



**Decision No 16/2022
of 24 November 2022
of the Management Board
adopting the Guidelines on the Rules of Procedure for mediation
of the European Labour Authority**

THE MANAGEMENT BOARD OF THE EUROPEAN LABOUR AUTHORITY,

Having regard to Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344¹ (hereinafter “the founding Regulation” and “the Authority”), and in particular Article 13 thereof,

Whereas:

1. The Authority was established in order to help strengthen fairness and trust in the internal market. The objective of the Authority is to contribute towards ensuring fair labour mobility across the Union and assist Member States and the Commission in the coordination of social security systems. To that end, the Authority should mediate and facilitate a solution in the case of disputes between Member States regarding individual cases of application of Union law in areas covered by the founding Regulation.
2. The founding Regulation entrusts the Management Board to adopt the rules of procedure for mediation, including working arrangements and the appointment of mediators, the applicable deadlines, the involvement of experts from the Member States, the Commission and the Authority, and the possibility of the Mediation Board to sit in panels composed of several members. By Decision 17/2021 of 10 November 2021, the Rules of Procedure for mediation were adopted by the Management Board.
3. The mediation tool of the Authority is new and no practice on it has yet occurred. Therefore, practical guidelines were developed which are intended to provide the different actors involved in a mediation procedure with detailed explanation on the administrative and procedural steps to be taken during mediation, based on the Rules of Procedure for mediation.
4. At its 6th meeting on 25 October 2022, the Working Group on mediation was informed and endorsed the content of the Guidelines for the implementation of the Rules of Procedure for mediation.

HAS DECIDED AS FOLLOWS:

¹ OJ L 186, 11.07.2019, p. 21–56

Sole Article

The Guidelines for the implementation of the Rules of Procedure for mediation, as annexed to this Decision, are hereby adopted.

Done in Bratislava, on 24 November 2022.

For the Management Board

Tom BEVERS
Chair of the Management Board

ANNEX I
GENERAL GUIDELINES AND WORKFLOWS FOR THE MEDIATION PROCEDURE

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ANNEX II
GUIDANCE FOR MEMBER STATES ON THE ELA MEDIATION PROCEDURE

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ANNEX III
GUIDANCE FOR MEDIATORS AND MEDIATION BOARD ON THE ELA MEDIATION
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ANNEX IV
WORKFLOW GUIDANCE FOR THE INTERACTION BETWEEN ELA AND THE
ADMINISTRATIVE COMMISSION

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ANNEX V
TEMPLATES REFERRED TO IN THE GUIDELINES

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