed through quantitative analysis/descriptive statistical analysis. Answers to the open questions were qualitatively analysed using NVivo.

### *Figure 2: Distribution of responses per type of respondent (n=142)*

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<sup>215</sup>[https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13978-2024-Evaluation-of-the-European-Labour-Authority-public-consultation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13978-2024-Evaluation-of-the-European-Labour-Authority-public-consultation_en)

<sup>216</sup> The 3 EU countries without any responses were Greece, Latvia and Malta.



## Call for Evidence

The Call for Evidence, which was active for feedback from October 6, 2023, to January 5, 2024, received 30 responses across six distinct groups of stakeholders, specifically: business associations, trade unions, public authorities, companies or business organizations, EU citizens, and NGOs. Notably, nearly 70% of the feedback (20 out of 30 responses) was contributed by three key groups: business associations (8), trade unions (8), and EU citizens (4)

### 4. *Efficiency analysis*

Taking into account the inherent challenges stemming from the start-up phase of an Agency, the analysis did make use of the quantitative information available and appended this with more qualitative information from desk research, surveys and interviews.

The analysis started with a more general assessment of the Authority's efficiency by analysing quantitative data on (financial) resources of the Authority. The budgetary evolution of ELA was further analysed alongside the absorption of the budget, the division between budget categories and tasks and, where relevant, compared these to other agencies and expectations made in the ELA impact assessment. Subsequently, the analysis focused on the specific activities of ELA.

The analysis of these activities was based at the resources (both staff and operational) allocated towards the different activities, the main output/result indicators (where available, e.g. EURES) and the views from the stakeholders and staff of ELA.

The fact that ELA did not yet have a proper monitoring system, some tasks had very low prioritisation leading to little results, and the lack of a proper benchmark makes a quantitative judgement of the cost-effectiveness of ELA not feasible. See also limitations in the section 7 below (p. xx)\_

### 5. *Case studies*

Case studies were conducted to provide an in-depth understanding of concrete activities developed by the Authority in the last few years that were in line with ELA's main tasks specified by Article 4 of the Regulation establishing ELA<sup>217</sup>.

<sup>217</sup> Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority.

**Table 2. Overview of the selected case studies**

Case Studies	Targeted ELA Tasks
<b>Case Study 1:</b> Information and awareness raising in the field of road transport	Facilitate access to information for individuals and employers on labour mobility (Article 4(a))
<b>Case Study 2:</b> Managing the European Coordination Office (ECO) of EURES	Coordinate EURES (Article 4(a))
<b>Case Study 3:</b> Supporting and promoting concerted and joint inspections	Coordinate and support concerted and joint inspections (Article 4 (c))
<b>Case Study 4:</b> Mediation Task of ELA	Mediate disputes between Member States on the application of relevant Union law (Article 4(g))
<b>Case Study 5:</b> Functioning of ELA – synergies between core tasks	ELA's tasks, Article 4 (a-g) – This material was directly included in the main report.

These case studies included not only a backward-looking approach to identify and evaluate already conducted activities between 2019 and 2023 but also a forward-looking dimension to allow for lessons to be drawn for the future.

Case study 5 is not presented as stand alone, rather the findings integrated directly into the supporting study. These are presented as evidence gathered through the interviews and desk research collected during the Case study's research.

## **6. Validation workshop**

A validation workshop, held online on June 5, 2024, aimed to present the supporting study's findings and capture participants' perspectives on its conclusions and lessons learned. Nine stakeholders, including a European Commission representative, two Heads of Unit from ELA, two ELA Management Board members, two from the EURES coordination group, one from the ELA mediation working group, and one social partner representative, contributed to the session. They confirmed the study's conclusions and lessons.

## **7. Limitations and robustness of findings**

A significant limitation to this research consists in the short timespan between the time when Agency became financially independent and operational after the adoption of the Regulation and this evaluation. The Founding Regulation was adopted in 2019, to create a new Authority. So as from 2019 the Authority was built up and activities started successively. As from early 2020 the set-up process was impacted by the COVID-19 pandemic: this external shock forced the Authority to perform the tasks in a remote/hybrid configuration.

As a consequence, the date by which ELA was planned to be fully operational was postponed from 2023 to 2024. The financial independence was achieved in May 2021.

Furthermore, this evaluation started in 2023, i.e. before the setup process was fully accomplished and with the objective of evaluating the performance of the Authority across its wide range of tasks up until Q2 2023.

Hence, the research is subject to a number of limitations, mainly stemming from data availability and the quality of data at hand. This section lists these limitations, together with the mitigation measures taken.

### Mapping of the Agencies' activities, outputs and results

Overall, the desk-based review of the Agencies' monitoring data has shown that for the majority of the evaluation period, there was no strategy at ELA for KPIs measurement: only in 2022 the Authority developed a set of KPIs linked to the strategic areas.

Moreover, the very few indicators available in ELA's monitoring system hampered the qualitative assessment of the results of the Authority's activities, as the prevalence of output indicators limited the possibility to benchmark the effects of the activities. Moreover, the lack of available quantitative data (most of the indicators used in this study were only available for 2021 and/or 2022) had a direct impact the efficiency/cost-effectiveness analysis.

### Consultation activities

Most stakeholder groups were covered by at least two forms of consultation activities, thus adding to the robustness of the data collection process. All the identified stakeholders participate in at least one consultation activity (see Table 3 below).

**Table 3. Stakeholder consultation strategy**

Description of stakeholder group		Consultation approach			
Main group	Specific types of organisations	Public consultation	Interviews	Online surveys	Workshop
EU institutions and bodies	EU Commission	✓	✓		
	EU Agencies	✓		✓	
	ELA <sup>218</sup>		✓	✓	
	European Parliament (relevant committees)	✓		✓	
	Council of the European Union (Employment Committee)	✓		✓	
Public authorities at national level	<ul style="list-style-type: none"> <li>Relevant national ministries</li> <li>Labour inspectorates</li> </ul>	✓	✓	✓	

<sup>218</sup> This includes operational, administrative staff, members of the Management Board and NLOs.

	<ul style="list-style-type: none"> <li>• Social security coordination organisations</li> <li>• Public employment services</li> <li>• EURES National Coordination Offices</li> </ul>				
<b>Social partners</b>	<ul style="list-style-type: none"> <li>• Trade unions organisations</li> <li>• Employers' organisations</li> </ul>	✓	✓	✓	✓
<b>International organisations</b>	<ul style="list-style-type: none"> <li>• ILO</li> </ul>	✓	✓	✓	
<b>Research &amp; academia</b>		✓			
<b>General public</b>		✓			

We should consider that the public consultation and the stakeholder survey did not have a finite population. Hence, the sample of these surveys should not be considered as representative, and their results should not be generalised. While the same was not true for the staff survey, its response rate also rendered its findings as non-representative. At the same time, while the staff and Management Board survey had a finite population, its sample size, albeit important, cannot equally be considered as fully representative.

To address these limitations, the results of the different surveys were compared with each other, as well as with findings from interviews and desk-based research. Moreover, the information incorporated in the final report underwent validation through the validation focus group. Consequently, even though the sample size of the forementioned surveys might not have been fully representative, the evidence used in shaping the final report gained in reliability due to this approach.

Finally, despite extensive dissemination efforts, the sample size of the public consultation and the stakeholders' survey was relatively limited. Hence, while it was not always possible to conduct sub-group analysis for different stakeholder groups, such analyses have been conducted whenever feasible.

### **Cost-effectiveness analysis**

A cost-effectiveness analysis is a comparative method which evaluates cost per result indicators against a comparable benchmark. In the initial approach the study team opted to compare indicators either over time or against indicators of other agencies. During the course of this study, it was found that this approach was largely unfeasible.

First of all, the type of activities, outputs and results produced by ELA do not easily lend themselves to be used in a cost per output or result indicator which can be compared to similar

agencies. This was also acknowledged in the four agencies evaluation<sup>219</sup>, where this type of indicators were not used.

A comparable benchmark was therefore not present for most of the activities of ELA. Furthermore, an important caveat in the cost-effectiveness analysis was the lack of robust data on the effects of activities.

The available indicators, most only introduced in 2021 or 2022, were output-oriented, and say little about the effects of the activities. For the majority of the evaluation period, there also was no clear strategy at ELA when it comes to measuring KPI's. The Annual Activity report of 2022 did include indicators for different tasks, but these were very much focused on output (i.e. number of activities/participants etc.). The indicators which were more focused on results were not quantified.

In light of the above challenges, the evaluation relied on a mixed approach to make use of the quantitative information available and appended this with more qualitative information from desk research and stakeholder perceptions from surveys and interviews.

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<sup>219</sup> [SWD \(2024\) 222 final](#) and [COM \(2024\) 414 final](#) and

### ANNEX III. EVALUATION MATRIX

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
1. To what extent were the actions of the European Labour Authority successful and why?				
<b>Effectiveness</b>				
1.1. To what extent did the European Labour Authority achieve its objectives?	1.1.1. To what extent did the Authority contribute to ensuring fair labour mobility across the Union and assisted Member States and the Commission in the coordination of social security systems within the Union?  <b>[General Objective of the Intervention logic, Art.2]</b>	<p><b>Impact indicator – quantitative and qualitative:</b></p> <p>Stakeholders' views on the overall effects and benefits of the activities implemented by the Authority</p> <p>Stakeholders' perception as regards the extent to which the Authority's objectives have been reached</p> <p>Evidence/examples of external factors that helped or hindered the achievement of intended outputs and results</p> <p>Composite indicator: Evidence on the degree to which the specific and operational objectives of the Authority were met based on evidence from the related questions below (Qs 1.1.1 to 1.1.7)</p>	<p>The Authority contributed to fair labour mobility and supported MS and COM in coordination social security systems within the EU.</p> <p>Where shortcomings have been identified, these are duly justified by explanatory factors</p> <p><b>[Long-term Impact of the Intervention]</b></p>	<p>Consolidated Annual Activity Report (2019-2022)</p> <p>ELA's Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Workshop with social partners</p> <p>Case study 5: Functioning of ELA – synergies between core tasks</p> <p>Public consultation</p>
	1.1.2. To what extent did the Authority <b>facilitate access to information on rights and obligations</b> regarding labour mobility across the	<p><b>Input indicator – quantitative</b></p> <p>ELA budget allocated to information activities</p> <p><b>Output indicators - quantitative</b></p>	<p>The Authority facilitated access to information on rights and obligations regarding labour mobility across</p>	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p>



Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
	<p>Union as well as to other relevant services?</p> <p><b>[Specific Objective 1 (Art.2(a)) &amp; Operational Objective 1 of the Intervention (Art.5)]</b></p>	<p>Number of support actions for information to employers and workers in specific sectors, including road transport</p> <p>Number of workshops delivered and number of participants</p> <p>Number of visits and downloads of guidelines and other training material from website and assistance to national services</p> <p>Number of translation requests processed</p> <p>Number of information campaigns</p> <p>Number of joint activities with other EU bodies, national authorities and social partners</p> <p><b>Result indicators - qualitative</b></p> <p>Satisfaction levels after participation in workshops</p> <p>Examples of synergies with other relevant EU agencies or networks</p> <p>End-user satisfaction with the accessibility, completeness and usefulness of the information provided by the Authority</p> <p>Multiplier effect of ELA's actions (e.g. campaigns being picked up at national level)</p>	<p>the Union as well as to other relevant services</p> <p><b>[Intended result 1 of the Intervention]</b></p>	<p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Workshop with social partners</p> <p>Case study 1: Information and awareness raising in the field of road transport</p> <p>Public consultation</p>
	<p>1.1.3. To what extent did the Authority promote the further <b>implementation of the provisions of the EURES Regulation</b>? How did the</p>	<p><b>Output indicators - quantitative:</b></p> <p>Number of ECG meetings organised (after 2021)</p>	<p>The Authority promoted the further implementation of the</p>	<p>EURES monitoring data</p> <p>Single Market Scoreboard</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
	<p>EURES network and portal develop once the European Coordination Office was transferred to the Authority?</p> <p><b>[Specific Objective 1 (Art.2(a)) &amp; Operational Objective 2 (Art.6) of the Intervention]</b></p>	<p>Number of unique visitors to the EURES Portal (after 2021)</p> <p>Number of jobseeker profiles registered on the EURES Portal (after 2021)</p> <p>Number of employers registered on the EURES Portal (after 2021)</p> <p>Number of persons who found a job in another country with the help of EURES (after 2021)</p> <p>Number of EURES Portal facilitated placements in relation to new cross-border movers (after 2021)</p> <p>Number of job vacancies on EURES Portal (after 2021)</p> <p>Share of vacancies posted on EURES as a proportion of national vacancies (after 2021)</p> <p>Number of recruitment/placements and job offers made through the EURES Portal (after 2021)</p> <p>Number of training activities assisting staff operating in the organisations participating in the EURES network (after 2021)</p> <p>Number of European Job Days events organised (after 2021)</p> <p>Number of individuals reached at events (after 2021)</p> <p>Number of EURES campaigns (after 2021)</p> <p><b>Result indicators - qualitative:</b></p>	<p>provisions of the EURES Regulation</p> <p>Potential links between the transferal of the ECO from the European Commission to the Authority and the effects identified.</p> <p><b>[Intended result 1 of the Intervention]</b></p>	<p>Results from the ex-post evaluation of EURES</p> <p>Surveys</p> <p>Case study 2: Managing the European Coordination Office (ECO) of EURES</p> <p>Interviews</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Participants' satisfaction with EURES trainings</p> <p>Participants' satisfaction with Job Days</p> <p>Stakeholders' feedback on social media presence of the EURES network</p> <p>Stakeholders' feedback on the EURES European Coordination Office</p> <p>Stakeholders' satisfaction with the functionalities and information on the EURES Portal</p> <p>Stakeholders' views on potential links between the effects observed and the transfer of the ECO to ELA</p>		
	<p>1.1.4. To what degree did the Authority facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union, including <b>facilitating concerted and joint inspections?</b></p> <p><b>[Specific Objective 2 (Art.2 (b)), Operational Objective 3 (Art.7) &amp; Operational Objective 4 (Arts.8 &amp; 9) of the Intervention]</b></p>	<p><b>Input indicator - quantitative:</b></p> <p>Total ELA budget spent on CJIs</p> <p>Member States' costs for CJIs</p> <p><b>Output indicators - quantitative:</b></p> <p>Number of cross-border inspections (in total, by sector and over time), at the request of Member States, suggested by ELA or resulting from cases submitted by national social partners</p> <p>Number of cases on cross-border fines, notification of fines, recovered tax and social security contributions</p> <p>Number of infringements found through CJIs</p>	<p>The Authority facilitated and enhanced cooperation between Member States in the enforcement of relevant Union law across the Union.</p> <p>The Authority facilitated concerted and joint inspections.</p> <p><b>[Intended result 2 of the Intervention]</b></p>	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>ELA's 2022 report on inspections</p> <p>Single Market Scoreboard</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Case study 3: Supporting and promoting concerted and joint inspections</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Number of mutual learning and training activities related to CJIs organised or supported</p> <p>Number of information campaigns on CJIs organised</p> <p>Number of guidelines, templates and procedures developed and updated for the exchange of information between Member States</p> <p>Number of guidelines, templates and procedures developed and updated for concerted and joint inspections</p> <p>Number of strategic partnerships on CJIs arranged</p> <p><b>Result indicators – Qualitative and quantitative:</b></p> <p>Number of participants trained</p> <p>Number of Member States involved in CJIs</p> <p>Perceived level of communication and cooperation among CJIs participants</p> <p>Stakeholders' satisfaction with ELA capacity building activities and instruments</p> <p>Stakeholders' satisfaction with use of ELA's risk assessment activities in supporting inspections</p>		

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Stakeholders' satisfaction with ELA's facilitation of cooperation exchange between the Member States</p> <p>Stakeholders' satisfaction with guidelines, templates and procedures developed and updated</p> <p>Stakeholders' views on benefits and limitations of CJIs (e.g. improved workers situation, collection of social security contributions, wider benefits of ELA support to all inspections, i.e. non-CJI)</p>		
	<p>1.1.5. To what extent did the Authority cover the <b>analyses and risk assessment</b> tasks linked to issues of cross-border labour mobility?</p> <p><b>[Specific Objective 2 (Art.2 (b)), Operational Objective 5 (Art.10) of the Intervention]</b></p>	<p><b>Output indicators - quantitative:</b></p> <p>Number of analytical activities (mappings, analyses, reports, etc.)</p> <p>Number of topics and sectors covered</p> <p>Number of meetings</p> <p>Number of peer reviews</p> <p>Number of workshops organised in risk assessment activities and labour mobility analyses</p> <p><b>Result indicators – qualitative and quantitative:</b></p> <p>Number of stakeholders involved in analytical activities</p> <p>Number of stakeholders involved in risk assessment activities and labour mobility analyses</p>	<p>The Authority covered effectively the analyses and risk assessment tasks</p> <p><b>[Intended result 2 of the Intervention]</b></p>	<p>Consolidated Annual Activity Report (2019-2022)</p> <p>Monitoring data</p> <p>Work programmes/ planning documents</p> <p>Surveys</p> <p>Interviews</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Stakeholders' satisfaction with the mutual learning assistance</p> <p>Stakeholders' satisfaction with the timeliness and completeness of monitoring and statistical data</p> <p>Stakeholders' satisfaction with ELA's analysis and risk assessment activities (e.g. relevance of topics analysed, quality and value added of ELA's analysis)</p>		
	<p>1.1.6. How well was the <b>capacity building</b> task implemented? To what extent did it promote the consistent enforcement of EU law?</p> <p><i>[Specific Objectives 1 &amp; 2 (Arts.2(a) and 2(b)), Operational Objective 6 (Art. 11) of the Intervention]</i></p>	<p><b>Output indicators - Quantitative:</b></p> <p>Number of documents published (e.g. guidance for inspections in cross-border cases, definitions, concepts)</p> <p>Number of peer-to-peer and group activities organised</p> <p>Number of staff exchanges and secondment schemes between national authorities</p> <p>Number of sectoral and cross-sectoral training programmes and training materials (e.g. for labour inspectorates)</p> <p><b>Result indicator - qualitative:</b></p> <p>Stakeholders' satisfaction with ELA's capacity building activities (e.g. quality of the documentation, take up at national level of ELA's definitions and concepts, etc.)</p>	<p>The Authority implemented effectively its capacity building task, promoting a consistent enforcement of EU law</p> <p><i>[Intended result 1 of the Intervention]</i></p>	<p>Consolidated Annual Activity Report (2019-2022)</p> <p>Monitoring data</p> <p>Work programmes/ planning documents</p> <p>Surveys</p> <p>Interviews</p>
	<p>1.1.7. To what extent ELA's task related to <b>cooperation</b> and facilitation of <b>exchange of</b></p>	<p><b>Output indicators - quantitative:</b></p>	<p>The Authority effectively implemented its</p>	<p>Consolidated Annual Activity Report (2019-2022)</p>



Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
	<p>information between Member States was effective?</p> <p><b>[Specific Objective 2 (Art.2 (b)), Operational Objective 3 (Art.7) of the Intervention]</b></p>	<p>Share of information exchanged within deadlines</p> <p>Number of cases referred to ELA to facilitate cooperation and to accelerate the exchange of information</p> <p>Number of requests for information by Member States on the effective application of Union acts with regards to cooperation</p> <p>National events (initiated by ELA's NLOs) aiming to improve cooperation between Member States and ELA's outreach</p> <p>Number of ELA's activities to promote the use of Internal Market Information (IMI) System</p> <p><b>Result indicator - qualitative:</b></p> <p>Stakeholders' satisfaction with ELA's cooperation and information exchange activities</p> <p>Stakeholders' opinion on administrative burden related to information exchange</p>	<p>cooperation and information exchange task, supporting Member States with their effective compliance with cooperation obligations</p> <p><b>[Intended result 2 of the Intervention]</b></p>	<p>Monitoring data</p> <p>Work programmes/ planning documents</p> <p>Surveys</p> <p>Interviews</p>
	<p>1.1.8. How well was the mediation task implemented? What are the main lessons learned?</p> <p><b>[Specific Objective 3 (Art.2 (c)), Operational Objective 8 (Art.13) of the Intervention]</b></p>	<p><b>Output indicators - quantitative:</b></p> <p>Number of meetings and deliverables of the Working Group on mediation</p> <p>Individual cases submitted to ELA/ Individual cases processed by ELA</p> <p>Number of training sessions organised</p> <p>Time needed to settle disputes</p>	<p>ELA successfully implemented mediation procedures which contributed to facilitate a solution in cases of cross-border disputes between Member States</p>	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Number of implemented/respected opinions by the Member States party to disputes</p> <p>Number of areas under ELA remit for which dispute settlement is used</p> <p><b>Result indicators - qualitative:</b></p> <p>Examples of resolved disputes</p> <p>Stakeholders' views on the role of the Authority concerning mediation</p>	<b>[Intended result 3 of the Intervention]</b>	<p>Workshop with social partners</p> <p>Case study 4: Mediation Task of ELA</p> <p>Public consultation</p>
	<p>1.1.9. What are the concrete gains for the <b>Platform tackling undeclared work</b> following the integration into the European Labour Authority?</p> <p><b>[Specific Objective 4 (Art.2 (d)), Operational Objective 7 (Art.12) of the Intervention]</b></p>	<p><b>Output indicators - quantitative:</b></p> <p>Number of learning resource papers, seminars, workshops, webinars, follow-up/study visits and other mutual learning formats</p> <p>Number of studies, toolkits and similar written outputs aiming to improve knowledge of undeclared work</p> <p><b>Result indicators - qualitative:</b></p> <p>Evidence / examples of changes in the focus of the activities of the Platform</p> <p>Examples of synergies between the platform and the Authority's existing structures</p> <p>Stakeholders' satisfaction with the quality of the informative materials, tools and events related to undeclared work</p> <p>Stakeholders' satisfaction with the level of cooperation between Working Group on</p>	<p>The Platform tackling undeclared work benefit greatly from the integration in the European Labour Authority</p> <p><b>[Intended result 4 of the Intervention]</b></p>	<p>ELA Regulation</p> <p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Workshop with social partners</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Inspections and the Platform Tackling Undeclared Work</p> <p>Stakeholders' views on the integration of the Platform into the European Labour Authority</p>		
1.2. To what extent were the activities of the European Labour Authority link to the legal acts included in the scope of the founding Regulation (Article 1(4)? Did the Authority go beyond these legal acts?	1.2.1. To what extent were the activities carried out by the Authority in line with the scope of the Regulation?	<p><b>Result indicators - qualitative:</b></p> <p>Stakeholders' views on the degree to which ELA performed activities beyond its mandate</p> <p>Legal comparison between ELA's activities and outputs and the mandate of the founding Regulation</p> <p>Examples of the ELA activities that go beyond the provisions of the founding Regulation</p>	The activities of the Authority were linked to the legal acts included in the scope of the founding Regulation.	<p>ELA Regulation</p> <p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Interviews</p>
1.3. To what extent were the services of the European Labour Authority actually used by their stakeholders, including EU Institutions, stakeholders in the Member States, international bodies and organizations?	<p>1.3.1. Which stakeholders used the services provided by the Authority?</p> <p>1.3.2. Which stakeholders used which services and why?</p> <p>1.3.3. What factors explain differences in use of given services / services?</p>	<p><b>Output indicator – quantitative:</b></p> <p>Number of ELA's joint activities, meetings, workshops with other EU bodies, national authorities and the social partners</p> <p>Output indicators from question 1.1.4 about types of stakeholders involved in CJIs</p> <p><b>Result indicators - qualitative:</b></p> <p>Location of unique visitors to the EURES Portal</p> <p>Type of users of ELA Translation Facility</p> <p>Jobseeker profiles registered on the EURES Portal</p>	The services of the Authority are used by a representative sample of different stakeholder categories	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Workshop with social partners</p> <p>Public consultation</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
visible were the actions and to which stakeholders?		<p>Economic sector of employers registered on the EURES Portal</p> <p>Result indicators from question 1.1.4 about types of stakeholders involved in CJs</p> <p>Degree of stakeholders' awareness of ELA's activities, per stakeholder group</p> <p>Type of stakeholders participating to ELA's joint activities, meetings, workshops with other EU bodies, national authorities and the social partners</p> <p>Satisfaction of Member States' authorities and other stakeholders with their degree of involvement in ELA's activities</p> <p>Degree of satisfaction of Member State authorities and other stakeholders with the quality (i.e. timeliness, completeness, clarity, usefulness) of ELA's activities</p>		
1.4. To what extent did the European Labour Authority focus its work on areas most in need and where they can have an impact? Did the Authority go beyond its mandate, and to what extent?	<p>1.4.1. What areas did the Authority focus its work on and why?</p> <p>1.4.2. Did the Authority undertake prioritisation of certain topics or tasks? Has this been appropriate?</p> <p>1.4.3. Were any changes made over the years? If so, why?</p> <p>1.4.4. Were these changes in line with changes in needs and areas where the Authority can have an impact?</p>	<p><b>Input indicator – quantitative</b></p> <p>Budget allocated to ELA's areas of work</p> <p><b>Result indicators - qualitative:</b></p> <p>Specific areas in which ELA carried out activities in each year</p> <p>Alignment of ELA's programming documents with outputs delivered in the different areas of work of the Authority</p> <p>Evidence / examples of changes in the focus of the activities of the Authority</p> <p>ELA's views on the rationale for the areas in which work was focused</p>	The majority of the activities of the Authority focused on areas most in need or where they could have an impact	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Public consultation</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Stakeholders' views on whether prioritisation of topics / tasks is appropriate</p> <p>Stakeholders' views on the extent to which the activities of ELA focused on areas most in need / where ELA could have an impact</p> <p>Stakeholders' views on the extent to which the activities of ELA focused on areas linked to the EU policy priorities (e.g. developments on digital transformation, transition to a climate-neutral economy, population ageing, gender and diversity, labour mobility and recovery from the COVID-19 pandemic, war in Ukraine, trends affecting EU cross-border labour mobility)</p> <p>Activities and rationale of ELA's campaigns</p>		
1.5. Were there other broader achievements/unexpected impacts arising from ELA's work?	<p>1.5.1. Have there been any unintended effects / impacts (positive or negative)? If so, what were they?</p> <p>1.5.2. Which (internal and external) factors led to these unexpected effects / impacts?</p>	<p><b>Result indicator - qualitative:</b></p> <p>Stakeholders' views on unintended positive/negative effects of ELA's work</p> <p>Evidence / examples of factors that caused these unintended effects</p>	Where unintended effects were observed, these were mitigated where possible and did not cause significant issues	<p>Work programmes / planning documents</p> <p>Interviews</p> <p>Workshop with social partners</p>
1.6. Which factors facilitated or hindered the effectiveness of the work of the European Labour Authority? To what degree did host Members States fulfil their obligations as	<p>1.6.1. What did the Authority set out to achieve (general/specific/operational objectives)?</p> <p>1.6.2. To what extent have targets / KPIs been met?</p> <p>1.6.3. To what extent have intended outputs been achieved?</p>	<p><b>Output indicators - quantitative:</b></p> <p>Quantitative KPIs/ targets of the Authority across the strategic areas of work of the Authority</p> <p><b>Result indicators - qualitative:</b></p>	<p>The Authority achieved its objectives to a large extent</p> <p>Where shortcomings have been identified, these are duly justified by explanatory factors</p>	<p>Work programmes / planning documents</p> <p>Surveys</p> <p>Workshop with social partners</p> <p>Headquarter Agreements</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
defined in the Headquarters Agreements between the ELA and Member State?	<p>1.6.4. To what extent have intended results been achieved?</p> <p>1.6.5. To what extent can the observed effects be attributed to the Authority's work?</p> <p>1.6.6. What external influencing factors played a role (if any)?</p> <p>1.6.7. What were the obligations of the host Member States?</p> <p>1.6.8. To what extent did the host Member States fulfil their obligations?</p>	<p>Qualitative KPIs/ targets of the Authority across the strategic areas of work of the Authority</p> <p>Comparison between achieved results and target outputs of the Authority</p> <p>Stakeholders' views on links between the inputs/activities of the Authority and the achievement of the results</p> <p>Stakeholders' views on the effects and benefits of the activities implemented by the Authority</p> <p>Evidence/examples of internal and external factors that helped or hindered the achievement of intended outputs and results</p> <p>Stakeholders' views on the extent to which the host Member States fulfilled their obligations as defined in the founding Regulation</p>	Member States fulfilled their obligations as defined in the Headquarters Agreements between the ELA and Member States	
1.7. To what degree did the European Labour Authority adapt to changes in EU policy, to Commission political priorities over the evaluation period and to the political and socio-economic situation in general?	<p>1.7.1. What changes to the socio-economic context and policy priorities in the fields of relevance to the Authority took place during 2019-2023?</p> <p>1.7.2. Was the Authority sufficiently flexible to respond to changes in the socio-economic context and corresponding policy priorities in a timely manner?</p>	<p><b>Output indicators – quantitative and qualitative:</b></p> <p>Number of EU citizens who work and live in another Member State, per nationality and economic sector</p> <p>Number of mobile workers of working age</p> <p>GVA per economic sector, EU27</p> <p>Number of road transport sector workers who cross intra-EU borders on a daily basis</p> <p>Number of cross-border workers</p>	The Authority effectively adapted to relevant changes in socio-economic context and EU policy priorities	EUROSTAT data Interviews

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		<p>Number of cross-border workers involved in undeclared work</p> <p>Policy developments on digital transformation, transition to a climate-neutral economy, population ageing, gender and diversity, labour mobility and recovery from the COVID-19 pandemic, war in Ukraine, trends affecting EU cross-border labour mobility</p> <p><b>Result indicators - qualitative:</b></p> <p>Extent to which ELA's activities cover the policy priorities of the EU Commission</p> <p>Stakeholders' views on the impact of such changes to the socio-economic context on the Authority's work</p> <p>Stakeholders' views on the adaptability of the Authority</p>		
1.8. How did the European Labour Authority ensure a concrete contribution with regard to the unexpected and additional challenge of the COVID pandemic and the Ukrainian crisis, where relevant?	<p>1.8.1. What were the actions taken by the Authority to mitigate unforeseen challenges (e.g. COVID pandemic, the outbreak of the war in Ukraine)?</p> <p>1.8.2. To what extent were these actions effective?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Actions implemented in response to unforeseen challenges (e.g. evidence of adaptations/introduction of new actions/services in response to the Covid-19 and Ukraine crises in ELA Work Programmes)</p> <p>Planned events/trainings, reports/studies related to the impact of unforeseen crises on labour mobility issues</p>	N/A - Exploratory	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Surveys</p> <p>Interviews</p> <p>Workshop with social partners</p> <p>Public consultation</p>



Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		Stakeholders' views concerning the effectiveness of the actions undertaken by the Authority to mitigate unforeseen challenges		
<b>Efficiency</b>				
1.9. To what extent were the actions of the European Labour Authority cost-effective?	<p>1.9.1. What costs were associated with the activities / operations of the Authority?</p> <p>1.9.2. How did these costs compare to the outputs produced and the results achieved? Were they proportionate?</p>	<p><b>Input indicators - quantitative:</b></p> <p>Annual amount (€) and share (%) of expenditure allocated, committed and disbursed at the level of:</p> <ul style="list-style-type: none"> <li>Activities / outputs</li> <li>Results</li> </ul> <p>Trends in costs over time</p> <p>Analysis of budgets of the Authority (e.g. Changes/transfers in the budgetary titles, carry overs)</p> <p>Evidence of increases / decreases in costs over time</p> <p><b>Result indicators - qualitative:</b></p> <p>Outcomes of ELA's audits</p> <p>Extent to which any recommendations concerning budget implementation issues have been implemented/addressed</p> <p>Stakeholders' views on proportionality of costs with respect to benefits from complying with activities related to interactions with the Authority (e.g. IT costs, administrative burden, costs for additional staff, etc.)</p>	The operations of the Authority was cost-effective	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Public consultation</p> <p>Cost-effectiveness analysis</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		Stakeholders' views on the appropriateness of changes in costs over time		
1.10. To what extent were staff resources and workload appropriate to fulfil efficiently and effectively the Authority's objectives and activities? How balanced was the administrative and operational budget and why?	<p>1.10.1. Were the Authority's financial and human resources sufficient to enable them to do its work efficiently?</p> <p>1.10.2. What working practices and procedures are in place? Were these appropriate?</p> <p>1.10.3. Were there any differences over time? If so, what are good practices / lessons learned?</p>	<p><b>Input indicators – quantitative and qualitative:</b></p> <p>Annual amount (€/FTE) and share (%) of human, administrative and operational expenditure allocated, committed and disbursed at the level of:</p> <ul style="list-style-type: none"> <li>• Activities / outputs</li> <li>• Results</li> </ul> <p>Recruitment/turnover/establishment plans of the Authority</p> <p><b>Result indicators - qualitative:</b></p> <p>Authority staff / management views on inefficiencies in working practices and procedures</p> <p>Authority staff / management views on the sufficiency of the human and financial resources allocated to given tasks</p> <p>Identified good practices / lessons learned</p>	<p>The resources allocated were sufficient and appropriate to achieve the intended outcomes</p> <p>The administrative and operational budgets of the Authority were balanced</p>	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes / planning documents</p> <p>Surveys</p> <p>Interviews</p> <p>Cost-effectiveness analysis</p>
1.11. To what extent were the internal mechanisms for monitoring, reporting and evaluating the Authority adequate for ensuring accountability and appropriate assessment	<p>1.11.1. What mechanisms were in place in the Authority for monitoring, reporting and evaluation?</p> <p>1.11.2. Were the mechanisms for monitoring, reporting and evaluating the work of the Authority adequate for</p>	<p><b>Result indicators – quantitative and qualitative:</b></p> <p>Evidence / examples of internal mechanisms in place for monitoring, reporting and evaluation</p>	<p>Internal mechanisms for monitoring, reporting and evaluating the work of the Authority were adequate for ensuring accountability and there were no gaps which</p>	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Previous evaluations of EMPL agencies</p> <p>Work programmes / planning documents</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
of the overall performance, while minimising the administrative burden? Did digitalization play a role in the above?	<p>ensuring accountability and assessment of the overall performance of the Authority?</p> <p>1.11.3. Did these mechanisms minimise the administrative burden imposed on staff? Did digitalisation play a role? How?</p> <p>1.11.4. Were there any differences over time? If so, what are good practices / lessons learned?</p>	<p>Benchmarks of ELA's performance in comparison with the EMPL Agencies in terms of adequacy of internal programming, monitoring, reporting and evaluating mechanisms</p> <p>Authority staff's views on the appropriateness of the mechanisms for monitoring, reporting and evaluation</p> <p>Identified administrative burdens / inefficiencies</p> <p>Identified good practices / lessons learned</p>	<p>prevent an appropriate assessment of their overall performance</p> <p>The mechanisms did not impose disproportionate burdens on staff</p>	<p>Surveys</p> <p>Interviews</p>
1.12. How efficient were the governance structures of the European Labour Authority? To what extent is the size and the composition of the Authority's Management Board appropriate for the size and nature of ELA so as to ensure its ability to perform its tasks and effective and efficient governance?	<p>1.12.1. To what extent did the organisational structures and / or other factors support the achievement of the Authority's objectives?</p> <p>1.12.2. Were the compositions of the Management Boards and Stakeholder Group appropriate? Why or why not?</p> <p>1.12.3. Were there any inefficiencies in the governance of the Authority?</p> <p>1.12.4. What are good practices / lessons learned?</p>	<p><b>Result indicators – quantitative and qualitative:</b></p> <p>Assessment of whether the Authority's governance models is aligned with recognised good practices for executive agencies (cf. Roadmap on the follow-up to the Common Approach on EU decentralised agencies)</p> <p>Benchmarking of ELA's Management Board's size, composition and costs associated to its functioning, with respect to other EMPL agencies</p> <p>Authority staff / management / stakeholder views on the appropriateness of the size and composition of the Management Boards</p>	<p>The Authority's governance structures supported their mission statements</p>	<p>ELA Regulation</p> <p>Consolidated Annual Activity Report (2019-2021)</p> <p>Work programmes / planning documents</p> <p>Interviews</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
1.13. How well were the data protection aspects taken into account in the deployment of the Authority's activities?	<p>1.13.1. How were the data protection aspects treated by the Authority in the deployment of its activities?</p> <p>1.13.2. Were there any hindrances related to the effective enforcement of data protection mechanisms in the deployment of the Authority's activities?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Data protection mechanisms put in place by the Authority (e.g. reports on data protection)</p> <p>Perceived effectiveness of data protection mechanisms employed</p>	The data protection aspects were taken into account in the deployment of the Authority's activities.	<p>ELA Regulation</p> <p>Consolidated Annual Activity Report (2019-2021)</p> <p>Work programmes / planning documents</p>
1.14. Were there any potential areas and/or activities which could be subject to simplification and/or administrative burden reduction?	<p>1.14.1. Did established procedures minimise the administrative burden of the Authority and their stakeholders?</p> <p>1.14.2. Is there any scope for simplification? How?</p>	<p><b>Input indicators - quantitative:</b></p> <p>Cost data from Authority and other stakeholders on the compliance/implementation/administration of the established procedures</p> <p><b>Result indicators - qualitative:</b></p> <p>Stakeholders' views on the main costs and benefits associated with compliance/implementation/administration of the established procedures</p> <p>Evidence / examples of inefficiencies or administrative burdens (for the Authority and stakeholders)</p> <p>Authority staff / stakeholder views on the administrative burden imposed on them</p> <p>Identified options / areas for simplification</p> <p>Identified good practices / lessons learned</p>	There were no disproportionate administrative burdens or inefficiencies	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Monitoring data</p> <p>Work programmes/ planning documents</p> <p>Interviews</p>

Coherence

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
1.15. To what extent are the mandate and activities of the European Labour Authority coherent with DG EMPL policies and with other EU policies? To what extent does the Authority work cooperatively with DG EMPL and other Commission services.	<p>1.15.1. To what extent was the work of the Authority aligned with DG EMPL policies?</p> <p>1.15.2. To what extent was the work of the Authority aligned with other relevant EU policies?</p> <p>1.15.3. Is there any evidence of incoherence or misalignment with EU policies?</p> <p>1.15.4. To what extent did the Authority work cooperatively with DG EMPL and other Commission services and how?</p> <p>1.15.5. What are good practices / lessons learned?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Correspondence between Authority's work programmes and relevant EU labour policies (as per ELA's programming documents)</p> <p>Stakeholders' views on the degree to which the Authority was aligned with and supported EU policies</p> <p>Stakeholders' views on overlaps or duplications which can be avoided</p> <p>Evidence / examples of collaboration between the Authority and relevant Commission services</p> <p>Authority staff / management / Commission staff views on the degree to which the Authority and the Commission worked together cooperatively</p> <p>Authority staff / management / Commission staff suggestions of ways in which cooperation could improve</p> <p>Stakeholders' views on identified good practices / lessons learned</p>	<p>The mandate and activities of the Authority was coherent with EU policies</p> <p>The Authority worked cooperatively with relevant Commission services</p>	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Work programmes / planning documents</p> <p>Survey</p> <p>Interviews</p>
1.16. To what extent were the mandate and activities of the European Labour Authority coherent with the other EMPL agencies or EU bodies? Were there any	1.16.1. Were there any inconsistencies or contradictions in the mandates and/or activities of the Authority and other EMPL agencies (i.e. Eurofound, Cedefop, ETF and EU-	<p><b>Result indicators - qualitative:</b></p> <p>Evidence/examples of overlaps or contradictions between the programming documents of the Authority and other EMPL agencies</p>	The mandates and activities of the Authority and DG EMPL agencies and EU bodies were coherent, there were no	<p>ELA Regulation</p> <p>Surveys</p> <p>Interviews</p> <p>Public consultation</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
unnecessary overlaps or duplications?	<p>OSHA) or activities of the agencies?</p> <p>1.16.2. Were there any overlaps or unnecessary duplications in the mandates or activities of the Authority and other EMPL agencies or EU bodies? If so, what caused these?</p>	<p>Number of MoUs/SLAs signed between ELA and other EMPL agencies/bodies</p> <p>Stakeholders' views on complementarity / reinforcement / working together</p> <p>Stakeholders' views on the degree to which the work of the Authority and other EMPL agencies or EU bodies is complementary/does not overlap</p>	unnecessary overlaps or duplications	
1.17. To what extent does the European Labour Authority <b>work with the other EMPL agencies</b> where needed? To what extent have they developed cooperation mechanisms among themselves during the evaluation period?	<p>1.17.1. To what extent did the Authority build synergies with other EMPL agencies (i.e. Eurofound, Cedefop, ETF and EU-OSHA) and work together (e.g. joint projects)?</p> <p>1.17.2. Did their cooperation work optimally? Why or why not?</p> <p>1.17.3. Was there a change in the degree to which the Authority and other EMPL agencies cooperated during the period under review? Why or why not?</p> <p>1.17.4. Are there any good practice examples or lessons to be learned to improve cooperation and complementarity in the future?</p>	<p><b>Output indicator - quantitative:</b></p> <p>Number of collaboration agreements or MoUs signed between the Authority and other EMPL agencies</p> <p><b>Result indicators - qualitative:</b></p> <p>Evidence/examples of joint activities between the Authority and other EMPL agencies</p> <p>Evidence/examples of overlapping ELA's activities/initiatives/studies/reports with respect to other EMPL agencies</p> <p>Stakeholders' views on reinforced collaboration/ synergies being actively sought during the 2019-2023 period</p> <p>Stakeholders' views on the degree to which the ELA and other agencies worked together optimally</p> <p>Stakeholder suggestions of ways in which collaboration could improve</p>	The ELA and other Agencies worked cooperatively with each other where needed	<p>Results from the "Study supporting the evaluation of EU agencies: Eurofound, Cedefop, ETF and EU-OSHA"</p> <p>ELA Regulation</p> <p>Collaboration agreements / MoUs</p> <p>Interviews</p> <p>Surveys</p> <p>Public consultation</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
		Stakeholders' views on good practices / lessons learned		
1.18. To what extent is the mandate and activities of the European Labour Authority coherent with those of other EU decentralised agencies? To what extent does the Authority work cooperatively with other EU Agencies? To what extent is the performance measurement system of the Authority in line with the one of other relevant EU agencies?	<p>1.18.1. Were there any inconsistencies or contradictions in the mandates and activities of the Authority and other relevant EU decentralised agencies? If so, what caused these?</p> <p>1.18.2. Were there any overlaps or unnecessary duplications in the mandates and activities of the Authority and other relevant EU decentralised agencies? If so, what caused these?</p> <p>1.18.3. To what extent did the Authority build synergies and cooperate with other relevant EU decentralised agencies?</p> <p>1.18.4. Did their cooperation work optimally? Why or why not?</p> <p>1.18.5. Are there any good practice examples or lessons to be learned to improve cooperation and complementarity in the future?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Evidence / examples of overlaps or contradictions between the Authority and other agencies</p> <p>Evidence / examples of complementarity / reinforcement / working together / synergies</p> <p>Number of collaboration agreements between the Authority and other agencies</p> <p>Evidence/examples of joint activities between the Authority and other EU agencies</p> <p>Evidence/examples of reinforced collaboration during the 2019-2023 period</p> <p>Stakeholders' views on the degree to which the Authority's activities were complementary/did not overlap with the ones of other EU decentralised agencies</p> <p>Stakeholders' views on the degree to which the Authority's cooperation with other agencies was optimal</p> <p>Stakeholder suggestions of ways in which collaboration could improve</p> <p>Stakeholders' views on good practices / lessons learned</p>	<p>The mandates and activities of the Authority was coherent, there were no unnecessary overlaps or duplications</p>	<p>Legal bases of the Authority and agencies</p> <p>Collaboration agreements / MoUs</p> <p>Interviews</p> <p>Surveys</p> <p>Public consultation</p>



Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
1.19. To what extent are the mandates and activities of the European Labour Authority coherent with those of other relevant organisations and stakeholders (at EU, international and national level)? To what extent does the Authority work cooperatively with those organisations and stakeholders? To what extent is such cooperation established with all relevant organisations and stakeholders?	1.19.1. Which other EU / national / international level organisations and stakeholders implemented activities similar to those of the Authority? 1.19.2. To what extent was the Authority and its activities coherent with those of other relevant organisations and stakeholders? 1.19.3. To what extent were synergies sought and exploited? 1.19.4. In case of shortcomings, what factors explain these? 1.19.5. Are there noteworthy differences across relevant other organisations and stakeholders? If so, why?	<b>Result indicators - qualitative:</b> Evidence / examples of collaboration between the Authority and other international organisations / stakeholders Evidence / examples of joint activities between the Authority and other national organisations / stakeholders Stakeholders' suggestions of ways in which cooperation could be improved	The mandate and activities of the Authority was coherent with those of other relevant organisations and stakeholders The Authority worked cooperatively with relevant organisations and stakeholders	Collaboration agreements / MoUs ELA Regulation Relevant documents of observed organisations and stakeholders Surveys Interviews Public consultation
1.20. How well was the Authority embedded in the broader EU policy governance structures for its respective activity domains, and is there room for improving coherence and efficiency?	1.20.1. How did the work of the Authority feed into EU policy governance (e.g. European Semester)? 1.20.2. Were there any shortcomings? If so, what were they and what caused them? 1.20.3. Is there scope for improved coherence or efficiency gains? Why and how?	<b>Result indicators - qualitative:</b> Correspondence between the Authority's outputs and EU policy governance structures Stakeholders' suggestions on ways to improve efficiency and coherence	The Authority was embedded in the broader EU policy governance structures for their respective activity domains There is no scope for efficiency or coherence gains	EU policy documents and legislation ELA governance documents Interviews

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
<b>2. How did the Authority make a difference and to whom?</b>				
<b>EU added value</b>				
2.1. What was the added value of the European Labour Authority at EU level during the evaluation period? To what extent did its achievements add value in terms of volume, scope, process, and role effects <sup>220</sup> ?	<p>2.1.1. To what extent did the Authority add to, or support, existing actions or policy areas at different levels? (volume effect)</p> <p>2.1.2. To what extent did the Authority broaden existing actions by supporting groups or policy areas that would not have received support otherwise? (scope effects)</p> <p>2.1.3. To what extent did the Authority broaden existing actions by supporting groups or policy areas that would not have received support otherwise? (scope effects)</p> <p>2.1.4. To what extent did the Authority support innovations that have been taken up at national level or national innovative actions that are then mainstreamed? (role effects)</p> <p>2.1.5. To what extent did the Authority influence Member</p>	<p><b>Result indicators - qualitative:</b></p> <p>Examples of volume, scope, role and/or process effects of the Authority</p> <p>Stakeholders' views on the feasibility of alternative approaches to achieve the same / comparable results</p> <p>Stakeholders' views on the extent to which the same results could have been achieved without EU intervention</p>	The Authority provided added value that would not exist in their absence	<p>Evidence from all other EQs</p> <p>Surveys</p> <p>Interviews</p> <p>Workshop with social partners</p> <p>Case studies</p> <p>Public consultation</p>

<sup>220</sup> Volume effects are observed when an intervention adds to or supports existing actions; Scope effects are observed when an intervention broadens the reach or scope of existing actions; Role effects are observed when lessons learnt from the implementation of an intervention are applied elsewhere; Process effects are observed when an intervention leads to a change in operational processes.

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
	State administrations and organisations involve in the Authority's actions? (process effects)			
2.2. To which groups of stakeholders concretely did the Authority's work make a difference?	2.2.1. Which stakeholders were most impacted by the Authority and how? 2.2.2. To what extent did the benefits brought about by the Authority trickle down to the level of individual citizens (where relevant)?	<b>Result indicators - qualitative:</b> Degree of use of the outputs of the Authority per stakeholder group (EQ 1.3) Degree of use of the outputs of the Authority per task (e.g. mediation, cooperation, risk analysis, etc.) Stakeholder views on the degree to which the Authority made a difference to them / to other stakeholder groups	N/A, descriptive question	Results from all other evaluation questions (notably on relevance & effectiveness) Surveys Interviews Workshop with EU-level social partners Public consultation
<b>3. Is the Authority's work still relevant?</b>				
<b>Relevance</b>				
3.1. To what extent did the European Labour Authority mandate, objectives and activities fulfil EU policy needs and those of relevant stakeholders during the evaluation period?	3.1.1. To what extent were the Authority's mandate, objectives and activities relevant to fulfil EU policy needs? 3.1.2. To what extent were the Authority's mandate, objectives and activities relevant to fulfil stakeholder needs? 3.1.3. Were the mandates, objectives and activities complete? Were there any gaps not covered by the	<b>Result indicators - qualitative:</b> Evidence / examples of use of the Authority outputs (for EU policy and by other stakeholders, EQ 1.3) Stakeholders' views on the degree to which the work of the Authority met EU policy needs / the needs of stakeholders	The Authority's mandates, objectives and activities were relevant to fulfil EU policy needs / the needs of stakeholders	Consolidated Annual Activity Report (2019-2021) Work programmes / planning documents Results from other evaluation questions (i.e., effectiveness) Surveys Interviews Workshop with EU-level social partners

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
	Authority that should have been? Which ones and why?			Case studies Public consultation
3.2. To what extent are the European Labour Authority mandate and activities still relevant, and has that been affected by the COVID-19 pandemic and the Ukrainian crisis (where pertinent)?	<p>3.2.1. Was the relevance of the Authority's mandate, objectives and activities affected by unforeseen challenges like COVID-19 and the Ukrainian crisis? If so, how?</p> <p>3.2.2. What mitigating actions were taken and were these successful?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Results from EQ 1.4, 1.8</p> <p>Identified challenges that emerged during 2019-2023 that affected the work of the Authority</p> <p>Evidence / examples of how the Authority dealt with these challenges</p> <p>Stakeholders' views on the degree to which the Authority was able to adapt flexibly to these challenges</p>	The mandate, objectives and activities of the Authority are still relevant and were sufficiently flexible to respond to unforeseen challenges	<p>Consolidated Annual Activity Report (2019-2021)</p> <p>Work programmes / planning documents</p> <p>Results from other evaluation questions (i.e., effectiveness)</p> <p>Interviews</p> <p>Public consultation</p>
3.3. To what extent is there a need to amend the mandate of the European Labour Authority? If yes, what would be the financial implications?	<p>3.3.1. In light of the (continued) relevance of the mandates, objectives and activities of the Authority, is there a need for amendments?</p> <p>3.3.2. If so, what would the financial implications of a change in mandates be?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Results from EQ 3.1,3.2,3.4 (Relevance)</p> <p>Stakeholders' views on the need to adapt mandate, and what needs to be adapted</p>	N/A, explorative question	Interviews
3.4. In terms of foresight, are there any future trends including megatrends (such as demographic change, migration, etc.) that could affect the European Labour	<p>3.4.1. What trends can be expected to influence the mandates/work of the Authority in the future? How?</p> <p>3.4.2. To what extent is the Authority prepared to deal with these and how?</p>	<p><b>Result indicators - qualitative:</b></p> <p>Identified (future) trends that may impact the work of the Authority</p> <p>Assessment of the preparedness of the Authority to deal with the future trends / challenges</p>	The Authority is prepared to cope with future trends / challenges	<p>EU policy documents and legislation</p> <p>Work programmes / planning documents</p> <p>Surveys</p>

Evaluation question	Operationalised questions	Indicators/descriptors	Norms/Judgement criteria	Data sources / analytical approach
Authority's future relevance and how?		Stakeholders' views on potential (future) trends that may impact the work of the Authority and how it would be impacted		Interviews Workshop with EU-level social partners Public consultation

#### ANNEX IV. OVERVIEW OF BENEFITS AND COSTS

The table below presents an overview of the costs and benefits identified within the scope of this study. The founding Regulation of ELA primarily imposes rules on the ELA itself, delineating tasks and responsibilities for its operations. Predominantly, the costs associated with compliance to the Regulation are borne by ELA, funded through the EU Budget. Citizens and businesses are not expected to bear costs as the Regulation does not directly impose obligations on them. Therefore, the table focuses on direct costs, which are borne by the authority itself. These costs represent the commitments made by ELA in each year and for different activities and are taken from the Annual Accounts and Annual Activity Reports of ELA. Regarding the staff costs per activity, this was not directly provided in the documents, but was calculated by the study team. To do this, average basic salaries and allowances were used for the different types of employees (contract agents, temporary agents and SNEs as well as the division of FTEs over the different activities was used (based on SPDs data) to calculate the staff costs per activity.

The potential (indirect) benefits could theoretically extend to all actors, including companies and citizens. However, it is not feasible to identify and quantify how ELA's activities eventually have an impact on downstream markets. The table therefore focusses on direct benefits incurred by the direct users of ELA's outputs, resulting from the stakeholder questionnaire carried out in this evaluation. These are the organisations that made use of the outputs produced by ELA, such as national institutions/agencies, employer organisations, trade unions, research institutions, etc. Next to this, organisations that are working together with ELA in certain tasks such as other European agencies, National Coordination Offices, EU networks, etc. also fall under this category.

Given the nature of this evaluation and the constraints imposed by the available data, we have chosen to compile a table that aligns more closely with the methodology employed in the evaluation of the other four decentralized agencies under the remit of DG Employment. For comparative purposes and to ensure comprehensive reporting, we have also included a table that more closely adheres to the format specified in the Better Regulation Guidelines.

**Table 1. Costs of ELA's activities and benefits over time**

Total		Activities within EURES task		Activities within Information and services task		Activities within CJI task		Activities within Analysis and Risk ass. task		Activities within Cooperatio n task		Activities within Tackling Undeclared Work task		Activities within Mediation task		Capacity Building Activities	
Direct costs (borne by the authority)																	
Total expenditure of the authority		Total costs per activity (operational + staff)															
2019	1.9m	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data
2020	12.3m	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data
2021	21.4m	2021	8.2m	2021	1.6m	2021	1.3m	2021	0.2m	2021	0.8m	2021	1.5m	2021	0.2m	2021	0.3m
2022	33.5m	2022	12m	2022	1.4m	2022	2.2m	2022	0.9m	2022	1.9m	2022	0.6m	2022	0.5m	2022	1.7m
Total operational costs		Operational costs per activity															
2019	0.5m	2019	no costs	2019	no costs	2019	no costs	2019	no costs	2019	no costs	2019	no costs	2019	no costs	2019	no costs
2020	6m	2020	5.5m	2020	no costs	2020	0.3m	2020	0.1m	2020	no costs	2020	0.1m	2020	no costs	2020	no costs
2021	12.2m	2021	8m	2021	1.1m	2021	0.8m	2021	<0.1m	2021	0.4m	2021	1.4m	2021	0.1m	2021	0.1m
2022	18.1m	2022	11.6m	2022	0.9m	2022	1.5m	2022	0.6m	2022	0.4m	2022	0.4m	2022	0.4m	2022	1.2m



Total staff costs		Staff costs per activity															
2019	0.4m	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data	2019	no data
2020	3.1m	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data	2020	no data
2021	6.5m	2021	0.2m	2021	0.6m	2021	0.5m	2021	0.2m	2021	0.5m	2021	0.2m	2021	0.1m	2021	0.2m
2022	11.1m	2022	0.5m	2022	0.6m	2022	0.6m	2022	0.3m	2022	1.5m	2022	0.2m	2022	0.2m	2022	0.4m
Total administrative costs																	
2019	1m																
2020	3.3m																
2021	2.7m																
2022	4.3m																
Direct benefits (to users of the authorities' outputs)																	
Stakeholder rating of cost-effectiveness of the authority		EURES portal		Provision of information on labour mobility/social security coordination		ELA's support to MS in relation to CJI		Availability of monitoring and statistical data		Cooperation and information exchange activities		Quality of materials and events		Support provided by ELA through mediation		Workshops and Trainings provided by ELA	
42% of stakeholders indicated that the benefits of ELA's outputs outweigh the costs to a		The portal experienced significant user engagement, with around 63,000		In 2021, a total of 6 support actions were implemented, with 4 dedicated to seasonal work		The number of cross-border inspection with the assistance of ELA increased from		44% of stakeholders found the availability of timely and complete data to		The number of resolved requests for information by Member States increased from		Between May 2021 and Q2 2023, the European Platform under ELA produced		Four mediation cases between 2019 and 2023. Only one was successful.		At least 14 workshops, training sessions, and staff exchanges from 2020 to	

great extent, 35% to a moderate extent, 12% to a small extent and 12% stated that the benefits are lower than the costs (N=121)	<p>jobseeker registrations in 2021, dropping to 14,700 in 2022. The number of individuals transferred through coordinated channels to the portal increased from 680,000 in 2021 to 1.2 million in 2022. The portal saw a decrease in employer registrations from 6,973 in 2021 to 5,733 in 2022, and unique visitors decreased from 3.7 million in 2021 to 3.4 million in 2022. Job vacancies posted surged from 9.5 million in 2021 to 30 million in 2022, with 18.6 million vacancies reported in the first half of 2023.</p> <p>54% of stakeholders found the functionalities and information on the EURES portal to be very useful, 26% moderately useful, 2% not</p>	<p>and 2 focusing on road transport. The following year, 2022, saw a significant increase, with 20 support actions launched; 9 of which target road transport, while the remaining 11 addressed various other sectors including construction. During the first semester of 2023, 8 support actions were carried out, evenly split between construction and other sectors, with 4 actions each.</p> <p>59% of stakeholders found the provision of information to be very useful, 33% moderately useful, 3% not useful at all, and 4% did not know (N=124)</p>	<p>5 in 2020, to 10 in 2021, to 33 in 2022. In 2022, a total of 25 Member States were involved in the CJI's.</p> <p>64% of stakeholders found the support of ELA in the communication between MS to be very useful, 25% moderately useful, 0% not useful at all, and 10% did not know (N=67)</p>	<p>be very useful, 38% moderately useful, 1% not useful at all, and 15% did not know (N=80)</p>	<p>12 in 2020 to 87 in 2021 and to 104 in 2022.</p> <p>60% of stakeholders found the cooperation and exchange activities to be very useful, 31% moderately useful, 0% not useful at all, and 9% did not know (N=67)</p>	<p>8 learning resource papers, 17 good practice s covering, 4 seminars and 4 thematic review workshops, 4 peer learning dialogues, 1 webinar on the road transport sector, and 3 output papers.</p> <p>55% of stakeholders found the quality of the materials, tools and events to be very useful, 32% moderately useful, 1% not useful at all and 12% did not know (N=82)</p>	<p>48% of stakeholders found the support provided by ELA through mediation to be very useful, 27% moderately useful, 3% not useful at all, and 21% did not know (N=33)</p>	<p>2023. There were two editions launched for a call for good practises.</p> <p>Around 70% of stakeholder found both the workshops as well as the trainings to be very useful, 20% moderately useful, 1% not useful at all, and 9% did not know (N=86)</p>
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	useful at all, and 18% did not know (N=85)						
	<b>EURES Network</b>	<b>Targeted workshops</b>	<b>Available guidelines, templates and procedures</b>	<b>Quality and relevance of topics analysed</b>	<b>Availability of a directory of National Contact Points</b>	<b>Topics explored during Platform events</b>	<b>Materials, guidelines tools</b>
	53% of stakeholders found the services related to the governance of the EURES Network by ELA to be very useful, 26% moderately useful, 2% not useful at all, and 19% did not know (N=85)	60% of stakeholders found the targeted workshops organised by ELA to be very useful, 33% moderately useful, 3% not useful at all, and 4% did not know (N=124)	Regular updates on guidelines and procedures are reported each year from 2020 onwards, with additional tools and bulletins produced in 2021 and 2022.  48% of stakeholders found the guidelines, templates, and procedures produced by ELA to be very useful, 37% moderately useful, 3% not useful at all, and 12% did not know (N=67)	Both regarding quality as well as relevance roughly 40% of stakeholders found this very useful, 40% moderately useful, 3% not useful at all, and 17% did not know (N=80)	In 2020, the ELA successfully created a directory of National Contact Points (NCPs).  39% of stakeholders found the availability of a directory of National Contact Points to be very useful, 40% moderately useful, 3% not useful at all, and 18% did not know (N=67)	51% of stakeholders found the topics explored on Platform events to be very useful, 34% moderately useful, 2% not useful at all and 12% did not know (N=82)	In 2022, ELA conducted four training sessions aimed at mediators, experts, and Member State representatives to enhance understanding and implementation of the mediation procedures. Additionally, ELA produced several communication materials, including an FAQs document, a video, and a leaflet to provide clear information about the mediation process, all published on its website in 2022.  58% of stakeholders found the availability of

						materials, guidelines and tools provided by ELA regarding mediation to be very useful, 27% moderately useful, 3% not useful at all, and 12% did not know (N=33)	
	<b>EURES Trainings</b>	<b>Translation of information</b>		<b>Risk assessment activities in supporting CJI's</b>		<b>Exchange with other national authorities</b>	
	<p>In total 69 training sessions were delivered by ELA, surpassing the target of 60.</p> <p>55% of stakeholders found the EURES trainings organised by ELA to be very useful, 19% moderately useful, 2% not useful at all, and 25% did not know (N=85)</p>	<p>In the period 2020-2023Q2, roughly 600 documents have been translated via the Translation Facility launched by ELA. The cost per translated document decreased over time.</p> <p>61% of stakeholders found the translation activities organised by ELA to be very useful, 24% moderately useful, 5% not useful at all, and 10% did not know (N=124)</p>		<p>At least 10 significant analytical reports, mappings, and manuals produced between 2020 and 2023.</p> <p>39% of stakeholders found the risk assessment related to CJI's produced by ELA to be very useful, 40% moderately useful, 3% not useful at all, and 18% did not know (N=67)</p>		<p>There were 15 staff exchanges with other national authorities in 2022.</p> <p>68% of stakeholders found ELA's role in the exchange with other national authorities concerning undeclared work to be very useful, 18% moderately useful, 2% not useful at all and 11% did not know (N=82)</p>	

	European Job Days	Communication and dissemination						
	<p>In 2021, there were 28 events organized. This number increased significantly in 2022, with 44 events—a 57% rise from the previous year. In the first half of 2023, 12 events were held.</p> <p>Regarding participation reach between 2021 and 2022, there was a 53% increase in the number of jobseekers reached and a 30% increase in the number of employers engaged. 49% of stakeholders found the Job Days very useful, 25% moderately useful, 1% not useful at all, and 25% did not know (N=85)</p>	<p>The 2022 campaign, #Road2FairTransport, centered on road transport, achieved over 9 million video views, reached 15.8 million people through outdoor advertising, and accumulated over 125 million online impressions. That same year, a smaller campaign, #StandWithUkraine, was also conducted, although reach data is not available. In 2023, preparatory work began for a campaign focusing on the construction sector, with reach data not yet applicable. 50% of stakeholder found the communication and dissemination activities of ELA (e.g. information campaigns) to be very useful, 39% moderately useful, 4% not useful at all and</p>						

		7% did not know (N=124)						
	<b>EURES communication activities</b>							
	49% of stakeholders found the EURES communication activities carried out by ELA very useful, 32% moderately useful, 2% not useful at all, and 16% did not know (N=85)							

The table presented below aligns with Tool #49 of the Better Regulation Guidelines (BRG). This table exclusively considers costs and benefits classified as 'incremental' in accordance with the BRG. Incremental costs and benefits are those arising solely as a consequence of the European Labour Authority (ELA)/the Regulation, and which would not have occurred otherwise. It is important to note that establishing a baseline scenario presents significant challenges, as evidenced in the cost-effectiveness analysis detailed in Annex V. This limitation was previously acknowledged in the impact assessment of ELA, which similarly lacked a robust baseline for costs and benefits. Consequently, the table herein includes only those benefits that can be definitively categorized as incremental based on the findings of this study.

The content of this table largely aligns with the findings from the cost-effectiveness analysis. As a result, some activities demonstrate more benefits than others. In certain instances, there was insufficient data to draw conclusions about benefits, or the study revealed minimal to no benefits. A few examples are provided in the following bullet points, to illustrate how this table was filled out:

- Regarding EURES the study highlighted persistent issues with the transfer of the management of ECO and of the EURES portal system ownership to ELA. While the EURES portal and network naturally continue to produce outputs and achieve results, the study does not identify that the transfer to ELA brought significant added value. In fact, most indicators relevant to EURES are declining. Consequently, the table does not contain benefits specifically attached to the EURES Portal. The study does show some positive developments concerning the European (online) job days compared to the period before ELA.
- Regarding the Platform tackling undeclared work, which, like EURES, predates ELA, the study demonstrated that the integration of the Platform into ELA was successful and provided added value (although there is still room for improvement).
- As for Analysis and Risk assessment, there is a lack of concrete indicators to measure benefits. Furthermore, low prioritisation of this task in the initial years resulted in a low number of outputs. Both issues made it very hard to identify benefits specifically for this task.



**Table 2. Costs and benefits of ELA's activities for different target groups**

	Other (businesses/citizens)		ELA Stakeholders		Administrations (ELA/EU Budget)	
	Quantitative	Qualitative	Quantitative	Qualitative	Quantitative	Qualitative
<b>EURES</b>						
<b>Cost: Managing the ECO of EURES and being the business owner of the EURES portal</b>	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 8.2 MEUR 2022: 12 MEUR	
<b>Benefit: Increasing number of people reached at EURES events</b>	Recurrent Improved market efficiency	More than 45,000 jobseekers reached at EURES events in 2022, increase of 53% compared to 2021. Almost 2000 employers reached at EURES events in 2022, increase of 30% compared to 2021. The number of individuals reached per event increased slightly compared to the period 2018-2019.	EURES events are generally beneficial for jobseekers/employers as they meet potential new employers/employees.	No quantitative estimates available	The majority of stakeholders that responded to the survey indicated that the EURES Job Days were very useful.	This benefit is not relevant to this actor
<b>Information and services</b>						
<b>Cost: Providing access to information and services</b>	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 1.6 MEUR 2022: 1.4 MEUR	

<b>Benefit: New translation facility</b>	Recurrent Improved wellbeing	This benefit is not relevant to this actor	This benefit is not relevant to this actor	From 2019 to Q2 of 2023, more than 600 documents were translated by the Translation Facility. Between 2020 and 2021, the cost per translated document decreased.	Stakeholders emphasize the significance of this task, particularly highlighting the value of the Translation Facility. More than 60% of the respondents to the survey to stakeholders finds the translations very useful.	This benefit is not relevant to this actor	This benefit is not relevant to this actor
<b>Cooperation and exchange of information between Member States</b>							
<b>Cost: Facilitate cooperation and exchange of information between Member States</b>	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 0.8 MEUR 2022: 1.9 MEUR	
<b>Benefit: Increasing number of (resolved) requests for information by MS</b>	Recurrent Increased market efficiency	This benefit is not relevant to this actor	This benefit is not relevant to this actor	In 2020, ELA resolved 12 requests from MS, in 2021, 87 requests were resolved and in 2022, 104 requests were resolved.	Stakeholders are generally positive about the effective development and operation of this task, with the distinctive role of NLOs acknowledged as crucial.	This benefit is not relevant to this actor	This benefit is not relevant to this actor
<b>Benefit: More collaboration among Member States on labour mobility issues</b>	Recurrent Increased market efficiency	This benefit is not relevant to this actor	This benefit is not relevant to this actor	No quantitative estimates available	Numerous stakeholders highlighted the significance of collaboration among Member States on labour mobility issues as a key added value brought by ELA	This benefit is not relevant to this actor	This benefit is not relevant to this actor
<b>Concerted and Joint inspections</b>							
<b>Cost: Coordinate and support concerted and joint inspections in the areas within the</b>	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 1.3 MEUR 2022: 2.2 MEUR	

<b>Authority's competence</b>							
<b>Benefit: High number of inspections carried out and high number of MS participating in inspections compared to situation before ELA</b>	Recurrent Increased market efficiency	No quantitative estimates available	More concerted and joint inspections eventually lead to a better performing European Labour Market, benefitting society.	The number of cross border inspections and Member States involved increased significantly over the years. 2020: 5 inspections, 3 MS 2021: 10 inspections, 11 MS 2022: 33 inspections, 26 MS 2023 (only Q1 and Q2): 36 inspections, 25 MS.	Before ELA, the number of Member States participating in cross-border inspections was quite low. Increasing number of MS involved indicates more benefit due to ELA's role.	This benefit is not relevant to this actor	This benefit is not relevant to this actor
<b>Benefit: Broadened perspective of concerted and joint inspections</b>	Recurrent Increased market efficiency	No quantitative estimates available	More countries involved in concerted and joint inspections eventually lead to a better performing European Labour Market, benefitting society.	In the majority of the inspections, the host and observing countries were not neighbouring each other.	Before ELA, significant gaps existed in the conduct of cross-border inspections between countries that did not border each other. Since ELA, these types of inspections (with non-neighbouring countries) increased.	This benefit is not relevant to this actor	This benefit is not relevant to this actor
<b>Analysis and risk assessments</b>							
<b>Cost: Assess risks and carry out analyses regarding labour mobility and social security coordination across the EU</b>	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 0.2 MEUR 2022: 0.9 MEUR	

Benefits: N/A		Because of lack of data and low prioritisation of this task, this study did not identify significant benefits stemming from this task.					
Capacity Building							
Cost: Support Member States with capacity building	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 0.3 MEUR 2022: 1.7 MEUR	
Benefit: Usefulness of workshops and trainings provided by ELA very high	Recurrent Improved wellbeing	This benefit is not relevant to this actor	This benefit is not relevant to this actor	Around 70% of stakeholders indicate that the workshops and trainings implemented by ELA are very useful.		This benefit is not relevant to this actor	This benefit is not relevant to this actor
Tackling undeclared work							
Cost: Support to Member States in tackling undeclared work	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 1.5 MEUR 2022: 0.6 MEUR	
Benefit: Integration of the platform into ELA	Recurrent Improved market efficiency	No quantitative estimates available	Although there is no direct evidence gathered in this study, theoretically a well-functioning platform should lead to improvements in the EU labour market.	No quantitative estimates available	Stakeholders express satisfaction with the maintenance and relatively unchanged nature of the platform. However, more synergies should be sought between other ELA activities, notably in the realm of inspections.	No quantitative estimates available	Stakeholders express satisfaction with the maintenance and relatively unchanged nature of the platform. However, more synergies should be sought between other ELA activities, notably in the realm of inspections.
Mediation							
Cost: Facilitate a solution in the case of a dispute between	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	Total costs (operational + staff): 2021: 0.2 MEUR 2022: 0.5 MEUR	

two or more Member States							
<b>Benefit: Infrastructure in place for mediation processes</b>	Recurrent Improved market efficiency	This benefit is not relevant to this actor	This benefit is not relevant to this actor	No quantitative estimates available	Although the number of mediation processes has been limited in the evaluation period, the infrastructure for mediation processes is in place, which could lead to future benefits.	No quantitative estimates available	Although the number of mediation processes has been limited in the evaluation period, the infrastructure for mediation processes is in place, which could lead to future benefits.
<i>Governance</i>							
<b>Administrative costs</b>	Recurrent Compliance costs	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	This cost is not relevant to this actor	2019: 1 MEUR 2020: 3.3 MEUR 2021 : 2.7 MEUR 2022 : 4.3 MEUR	

## 1. Introduction

This report provides an overview of all consultation activities and the input received through the call for evidence, which supported the evaluation study of the European Labour Authority (ELA).

The report is structured as follows:

Part 2 presents an overview of the consultation strategy.

Part 3 provides information on the consultation activities, including the approach taken for dissemination, as well as the sample size, and the strengths and limitations of each consultation.

Part 4 consolidates and discusses the findings of the consultation activities across the five evaluation criteria of effectiveness, efficiency, coherence, relevance and EU-added value.

## 2. Overview of stakeholder consultation strategy

The purpose of the consultation activities was to supplement the information gathered through the desk research, the cost-effectiveness analysis and the case studies. The list of stakeholders consulted included the following categories: European Commission and ELA; National authorities; Social partners; International organisations; EU-level research organisations and EU-level networks in the field of labour mobility and social security; Broader public, other interested persons or organisations.

Several data collection tools were used: **two online surveys, in-depth interviews, a public consultation, and a workshop with social partners.** Additionally, the input gathered by the Commission through the **Call for Evidence**<sup>221</sup> was considered. Overall, the consultation strategy met the General principles and minimum standards for consultation of interested parties by the Commission.

## 3. Method

### Online surveys

The online surveys gathered data from a wide sample of stakeholders, which fed into the analysis of all evaluation criteria.

#### **One survey targeting ELA staff and Management Board;**

**One survey targeting ELA stakeholders** at both national and EU level, namely: EU institutions (i.e., relevant DGs, relevant European Parliament and Council committees) and relevant agencies (in particular the Agencies with which the Founding Regulation of ELA

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<sup>221</sup> European Commission (2023-2024). Have your Say Portal: European Labour Authority – 2024 evaluation, [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13978-European-Labour-Authority-2024-evaluation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13978-European-Labour-Authority-2024-evaluation_en)

foresees the establishment of cooperation agreements<sup>222</sup>); ELA national counterparts (i.e., labour and social security authorities including relevant ministries, labour inspectorates, national labour courts, public employment services); EU level Social partners; International organisations.

***Table 1. Surveys' response rates***

	Survey to ELA Staff and Management Board	Survey to ELA stakeholders
<b>Complete entries</b>	85	205
<b>Partially complete entries</b>	17	64

**Both surveys were uploaded and distributed through Ramboll's<sup>223</sup> proprietary survey software SurveyXact<sup>224</sup>.** The surveys remained open for 25 days (from October 13<sup>th</sup> until November 7<sup>th</sup>, 2023). To facilitate completion, participants were provided with a functional email address and encouraged to contact the project team in case of questions or doubts, including questions of interpretation. Once the surveys were closed, the corresponding datasets were exported into Excel. The analysis of the results was based on a three-step process of 1) data management; 2) quantitative analysis / descriptive statistical analysis; 3) Qualitative coding analysis with the text-analysis software NVivo® allowed to systematically analyse and process qualitative data.

#### ***ELA stakeholders survey: respondent's profile***

A total of **205 complete questionnaires** were received. In terms of place of work, respondents working for national ministries are the largest group of respondents (23.4%). Together with respondents working for national public employment services and national labour inspectorates, they represent over 61% of the total number of respondents. Respondents who selected the 'other' categories indicated working for, inter alia, permanent representations, customs authorities, equality bodies, regional public employment services, police units, and national SOLVIT centres. From a geographical point of view, Belgium is the most represented country (13% of respondents declared working there – 26 out of 205 respondents). It is followed by Sweden (9% - 18 out of 205 respondents) and the Netherlands (6% - 13 out of 205 respondents). Estonia is the least represented country — only 0.5% of the total number of respondents (1 out of 205 respondents) declared working there.

#### ***ELA staff and Management Board survey: respondent's profile***

<sup>222</sup> 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 for the Coordination of Social Security Systems. To that end, the Authority may conclude cooperation agreements with relevant Union agencies, such as Cedefop, Eurofound, EU-OSHA, ETF, Europol and Eurojust.

<sup>223</sup> Contractor in charge with delivering the supporting study for the ELA evaluation

<sup>224</sup> <http://www.surveyxact.com>

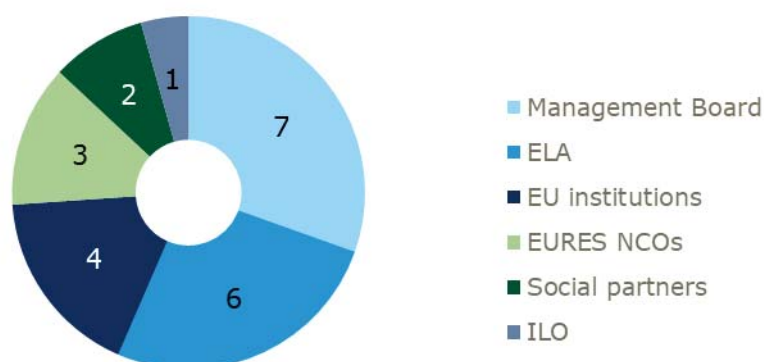


A total of **85 complete questionnaires** were received. Respondents working as staff members of ELA are the largest group of respondents (65.9% - 56 out of 85 respondents), followed by members of the Management Board of ELA, 22.4% of the respondents (19 out of 85 respondents). Lastly, National Liaison Officers are the smallest group of respondents (11.8% of responses – 10 out of 85 respondents). From a geographical point of view, among the Member of the Management Board of ELA and National Liaison Officers respondents that decided to declare their country of nationality, **Sweden and Denmark are the most represented countries** (each counting 10% of the respondents). These are followed by Belgium, Finland, Lithuania, Portugal, and Spain (each counting 7% of the respondents).

## Interviews

In total, **23 in-depth interviews** were conducted with the Authority's key stakeholders, including representatives from the Commission (4), ELA staff (6), Member State representatives (10), social partners and ILO (3). Interviews were conducted after the closure and analysis of the two surveys, which allowed us to tailor our interview questions to knowledge gaps that emerged from the survey.

*Figure 1. Number of group and one-on-one interviews conducted, by type of stakeholder*



## Workshop with social partners

A workshop was conducted with **EU and national level social partners**. Discussions focused on the degree of awareness about ELA among EU and national social partners, as well as among workers and employers on the ground, as well as on the impact of ELA's activities. The workshop took place online and included eight participants, representing different sectors (construction, transport, food and agriculture).

## Public consultation

The public consultation was managed by the Commission and open to responses from anyone who was interested (i.e. it targeted the wider public). The aim of the public consultation was to allow a wider public to give its views concerning ELA.

Once the public consultation was closed, the raw data was downloaded from the EU survey platform for analysis. Overall, 144 contributions to the public consultation were submitted through the EU web-portal “Have Your Say”. In addition to these, five ad-hoc contributions were shared via email by SGI Europe, DGB German Trade Union Confederation, the Danish Ministry of Employment, the European Cockpit Association and the French Ministry of Employment. Specifically, the latter consisted in a PDF version of the completed public consultation questionnaire, hence the answers were merged with those provided through the “Have Your Say” portal, bringing the total number of submitted questionnaires up to **145**. The other ad-hoc contributions were analysed separately, along with seven supporting documents uploaded by respondents with their contributions on “Have Your Say”.

Firstly, a systematic quality check of all answers received was conducted, to ensure that all contributions were unique and not artificially created, as well as that these complied with the Commission’s [Rules for feedback and suggestions](#). This led to discarding three of the contributions received from the analysis, for the following reasons: in the light of comments unrelated to the scope of the Public Consultation, one of these was deemed negatively biased; another contribution included both unrelated comments to the matter of the public consultation and contradictory answers; finally, one contribution appeared to be grounded in a lack of understanding of the role and mandate of the Authority, which negatively biased the answers provided and led to unrelated comments.

It is also worth noting that two of the contributions received provided rather similar feedback in response to the open questions of the questionnaire; the two respondents also belonged to the same category of stakeholders (i.e., representatives of the air transport industry). This suggests some degree of agreement/previous discussion of the responses provided. However, while some comments were similar, the responses overall differed. For this reason, both were integrated in the analysis.

On the basis of the quality check explained above, the total number of questionnaires considered for the analysis was **142**. 124 out of 142 responses were provided by stakeholders from across 24 Member States.<sup>225</sup> The **highest number of responses came from Romania** (17 out of 142), **Belgium** (16 out of 142) and **Spain** (12 out of 142). 18 responses were received from non-EU countries.<sup>226</sup> Among these, the non-EU countries who provided the highest number of responses were Turkey (5 out of 142) and Switzerland (3 out of 142). Responses to multiple-choice questions in the were analysed through quantitative analysis/descriptive statistical analysis. Answers to the open questions were qualitatively analysed using NVivo. **60 respondents were public authorities**<sup>227</sup>, 43 responded as **EU citizens**, the rest included non-EU citizens,

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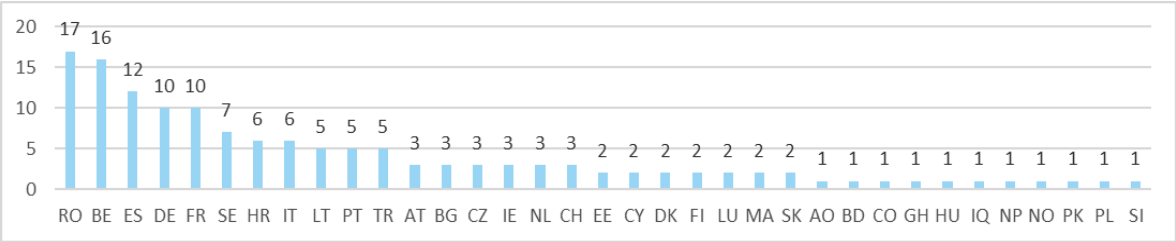
<sup>225</sup> The 3 EU countries without any responses were Greece, Latvia and Malta.

<sup>226</sup> The non-EU countries included: Turkey, Switzerland, Morocco, Angola, Bangladesh, Colombia, Ghana, Iraq, Nepal, Norway and Pakistan.

<sup>227</sup> 30 out of 60 public authorities had a national scope, 21 had an international scope, seven a regional scope and two a local scope.

academic/research institutions, trade unions, companies/businesses, Non-Governmental Organisations (NGOs), business associations.<sup>228</sup>

**Figure 2. Distribution of responses by country of origin (n=142)**

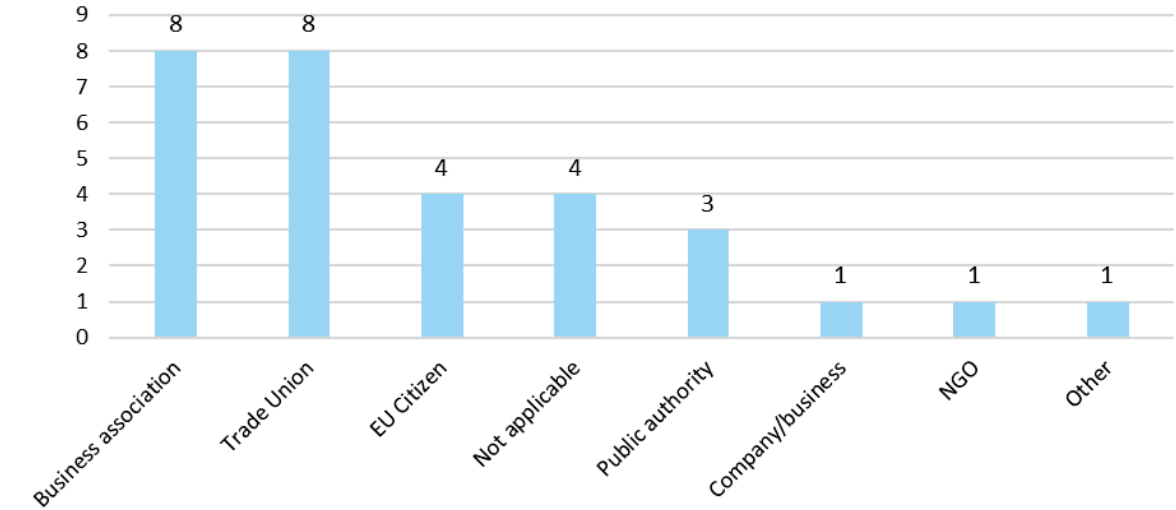


The majority of respondents (not including EU/Non-EU citizens)<sup>229</sup> claimed to be part of a large (250 people or more) organisation (52 out of 93), whereas 23 respondents were part of a medium organisation (50 to 249 employees), 13 of a small organisation (10 to 49 employees) and five to a micro-organisation (1 to 9 employees).

### Call for Evidence

The Call for Evidence<sup>230</sup>, opened for feedback by the Commission between 6 October 2023 and 5 January 2024, gathered 30 responses from six different stakeholder groups, notably: business associations, trade unions, public authorities, companies or business organisations, EU citizens, NGOs. Almost 70% (20 out of 30) of the responses came from three specific groups: Business associations (8), Trade Unions (8), and EU Citizens (4). The figure below illustrates the distribution of the stakeholder groups' responses:

**Stakeholder groups' distribution under the call for evidence (N=30)**



<sup>228</sup> Respondents who identified as “other”, i.e. did not identify as any of the categories proposed, were not further classified.

<sup>229</sup> All respondents were asked about the size of their organisation except for EU citizens and non-EU citizens.

<sup>230</sup> [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13978-European-Labour-Authority-2024-evaluation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13978-European-Labour-Authority-2024-evaluation_en)

## Validation workshop

A validation workshop was conducted to present and gather participants' views on the **conclusions** and **lessons learnt** of the study. It took place online on 5 June 2024 and saw the participation of nine stakeholders. These included a representative from the European Commission, two ELA Heads of Unit, two members of ELA's Management Board, two from the EURES coordination group, one from the ELA working group on mediation, and one representing the social partner. Overall, the validation focus group confirmed the conclusions and lessons learnt of the study, thus serving as a robustness check instrument.

### 4. Cross-synthesis of the results

This section highlights the main findings gathered through the different stakeholder consultation tools. The findings in this section represent the conclusions that can be drawn from stakeholder consultations: therefore, these findings may differ in part from the full results presented in the main report, based on the combined assessment of stakeholder consultations with the desk research, the cost-effectiveness analysis and the case studies.

#### *Effectiveness*

**ELA's activities were moderately useful and of rather high quality**, in the views of its staff and Management Board members, as well as external stakeholders. Nevertheless, some areas for improvement were identified. Specifically, 12% of ELA staff pointed out resource and capacity constraints, particularly in areas like undeclared work and risk assessment and during the set-up phase. Additionally, 15% of respondents to the survey to ELA staff and Management Board members (eleven staff members of ELA, one National Liaison Officer and one member of ELA's Management Board) suggested improvements in the quality of information and data management.

Despite the usefulness and the overall quality of ELA's activities, stakeholder consultations portrait an **unclear picture of how tangible the impact of ELA's work on individual workers and employers was**. Although ELA undertook numerous activities to refine its outreach strategies, social partners observed that progress was partial, with uncertainties about whether the information effectively reached the intended audience. Social partners noted in fact that ELA's campaigns, often conducted via social media, were measured by views and clicks, which did not necessarily translate into meaningful engagement with the target sectors. Workers' representatives in particular expressed concerns that information from ELA arrived late or not at all, and was often too broad and not sector-specific. The overall picture that emerged is that while ELA communicated effectively with cross-industry social partners at a national level, it struggled to engage sector-specific partners.

ELA's engagement and cooperation with national authorities varied depending on national authorities' working practices, priorities, and expectations towards ELA. However, Member States often faced capacity constraints that limited their participation in ELA's initiatives: national authorities emphasised through the survey and the interviews that ELA's expectations and activities should always consider the availability of national counterparts. In fact, one of the aspects that clearly emerged from stakeholder consultations is the fact that **ELA's**

**effectiveness is bound by the willingness of Member States to engage in/support its activities**<sup>231</sup>. This is particularly the case as concerns CJIs. Interviewees and respondents to the call for evidence (trade unions, one employers' organisation and one company) stressed the importance of involving national authorities more in ELA's cross-border work: they suggested including not only employment and social authorities but also police, tax, and integration authorities.

Views were mixed as concerns the competences of ELA<sup>232</sup>. While it was widely acknowledged by all stakeholder groups across the different consultations that **ELA's current mandate aligned with stakeholders' expectations**, some criticisms were noted. **ELA staff, Management Board members, social partners and NCOs** were the more positive stakeholder groups about the implementation of ELA's mandate: according to them, **ELA did not explicitly conduct activities beyond its mandate, although there are indications of a broadening scope**. This included ELA's involvement in the EU Talent Pool Pilot to aid those fleeing the Ukraine war and addressing the growing issue of third-country nationals (TCNs) working in the EU. The growing phenomenon of the posting of TCNs within the EU, at the intersection between migration (outside the scope of ELA's mandate) and labour, convinced many stakeholders of the need for ELA to develop activities in that regard. Social partners (both workers' and employers' representatives) were overall in favour towards the inclusion of **TCNs within ELA's scope**: TCNs often work alongside EU nationals, and TCNs could help address shortages in some sectors (e.g. road transport). The Commission and some national authorities were instead more skeptical about the inclusion of TCNs within ELA's mandate, fearing that the expansion of the mandate could overload the Authority, encroach on Member States' competencies, or create duplicate structures. All in all, while a few surveyed stakeholders (one trade union, one public authority, one academic/research institution) argued that **ELA's mandate should be strengthened in order to allow to enhance its enforcement role**, others (one trade union and one employers' organisation) argued that **ELA should keep the current division of competences with the Member States**.

Finally, **ELA's prioritisation choices in terms of tasks appeared moderately appropriate**, according to ELA staff and Management Board members, while external stakeholders such as national authorities lamented a prevalence of "quantity over quality" during the evaluation period.

### ***Facilitate access to information on rights and obligations***

Consulted stakeholders broadly recognised the work carried out by ELA in the activity of information provision to individuals, employers and social partner organisations regarding rights and obligations to facilitate labour mobility across the EU and saw great potential in the role that the Authority could play in this area. In fact, **ELA's information services were considered very useful**, especially by public employment services and social partners<sup>233</sup>.

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<sup>231</sup> Supporting Study, Annex VI- Section 4.5.1 "*Ad-hoc contributions and supporting documents*"

<sup>232</sup> Supporting Study, Annex VI- Sections 4.6.1 and 5.4.1

<sup>233</sup> Supporting Study, Annex VI - Figure 13, Figure 14, Figure 15, Figure 16

Despite the overall usefulness and quality of ELA's work in facilitating access to information, areas for improvement were also highlighted<sup>234</sup>. In the views of some social partners, there was a **predominant emphasis in information provision on workers** rather than a balanced consideration of workers and employers. Finally, several respondents<sup>235</sup> to the call for evidence expressed concerns about ELA's information accessibility, advocating for streamlined sources to facilitate labour mobility and ensure compliance with labour laws across Member States. Suggestions included **establishing a central, multilingual online hub** (or an "ELA helpdesk" as labelled by a social partner), **launching EU-wide communication campaigns**, and **strengthening ELA's role as a primary cross-border contact**.

Finally, awareness levels and opinions on ELA campaigns differed, with praise for organisation and criticism for limited reach and timing issues<sup>236</sup>. Both praise and criticism were equally present across social partners, public employment services and national ministries. Additionally, there was a call by one national ministry highlighting the need to enhance the involvement of social partners in workshops for effective discussions among Member States<sup>237</sup>.

### *Implementation of the provisions of the EURES Regulation*

**EURES activities were generally found to be very useful** by stakeholders, with public employment services being obviously the largest group of stakeholders providing an answer to this question, as well as the group with the most positive assessment of this activity. Nevertheless, room for improvement was stressed on the EURES Portal<sup>238</sup>, with social partners and national ministries being the more vocal actors in terms of proposing solutions to improve ELA's effectiveness in this activity. Among the solutions provided, simplifying the registration procedure to the Portal (one national ministry), incorporating sector-specific services and information (one social partner), enhancing the portal's visibility and value for employers (one social partner).

All in all, **ELA did not fully meet stakeholders' expectations with regard to EURES**. While working on EURES, in the views expressed by most national stakeholders, ELA primarily emphasised information rather than matchmaking, and insufficient attention was given to the governance of the network. Finally, another key issue highlighted by stakeholder consultations was related to the process of handover of the EURES network and the business side of the IT portal. According to ELA staff, such process was not smooth, partly due to the fact that the COVID-19 pandemic made job-shadowing difficult, partly due to the fact that the IT infrastructure of the Portal is still managed by the Commission.

### *Cooperation and facilitation of exchange of information between Member States*

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<sup>234</sup> Supporting Study, Annex VI Section 4.6.1.1 and 5.4.1.1

<sup>235</sup> Six employers' organisations, five trade unions, three EU citizens, two public authorities, one company/business

<sup>236</sup> Supporting Study, Annex VI - Figure 11

<sup>237</sup> Supporting Study, Annex VI - Figure 16

<sup>238</sup> Supporting Study, Annex VI - Figure 17



According to the majority of stakeholders (in particular national authorities and EU citizens), ELA played so far an **important role in supporting cross-border coordination**, as well as a **centre of knowledge and expertise**, and in **providing training in the area of EU labour mobility**. In line with this, the primary reasons behind respondents' involvement in ELA's activities included the fact that ELA is best placed to deal with cross-border issues, an intention to improve the quality of their work and the absence of another organisation that could cover similar activities.

Questions about the quality of specific tools used by ELA to facilitate cooperation and exchange of information highlighted that, according to labour inspectorates, national ministries and public employment services, **workflow guidelines, model forms and templates, KPIs, analytical reports, workshops and seminars appear to be more useful compared to the availability of a directory of national contact points**<sup>239</sup>.

***Facilitate and enhance cooperation between Member States in the enforcement of relevant EU law, including facilitating concerted and joint inspections***

ELA's role in supporting CJIs **was appreciated by most national stakeholders (in particular, labour inspectorates) although it was acknowledged that ELA's enforcement powers are limited** given the nature of ELA's mandate. National stakeholders highlighted the catalyst role played by ELA (and by NLOs in particular) in ensuring a smooth implementation of CJIs and ensuring multi-lateral cooperation across several Member States.

Social partners were the most critical stakeholder group. In fact, one of the shortcomings that emerged from stakeholder consultations consisted in social partners' involvement into CJIs, such as the **lack of clarity in the guidelines pertaining to case submissions**<sup>240</sup>.

Areas for improvement, identified mostly by social partners and one national labour inspectorate, included **a reconsideration of the costs covered by ELA**<sup>241</sup>, to allow more Member States to participate. In fact, according to these two groups of stakeholders, during the evaluation period some Member States were not actively involved due to financial and human resource constraints at the national level. Employers' representatives also contributed to this perspective, stressing the need for ELA to provide administrative support to employers, as CJIs can impose a significant administrative burden on employers.

Finally, employers' and workers' representatives expressed the need to have better follow-up activities after CJIs. Communicating on numbers of infringements per se was not particularly insightful, while sharing lessons learnt with social partners and organising training activities (e.g. to prevent other employers from the same infringements) would increase the impact of CJIs.

***Analyses and risk assessments linked to issues of cross-border labour mobility***

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<sup>239</sup> Supporting Study, Annex VI - Figure 23

<sup>240</sup> Supporting Study, Annex VI - Section 4.6.1.4

<sup>241</sup> Supporting Study, Annex VI - Figure 28 & Section 5.4.1.4



While risk assessments and analyses regarding labour mobility and social security coordination are considered potentially one of the most important ELA's activities, especially by the Commission and ELA itself, the services provided by ELA **appeared to be moderately useful**. Labour inspectorates and national ministries were the more positive groups of stakeholders about the performance of such activity, while the Commission and social partners were more critical.

According mostly to representatives from the European Commission, ELA, EURES NCOs and members of the Management Board, ELA focused so far excessively on analyses, rather than on the crucial aspect of risk assessments. While **ELA interviewees argued that constraints on personal data have limited comprehensive assessments**, the Commission's interviewees believed that ELA could have nonetheless conducted more general assessments. It was not possible to provide a conclusive answer to this debate, as there is still a legal opinion pending, based on a question raised by ELA about the extent to which analysis, risk assessment and joint inspections can process data of individuals/companies while complying with data protection provisions.

Suggestions for improvement, made mostly by national ministries and social partners<sup>242</sup> included increasing the involvement of social partners, as well as **producing more detailed reports**: these reports could include disaggregated data at the national level, targeting the needs of different organisations and effectively engaging with the existing literature. This would better guide on-the-ground actions stemming from the results of these analyses.

### *Capacity building*

**ELA's capacity building activities were considered very useful** (especially workshops and trainings), in particular by national ministries and labour inspectorates. ELA offered various platforms to bring Member States together, organising national events, drawing and disseminating good practices, arranging study visits, and providing training.

ELA encountered two main **challenges** in carrying out this activity, according to ELA interviewees: **internal coordination** (due to some overlaps of responsibilities between the different Units tasked to work on this task) and **national resources** (busy agendas in national administrations meant that ELA had to compete for attention).

Among the suggestions made by stakeholders external to ELA (national authorities and social partners), possible areas for improvement were i) ensuring complementarity with national training programmes and ii) increasing ELA's budget for capacity building, to compensate for the discrepancies between national labour inspectorates (in terms of budget, staffing, skills) and improving cooperation with EU institutions.

### *Mediation*

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<sup>242</sup> Supporting Study, Annex VI - Figure 33

While mediation could potentially yield useful results and be an impactful activity for ELA<sup>243</sup>, particularly according to public employment services and national ministries, the main finding emerging from stakeholder consultations was that mediation **is a politically sensitive mechanism whose effectiveness was too early to assess. Representatives from the European Commission and ELA staff** highlighted controversies already during the Council negotiations for the founding Regulation. In fact, ELA's mediation procedure introduced an element of novelty, as it allows Member States to mediate when disagreements arise on the correct application of rules in individual cases.

While ELA did the required preparatory work to implement this activity (i.e. developing guidelines for Member States, mediators, and the Commission, along with standardised templates), out of the three mediation cases received within the reference period of the evaluation, only one was successful, and in the remaining two cases ELA could not proceed given that the second Member State did not agree with the procedure. Two national authorities interviewed explained that the reasons why they had not made use of the mediation procedure is that they had not faced any need for it yet, suggesting that a final answer on the effectiveness and relevance on this task may be possible only in the future.

### ***Integration of Platform tackling undeclared work***

ELA's work in tackling undeclared work appears to be overall **very useful**, according mainly to labour inspectorates and national ministries. Social partners<sup>244</sup> instead highlighted insufficient cooperation between the Working Group on Inspections and the European Platform Tackling Undeclared Work, expressed the need for more sectoral exchanges to address diverse determinants of undeclared work, and emphasised the importance of integrating the Platform's knowledge into ELA's operational objectives.

In fact, the handover of the Platform to ELA resulted in both positive and negative changes. The main **positive changes** related to the **widening of the geographical scope** (e.g. ILO was more involved), and to an **increase in the frequency of internal communications**. Nevertheless, some social partners and ELA staff argued that the integration of the Platform within ELA so far did not lead to a clear vision and **synergies with other ELA activities were limited**.

### ***Efficiency***

**ELA's human and financial resources appeared to be sufficient**, according to the majority of ELA staff and Management Board members. While both ELA staff and Management Board members agreed on the adequacy of financial resources, 44% of ELA staff responded that human resources were 'not at all' sufficient<sup>245</sup>, which might need to be seen in the context of prolonged vacancies. According to 16 staff members of ELA, two National Liaison Officers and one Member of ELA's Management Board, staffing issues were recurrent and seen to affect

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<sup>243</sup> Supporting Study, Annex VI - Section 4.6.1.7

<sup>244</sup> Supporting Study, Annex VI - Figure 47

<sup>245</sup> Supporting Study, Annex VI - Figure 89

the quality of deliverables, causing low staff satisfaction, complications in daily operations, and a preference for quantity over quality in organisational activities due to budget constraints. **Outsourcing is common**, and an imbalance in budget allocation (favouring information provision over enforcement) was noted.

In fact, one of the key concerns raised during the interviews is the possibility that **ELA might be relying too heavily on Seconded National Experts (SNEs)**. Interviews with European Commission representatives and ELA staff highlighted that the ratio of SNEs to statutory staff is notably larger compared to other EU institutions. The SNEs issue, according to ELA interviewees, **may have negatively impacted ELA's efficiency** in some ways, mainly related to the fact that SNEs cannot handle finances (placing a significant burden on ELA's internal staff). Furthermore, the **high SNE ratio resulted in increased turnover, leading to inefficiencies and loss of expertise**. The reluctance of personnel to relocate to Bratislava (also due to the salary package offered) was also mentioned by ELA as a contributing factor to SNE-related challenges.

On the other hand, some external stakeholders (mostly from the European Commission) argued that ELA's **reliance on SNEs could be an advantage in the long term** as it could bring diverse perspectives and experiences to the organisation, enriching its opportunities for internal knowledge transfer and skills development.

Stakeholder consultations alone did not allow to draw a final conclusion on whether ELA's reliance on SNEs and contractors was rather negative or positive. Nevertheless, the evidence collected through the cost-effectiveness analysis and the desk research, as presented in the main report, suggested that negative aspects offset the potential benefits of ELA as a lean organisation.

**ELA appeared to be moderately efficient when performing its work<sup>246</sup>**, according to the stakeholders external to ELA, with no significant differences in the trend of responses across different stakeholder groups. Nevertheless, as stressed by stakeholders (mostly social partners and national authorities) internal working practices could be improved, concerning coordination and planning (e.g. meetings' duration and frequency, enhancing overall coordination and communication among ELA's services).

Finally, stakeholders' views (both from ELA staff itself and national authorities) on ELA's governance structures highlighted that **the Management Board overall works well**. As representatives of their countries, members often approached issues from a national standpoint, creating the need to reconcile various perspectives: in the views of most national stakeholders, ELA staff was able to mitigate this challenge. Nevertheless, the feedback on the **Stakeholder Group's effectiveness was less positive and it could be improved**, as some social partners express uncertainty about its actual benefits. Especially from the standpoint of this stakeholder group, there was a perception that ELA primarily used the Group as an information-sharing

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<sup>246</sup> Supporting Study, Annex VI - Figure 50

forum, thus some social partners called for a transition of the Group into a more strategic role, with active involvement of social partners in agenda setting.

### ***Relevance***

There was broad consensus across all stakeholder groups that **ELA is responding to existing needs in the area of EU labour mobility**, with public authorities and EU citizens being the two more positive stakeholder groups. While **all of ELA's activities emerged to be relevant**<sup>247</sup> some of the most relevant activities relate to rights of mobile workers, posting of workers and tackling of undeclared work. ELA **partially met the needs of social partners**, particularly employers: room for improvement related to the demand for a wage calculator for posted workers and a business-related helpdesk. **NCOs were instead the most dissatisfied group of stakeholders**: they called for the need for ELA to enhance staff preparedness, ensure the participation of decision-makers in meetings, and stressed the importance of maintaining EURES' core purpose as a matchmaking tool rather than transforming it into a dissemination instrument.

Furthermore, ELA demonstrated **adaptability in response to unforeseen challenges, proving flexibility in adjusting its services to address unexpected obstacles**. While the perspectives of ELA staff and Management board members on this matter were strongly positive (i.e. mentioning as successful examples the Authority's response to the COVID-19 pandemic and the help it provided to Member States concerning Ukrainian refugee integration), the views of some public employment services and social partners were relatively less enthusiastic. These two stakeholder groups expressed a less positive feedback on the handling of the Ukraine crisis (i.e. ELA's response was limited by the fact that several Member States had already moved forward with initiatives, and due to political and legal constraints), and on the way ELA dealt with the impact of third-country labour on EU employment.

Broad consensus across all stakeholder groups was found on the key trends that were expected to significantly impact the future work ELA: digital transition and technological development, migration from outside the EU, and labour and skills shortages.

### ***Coherence***

**ELA's activities appear to be moderately aligned with EU employment policy**, according to EU institutions, agencies and other EU bodies (answers from stakeholders other than these, e.g. national authorities, were not requested in the surveys). Divergent perspectives surfaced regarding the migration policy issue<sup>248</sup>. Other areas of potential non-alignment were the enforcement of social security coordination systems, and efforts to combat racial discrimination.

**ELA's activities seem to be moderately complementary to the activities of other organisations, agencies, and/or stakeholders at the national level**<sup>249</sup>. Out of the 40% of

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<sup>247</sup> Supporting Study, Annex VI - Figure 119

<sup>248</sup> Supporting Study, Annex VI – Section 4.1

<sup>249</sup> Supporting Study, Annex VI – Figure 54

external stakeholders who answered that ELA's activities are complementary to a moderate extent, there are no differing trends within the share of responses of social partners, national ministries, labour inspectorates and public employment services. One of ELA's key sources of complementarity lies in its unique focus on cross-border challenges and its role in facilitating the enforcement of labour provisions, distinguishing it from other EU agencies<sup>250</sup>.

In fact, ELA's activities complemented the work of other agencies such as Eurofound, and EU-OSHA and, to a lesser extent, those of Cedefop and European Training Foundation (ETF). However, stakeholders perceived that further improvements in cooperation between ELA and these agencies were necessary. Some concerns were raised by a handful of respondents about potential duplication of efforts when ELA engages in research activities similar to those of Eurofound or Cedefop, with a call for more action-oriented approaches.

Suggestions<sup>251</sup> included enhancing synergies between the Platform for Undeclared Work and Eurofound, emphasising the collaboration between ELA and Eurofound in studying mobile workers' conditions, and exploring partnerships with ETF for insights into foreign worker origins.

Finally, **cooperation with other international organisations was limited**, coherently with the nature of ELA's mandate. In fact, ELA staff and Management Board members agreed on the fact that there is only a **moderate complementarity between ELA's activities and those of other international organisations** such as the ILO, with no significant differences in the opinions of ELA staff in comparison with Management Board members.

### *EU added value*

In terms of EU added value, all stakeholder groups broadly acknowledged ELA's contributions. These included its ability to facilitate cooperation and accelerate the exchange of information on labour mobility between Member States, aiding in their compliance with cooperation obligations. Furthermore, national authorities and labour inspectorates in particular emphasised ELA's added value in improved networking, knowledge-sharing, trust-building, and coordination among national administrations, as well as in its training and capacity-building activities. Lastly, national authorities also appreciated the coordination on operational issues ensured among Member States, particularly given the diverse frameworks and institutional setups regarding labour issues.

Areas for improvement, where ELA's added value did not fully materialise yet, are the facilitation of access to information, as well as EURES. Finally, the EU added value of ELA on facilitating a solution in case of disputes will need to be assessed in the future, as stakeholders' views are not conclusive.

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<sup>250</sup> Supporting Study, Annex VI – Figure 56

<sup>251</sup> Supporting Study, Annex VI - Figure 109

## ANNEX VI. ELA INTERVENTION LOGIC

The intervention logic displayed in the figure below forms the analytical framework for the study and each of the evaluation criteria can be linked to the different elements it contains:

- Effectiveness links the objectives of the Regulation and the activities of ELA to the results and impacts resulting from these to judge whether the intended results have been reached;
- Efficiency links the inputs of ELA to its outputs to judge whether the results have been reached in a cost-effective way
- Relevance links the needs to the objectives of the Regulation and the activities of ELA to judge whether the latter are addressing the former properly and fully
- Coherence links together different specific objectives of the Regulation (i.e. internal coherence) and the specific objectives of the Regulation to the objectives of other EU and international policy interventions (i.e. external coherence) to judge whether these are in line with each other
- EU added value links the results of ELA's activities to the impacts to judge whether this EU intervention is the most appropriate to reach these impacts at EU level rather than at international, national, regional or local level.

The intervention logic thus presents the main assumptions and anticipated impact that the Regulation and ELA are supposed to have (under the activities of ELA and the objectives of the Regulation). This was prepared based on the following acts:

- [Regulation \(EU\) 2019/1149 establishing a European Labour Authority](#)
- [Impact Assessment accompanying the Proposal for a Regulation establishing a European Labour Authority](#)
- [Single Programming Document 2022-2024](#)
- [Single Programming Document 2023-2025](#)
- [Work Programme 2021](#)
- [Work Programme 2020](#)





## NEEDS

- Adequate support and guidance for individuals and businesses in cross-border situations, including complete information available to the public concerning their rights and obligations.
- Adequate access to and sharing of information between national authorities responsible for different domains of labour mobility and social security coordination
- Sufficient capacity of competent national authorities to organise cooperation with authorities across borders
- Strong mechanisms for joint cross-border enforcement activities
- Cross-border mediation mechanism between Member States across all domains of labour mobility and social security coordination
- Cooperation set-up at EU level in the area of labour mobility and social security coordination



## OBJECTIVES

**General Objective:** Contribute to ensuring fair labour mobility across the Union and assist Member States and the Commission in the coordination of social security systems within the Union (Art.2).

**Specific Objectives:**

1. Facilitate access to information on rights and obligations regarding labour mobility across the Union as well as to relevant services (Art. 2 (a))
2. Facilitate and enhance cooperation between Member States in the enforcement of relevant Union law across the Union, including facilitate concerted and joint inspections (Art. 2 (b));
3. Mediate and facilitate a solution in cases of cross-border disputes between Member States (Art. 2 (c)); and
4. Support cooperation between Member States in tackling undeclared work (Art. 2 (d)).

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## INPUTS

**Financial resources:**

- Voluntary contributions from the Member States
- Third countries contributions
- Funding from EU budget
- EU funding through delegation agreements/ad hoc grants
- Charges for publications and any service provided by the Authority

**Human resources:**

- In-house staff employed by the Authority
- Seconded national experts (including National Liaison Officers)



## ACTIVITIES (OPERATIONAL OBJECTIVES)

1. Improve the availability, quality and accessibility of information offered to individuals, employers and social partner organisations regarding rights and obligations to facilitate labour mobility across the EU (Art. 5) **(Task (a) of ELA, Art.4) (Specific Objective 1) (Pillar III)**
2. Manage the European Coordination Office of EURES to support Member States in providing services to individuals and employers (Art.6) **(Task (a) of ELA, Art.4) (Specific Objective 1) (Pillar III)**
3. Facilitate the cooperation and acceleration of exchange of information between Member States and support their effective compliance with cooperation obligations, including on information exchange (Art.7) **(Task (b) of ELA, Art.4) (Specific Objective 2) (Pillar II)**
4. Coordinate and support (at the request of one or more Member States, or by suggesting to the authorities of the Member States concerned) concerted or joint inspections in the areas within the Authority's competence (Arts.8 and 9) **(Task (c) of ELA, Art.4) (Specific Objective 2) (Pillar I)**
5. Assess risks and carry out analyses regarding labour mobility and social security coordination across the EU (Art.10) **(Task (d) of ELA, Art.4) (Specific Objective 2) (Pillar I)**
6. Support Member States with capacity building aimed at promoting the consistent enforcement of EU law related to labour mobility across the EU (Art.11) **(Task (e) of ELA, Art.4) (Specific Objectives 1 & 2) (Pillar II)**
7. Tackle undeclared work and encourage cooperation between Member States through the European Platform to enhance cooperation in tackling undeclared work (Art.12) **(Task (f) of ELA, Art.4) (Specific Objective 4) (Pillar I)**
8. Facilitate a solution in the case of a dispute between two or more Member States regarding individual cases of application of EU law in areas covered by the Regulation (Art.13) **(Task (g) of ELA, Art.4) (Specific Objective 3) (Pillar II)**



## OUTPUTS

- 5**
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|--|--|---|
| <ul style="list-style-type: none"> <li>1.1 Map of information sources and challenges/action needs at EU and national level</li> <li>1.2 Improved information on labour mobility within EU single digital gateway</li> <li>1.3 Targeted workshops (e.g. social aspects of road transport legislation)</li> <li>1.4 Translation of information on labour mobility and social security coordination (ELA Translation Facility)</li> <li>1.5 Communication and dissemination activities</li> <li>1.6 Information campaigns (e.g. 'Declared work')</li> <li>2.1 EURES portal functionalities, including portal and extranet content management</li> <li>2.2 European Coordination Office work programmes</li> </ul> | <ul style="list-style-type: none"> <li>3.1 Directory of national contact points</li> <li>3.2 Training of National Liaison Officers</li> <li>3.3 Collaborative space for secure information sharing</li> <li>3.4 Use of IMI and map of existing platforms to exchange information</li> <li>4.1 Working group on inspections</li> <li>4.2 Support concerted or joint inspections</li> <li>4.3 Strategic partnerships (e.g. Europol, Eurojust, OSHA)</li> <li>4.4 Arrangements and tools for concerted or joint inspections (e.g. model agreement, handbook, templates for reporting, indicators)</li> <li>4.5 Mutual learning and training activities for national inspectors</li> <li>4.6 Translation of ELA-produced material</li> </ul> | <ul style="list-style-type: none"> <li>5.1 Workshop on risk assessment tools</li> <li>5.2 Peer reviews (e.g. on cases identified by SOLVIT/Your Europe Advice)</li> <li>5.3 Analytical reports on cooperation practices and challenges between Member States</li> <li>6.1 Workshop with EU agencies and relevant bodies</li> <li>6.2 Training for inspectors and Authority staff, including National Liaison Officers</li> <li>6.3 ELA Capacity Building Centre</li> <li>7.1 Integration of European Platform tackling undeclared work</li> <li>7.2 Improvement of the knowledge base of the Platform</li> <li>7.3 Promotion of enhanced cross-border cooperation</li> <li>8.1 Cases submitted to ELA or suggested on ELA's own initiative</li> <li>8.2 Disputes processed through ELA mediation procedure</li> <li>8.3 Report on the implementation by the Member States of the opinions and recommendations delivered by ELA</li> </ul> |
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## INTENDED RESULTS (SPECIFIC OBJECTIVES)

- 6**
1. ELA contributes to the provision of relevant information, helps centralising information on EU labour mobility, raises awareness of labour mobility opportunities and related rights and obligations, promoting a standardised, comprehensive approach to presenting the information across its stakeholders (**Specific Objective 1**) (**Activities 1, 2 & 6**)
  2. ELA enables and facilitates efficient administrative cooperation, mutual assistance and timely exchange of information among the Member States' competent authorities (including on concerted and joint inspections), leveraging on the NLO network to build further ties and contacts with national authorities and other stakeholders (**Specific Objective 2**) (**Activities 3, 4 & 5**)
  3. ELA establishes the procedures for mediation, appoints experts and mediators, implements the mediation procedure managing individual cases submitted to it, as well as actively suggesting and bringing forward cases for mediation between Member States (**Specific Objective 3**) (**Activity 8**)
  4. ELA strengthens the cooperation and the administrative capacity of national authorities by creating synergies to tackle more efficiently and effectively undeclared work (**Specific Objective 4**) (**Activity 7**)

## INTENDED IMPACTS

### Short-term impacts (Needs)

- Effective cross-border support and guidance for jobseekers and employers, with transparent information on rights and obligations
- Better access to and sharing of information between national authorities contribute to streamline the institutional landscape of EU labour mobility
- Effective cooperation in the area of labour mobility and social security coordination, through development of EU-level intelligence and operational capacities

### Long-term impacts (General Objective)

- EU rules on labour mobility and social security coordination are enforced in a fair, simple and effective way
- Mobility opportunities to individuals and companies are fairer and freedom of movement is increased

## EXTERNAL FACTORS

1. Unforeseen crises (e.g. COVID-19, Ukraine war, etc.)
2. Socio-economic trends (Digital transformation, Population ageing, etc.)
3. Policy developments in the area of employment (Implementation of labour mobility legislation, Revision of Regulations on coordination of social security systems, European Pillar of Social Rights action plan)

**1. Delivery of the work programme**

The authority operated from its start <sup>252</sup> on the basis of calendar years, which meant that the first year of operation, **2019**, consisted of only five months. It was characterised by preparatory actions, including the establishment of working groups on information and inspection, and preparatory actions for the transfer of EURES and the Platform tackling undeclared work. ELA also participated in the campaign #EU4FairWork, organised by the Platform tackling undeclared work.

In **2020**, the first full year of ELA's operation, preparatory actions continued. More operational activities were prepared and set up, such as further work on information sources, awareness raising about existing sources, the establishment of a translation function, elaborating arrangements and tools for CJIs, supporting pilot-CJIs, the organisation of mutual learning and training events for national inspectors and ELA staff as well as continued participation in the campaign for declared work (#EU4FairWork). Discussions started with the Administrative Commission on the Coordination of Social Security Systems to prepare for cooperation. ELA prepared for taking on the management of the European Coordination Office of EURES and to integrate the Platform tackling undeclared work. ELA's ability to deliver was thoroughly tested by the occurrence of the COVID-19 pandemic. Nevertheless, the Management Board assessed at its meeting on 25 May 2021, that ELA had delivered according to plan.<sup>253</sup>

**2021** was the first year where ELA was managed by the then newly appointed Executive Director<sup>254</sup>. In May 2021 ELA acquired its financial autonomy<sup>255</sup> and in autumn 2021 ELA relocated from its provisional premises in Brussels to its permanent seat in Bratislava<sup>256</sup>. In the course of 2021 41 new staff members were onboarded by ELA, resulting in a total number of staff of 84 by the end of that year.

Operationally ELA integrated the responsibilities of managing the European Coordination Office of EURES; information and communication efforts were continued with support to media campaigns and a review of national websites on labour mobility with a focus on cross-border seasonal workers and workers in road transport. The translation facility continued operation. Cooperation and exchange of information between Member States on the enforcement of Union law was supported with workshops and training sessions, promoting the

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<sup>252</sup> 2020 and 2021 had yearly work programmes, whilst from 2022 Single Programming Documents (SPD) were introduced (which include multiannual and annual work programmes, i.e. SPD 2022-2024 and SPD 2023-2025)

<sup>253</sup> Consolidated Annual Activity Report of ELA 2020 (2021), p. 6/7.

<sup>254</sup> The Executive Director took office on 16/12/2020.

<sup>255</sup> The formally set date for financial autonomy was 1/08/2021.

<sup>256</sup> <https://www.ela.europa.eu/en/news-event/newsroom/ela-opening-conference-9-november-2021>

use of IMI in the area of posting and further efforts, including a comprehensive information session on road transport and the use of new IMI modules in Road Transport.

ELA furthermore supported Member States by organising CJIs and mutual learning and training activities. It prepared for more analytical support services and developed a mid-term capacity building strategy. The Authority gained in visibility and started liaising with other agencies (EU-OSHA, Eurofound, FRA, European Union Agency for Law Enforcement Training, ETF, Europol).

Work continued on the integration of the Platform Tackling Undeclared Work and the mediation function in social security coordination. As from the second semester 2021 ELA carried out the tasks of the Technical Committee on Free Movement of Workers and of the Committee of Experts on Posting of Workers and these bodies ceased to exist.<sup>257</sup>

The 2021 work programme foresaw that ELA should develop a structured performance management system. The consolidated annual activity report, however, highlighted that work on the performance management system was delayed.<sup>258</sup>

The Management Board concluded at its meeting on 15 June 2022, that ELA had achieved the set targets in 2021.<sup>259</sup>

The above-described activities continued in 2022 and 2023, with the Authority becoming fully operational. For both years, the Management Board concluded that almost all planned activities were fully implemented and that ELA was ‘completing the setting up phase and becoming a fully operational agency by 2024’<sup>260</sup>.

**2022** was the first year for ELA to set up both a multiannual programming and an annual work programme (together they form the Single Programming Document (SPD)). In 2022 the work was structured around the three pillars of enforcement, cooperation and information.

2022 was also the first year where ELA introduced indicators in its programming documents. The majority of indicators concerned outputs<sup>261</sup>. Only few indicators going beyond pure output were introduced.<sup>262</sup>

While the multiannual programming 2023-2025 included some key performance indicators<sup>263</sup> the **2023** work programme did not provide formal indicators but rather focused on output. Contrary to 2022, the SPD 2023 was no longer structured around the 3 pillars of enforcement,

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<sup>257</sup> Recital 43 of Regulation (EU) 2019/1149 establishing a European Labour Authority,

<sup>258</sup> Consolidated Annual Activity Report of ELA 2021 (2022), (Annex I), p. 50 .

<sup>259</sup> Consolidated Annual Activity Report of ELA 2021 (2022), p. 8.

<sup>260</sup> Consolidated Annual Activity Report of ELA 2022 (2023), p. 6 and CAAR 2023 (2024), p. 5/6

<sup>261</sup> e.g. ‘number of topics and sectors covered’, ‘number of meetings’)

<sup>262</sup> E.g. ‘level of stakeholder satisfaction with ELA developed tools and procedures’ or ‘impact and follow-up by other ELA activities’.

<sup>263</sup> Quantified performance indicators were repeatedly identified as compliance with the original planning (e.g. percentage of xy requests processed (within a certain period)). I.e. by reducing ambition, performance appears to improve.

cooperation and information. The multi-annual programming was clustered around 5 strategic areas and the annual work programme proposed 10 operational activities and 6 horizontal activities.

The output categories proposed in these work-programmes include standardised output (e.g. number of translations, number of meetings) and specific or singular output (e.g. development of a toolbox, scenarios on labour mobility). While many indicators allowed for ‘counting’, quantified targets were not provided in either of the work programmes. Indicators referring to the acceptance of activities (such as number of participants or outreach of media campaigns) were not identified in the work programme, however, some indication of results is provided for communication efforts, where the outreach of media-campaigns is looked at in more detail, indicating that ELA’s performance has improved over time, arriving at 27 000 followers on social media by the end of 2023. The older agencies like Cedefop (around 50 000), Eurofound (above 45 000), European Training Foundation (75 000) and OSHA (more than 250 000)<sup>264</sup> feature somewhat higher figures. The annual activity reports inform accordingly on ELA’s activities. In some areas, such as the coordination of social security or analysis and risk assessment, the consolidated activity report 2023 reads that ELA was still at an early stage<sup>265</sup>, others such as mediation continue to suffer from limited demand.

As part of the discharge procedure covering the financial year 2021, the European Parliament provided ELA with a set of observations<sup>266</sup>. While appreciating ELA’s efforts to cooperate with other bodies/tools (SOLVIT, Administrative Commission for the Coordination of Social Security Systems), the European Parliament pointed to the need of strengthening the management and control systems (including performance management). The effects of the action taken by ELA to accommodate these concerns were not yet visible when this evaluation was performed.

In the discharge procedure covering the financial year 2022<sup>267</sup>, the European Parliament reiterated observations on the internal management and control system in line with observations made by the Court of Auditors. It also noted the introduction in 2022 of a multi-annual programming and annual work programme with indicators and newly defined KPIs. The European Parliament furthermore issued observations on the high proportion of SNEs and interim workers which could negatively affect the operational capabilities. As regards financial management, the European Parliament noted the high amount of carry overs and called on Member States to enhance their collaboration with the Authority.

## 2. Factors influencing the delivery

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<sup>264</sup> These figures include around 143 000 followers of Napo – a figure used in OSHA-animations to inform about occupational risks and how to avoid them.

<sup>265</sup> See CAAR 2023, p. 11. ‘ELA successfully started its information and services activities related to social security aspects’, p. 20: ‘ELA continued to develop a strategic risk assessment capacity’.

<sup>266</sup> [Procedure File: 2022/2108\(DEC\) | Legislative Observatory | European Parliament \(europa.eu\)](#) – See in particular: [https://www.europarl.europa.eu/doceo/document/TA-9-2023-0191\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2023-0191_EN.html) - see also European Court of Auditors: 2021 Annual report on EU agencies for the financial year 2021 (2022), p. 170-175: [Annual report on EU agencies for the financial year 2021 \(europa.eu\)](#).

<sup>267</sup> [Texts adopted - Discharge 2022: European Labour Authority - Thursday, 11 April 2024 \(europa.eu\)](#).

High political urgency helped to establish ELA; however, it also resulted in a strong emphasis on the achievement of predominantly quantitative milestones; qualitative aspects receiving less attention.<sup>268</sup> During the COVID-19 pandemic it became more visible how vulnerable certain groups of mobile workers (e.g. seasonal or posted workers) are and that for them working and living conditions are directly interlinked. Fair conditions for these workers require to also look at accommodation, thus necessitating the cooperation between different stakeholders.

ELA tried to adapt to these challenges while still developing its core activities. This created additional pressure on its staff<sup>269</sup> and created some tensions with partners (in particular national labour inspectorates, employment services and national ministries).

The sudden **surge of videoconferences** and remote working in the context of the pandemic occurred just when ELA was in a key moment of its set up process. The increased acceptance of videoconferences, including with national administrations was helpful. Still, the prevalence of virtual meetings came also with the challenge to move from what was initially perceived as a virtual to a real organisation, with real meetings and persons regularly coming to the office.<sup>270</sup> Also the high number of SNEs, who maintained a strong link with the organisation from which they were seconded, in some cases hesitating to actually move to Bratislava, posed an additional challenge.

**Recruiting staff** to ELA was challenging<sup>271</sup> for several reasons. A suitable labour market did not exist in Bratislava before ELA was established. For the recruitment of specialists concerning labour inspections or employment services, ELA needed to rely on persons who made a transition from a national administration or EU-level organisations to ELA or from consultancies who previously worked in that area. Bratislava was not seen as very attractive for high-quality employees due to the high cost of living, which was perceived as not being accurately reflected in the EU salary coefficient. Career paths are also more difficult to develop in a fairly small organisation such as ELA. This resulted in a high job offer rejection rate, with around 30% of the job offers made in 2020 and 2021, years with a particular strong increase of staff, not being accepted.<sup>272</sup>

The adoption by the Commission of the **Mobility Package I**<sup>273</sup> from 2020 with effects on the cross-border provision of road transport services, clarified the rules applicable in road transport and assigned in some cases explicitly a role to the Authority, thus providing further motivation to support national authorities with the implementation.

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<sup>268</sup> See Supporting Study, section 4.1.2.2.

<sup>269</sup> Supporting Study: stakeholder consultation, p. 54: ‘High workload and inadequate internal procedures result in inconsequential handling of tasks, leading to low staff satisfaction. ELA’s staffing issues impact operational readiness and cause distress among current staff’.

<sup>270</sup> Supporting Study, Annex VI.

<sup>271</sup> Supporting Study, stakeholder consultation, Q7 question to staff: 49 respondents: supported, 19 didn’t know and 17 did not at least moderately support the statement that there were challenges in the setup process (related to e.g. recruitment of suitable candidates) and section 4.1.1.7 in the main report.

<sup>272</sup> ELA Consolidated Annual Activity Report 2023.

<sup>273</sup> [Mobility Package I - European Commission \(europa.eu\)](https://european-council.europa.eu/media/en/press-articles/pages/1234567890.aspx)



ELA is operating in a **highly complex legislative and organisational environment**, where on the one side coordinated changes of rules and procedures are difficult to reach, while on the other side urgently requested. This can be illustrated on the one side by the (still) ongoing negotiations to revise Regulation (EC) 883/2004 and to modernise social security coordination<sup>274</sup> and also by the negotiations of the Founding Regulations, when Member States hindered ELA to take over the tasks of the Conciliation Board, the Audit Board and the Technical Commission of the Administrative Commission on the Coordination of Social Security Systems. While on the other side, political expectations expressed by e.g. the European Parliament, the leadership of the Commission and trade unions towards ELA are high<sup>275</sup>.

A side-effect of the COVID-19 pandemic was the considerably **accelerated digitalisation**. In their responses to the surveys, stakeholders and staff express the expectation that the ‘digital transition’ will be one of the main trends impacting ELA’s future <sup>276</sup>. Other trends which were expected to have a strong impact on ELA’s work in the future were migration from outside the EU and labour and skills shortages.<sup>277</sup>

ELA has to manage relations with distinctly different groups of national stakeholders as concerns labour inspections/ free movement on the one hand and in the area of facilitating cross-border mobility by EURES on the other. EURES-related partners are employment services. For the other activities developed by ELA, the main partners (also most represented in the Management Board<sup>278</sup>) are labour inspectorates or ministries of social affairs and employment from the Member States.

### 3. Other

ELA’s building was constructed in 2018 and complies with high environmental standards (LEED v3 Certificate). ELA undertakes efforts to minimise paper usage.<sup>279</sup>

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<sup>274</sup> See Commission proposal: <https://ec.europa.eu/social/BlobServlet?docId=16784&langId=en>

<sup>275</sup> See ETUC [https://www.etuc.org/sites/default/files/document/files/etuc\\_position\\_-\\_for\\_a\\_strong\\_european\\_labour\\_authority.pdf](https://www.etuc.org/sites/default/files/document/files/etuc_position_-_for_a_strong_european_labour_authority.pdf)

State of the Union 2017: [https://ec.europa.eu/commission/presscorner/detail/en/SPEECH\\_17\\_3165](https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_17_3165)

<sup>276</sup> Annex ‘Stakeholder consultation’: p. 45: ‘The main trends expected to shape the organisation’s strategic focus in the future are the digital transition and technological development, labour and skills shortages, and migration from outside the EU.’ Or Question 17 stakeholder survey (p. 33) and Q10 staff survey (p.60).

<sup>277</sup> See ebd.

<sup>278</sup> For the list of Management Board Members and their CV see: [Management Board | European Labour Authority \(europa.eu\)](https://www.europa.eu/management-board) (retrieved 4/09/2024).

<sup>279</sup> 2021 ELA Consolidated Annual Activity Report.

