



Decision No 17/2024
of 28 November
of the Management Board
setting up the ELA Working Group on Information

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 Articles 5, 16 and 18 thereof,

Whereas:

- (1) According to Article 16(2) of the founding Regulation, the Authority may set up working groups or expert panels comprising representatives from Member States or from the Commission, or external experts following a selection procedure, or a combination thereof, for the fulfilment of its specific tasks or for specific policy areas. It shall set up the Platform referred to in Article 12 as a permanent working group, and the Mediation Board referred to in Article 13.
- (2) According to Article 18(1)(j) of the founding Regulation, the Management Board shall, in particular set up working groups and expert panels pursuant to Article 16(2) and adopt their rules of procedure.
- (3) According to Article 18(1)(f) of the founding Regulation, the Management Board shall adopt rules for the prevention and management of conflicts of interest in respect of its members and independent experts, as well as the members of the Stakeholder Group and of the working groups and panels of the Authority referred to in Article 16(2) of the founding Regulation, as well as of seconded national experts and other staff not employed by the Authority as referred to in Article 33 of the founding Regulation, and shall publish annually on its website the declarations of interests of the Management Board members.

¹ OJ L 186, 11.7.2019, p.21 .

- (4) In order to accomplish its task of improving the availability, quality and accessibility of information pursuant to Article 5 of the founding Regulation with respect to the entire scope of activities of the Authority as indicated in Article 1(4) of the founding Regulation, the Authority should benefit from the expertise of specialists in the field of provision of information to citizens.
- (5) Pursuant to Article 5 (b) (c) (d) (e) of the founding Regulation, the Authority shall support Member States in applying Regulation (EU) 2016/589, complying with the obligations on the access to and dissemination of information relating to labour mobility and social security coordination legislation, in improving the accuracy, completeness and user-friendliness of relevant information sources and services and in streamlining the provision of information and services to individuals and employers pertaining to cross-border mobility.
- (6) Based on the experience with the functioning of the Working Group on Information established by Decision No 7/2019 of 3 December 2019 of the Management Board setting up the ELA Working Group on Information, it is proposed to introduce changes to the functioning and operation of the Working Group.
- (7) The Working Group on Information should provide expert advice to the activities of the Authority in the field of the provision of information and services. The Working Group should be complemented by experts' meeting discussing technical and operational aspect related to the specific topics or sectors.
- (8) The decision also contains technical adaptations seeking to facilitate the smooth functioning of the Working Groups in the Authority, including the Working Group of Information. This includes the appointment of the Members and Alternates of the Working Group, the Chairing of the Working Group, the participation at Working Group meetings as well as the submission of the declaration of absence of conflict of interest.
- (9) It is necessary to repeal Decision No 7/2019 of 3 December 2019 of the Management Board setting up the ELA Working Group on Information, including the annexed rules of procedure and replace it by this decision.

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

The Working Group on Information of the European Labour Authority (hereinafter referred to as 'the Working Group') is set up.

Article 2

Mandate

1. The core mandate of the Working Group on Information is to provide expert advice to the European Labour Authority's task to facilitate access to information as provided for in Article 5 of the founding Regulation.
2. The Working Group shall provide advice and feedback to current and planned ELA Information and Services activities, including:
 - a) Priorities and negative priorities of Information and Services activities in forthcoming Work Programmes.
 - b) Recommendations for the operationalisation of approved activities.
 - c) Early-stage feedback to proposals on the development of new or adaptation of existing Information and Services activities.
3. The Chair of the Working Group referred to in Article 4 of the present Decision shall regularly report to the Management Board on the activities of the Working Group.
4. The Management Board shall approve results of the Working Group, which are intended to be used by external stakeholders.
5. Once the Working Group has fulfilled the tasks set out in this article, it shall cease its activities.

Article 3

Membership

1. The Working Group shall be composed of experts appointed by the Member States, European Commission, Union-level social partner organisation which are members of the Management Board and the independent expert appointed by the European Parliament who is member of the Management Board.
2. Member States and Union level social partners and the independent expert of the European Parliament referred to in paragraph 1 may appoint one expert member and up to two alternates.
3. Observers may be appointed by the countries or EU-agencies which have observer status to the Management Board.

Article 4

Chair

The Working Group shall be chaired by the Executive Director or an ELA staff member appointed by the Executive Director.

Article 5

Rules of procedure

The Management Board adopts the rules of procedure of the Working Group in annex to this Decision.

Article 6

Transparency

The following data shall be published on the Authority's website:

1. The members, alternates and observers of the Working Group.
2. the agenda and a summary of the deliberations of the Working Group.

Article 7

Meeting organisation

1. The Working Group meetings shall be attended by members and observers. If a member cannot participate onsite, they shall be replaced by their respective alternates.
2. If it is justified by the agenda of the meeting, the Authority may allow simultaneous participation of the member and alternate on-site based on request by the member of the Working Group.
3. If the meeting is organised online or in hybrid form, the participation online shall be open for all Working Group members, alternates and observers.
4. If members, alternates or observers wish to be accompanied by experts for a specific agenda item, the Authority may allow such participation.
5. External experts may be invited by the Authority to take part in a Working Group meeting and provide their expertise on specific agenda items priorly agreed upon.
6. Participants in the activities of the Working Group shall not be remunerated for the services they offer.
7. Travel and accommodation expenses incurred by participants in meetings of the Working Group shall be reimbursed by the Authority in accordance with the provisions of Decision 22/2021 and subsequent decisions on the Rules for reimbursement of travel, subsistence allowances and other expenses for participants in the meetings organised by the European Labour Authority, and within the limits of the available budget of the Authority.

Article 8

Repeal

This decisions shall repeal and replace Decision No 7/2019 of 3 December 2019 of the Management Board setting up the ELA Working Group on Information, including the annexed rules of procedure.

Article 9

Entry into force

This Decision shall take effect on the day following its adoption.

Done at Bratislava, 28 November 2024

For the Management Board

Tom BEVERS

Chair of the Management Board

ANNEX 1 RULES OF PROCEDURE

Article 1

Operation of the Working Group

The Working Group on Information of the European Labour Authority ('the Working Group') shall act at the request of the European Labour Authority ('ELA', 'the Authority').

Article 2

Convening a meeting

1. Meetings of the Working Group are convened periodically, up to two meetings per year. Additional meetings upon request of the Working Group Chair may be convened, where needed.
2. Joint meetings of the Working Group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the Working Group shall, in principle, be held on Authority premises.
4. The working language of the meetings shall be English.
5. The Authority shall provide secretarial services.

Article 3

Agenda

1. The Secretariat shall draw up the agenda under the responsibility of the Chair.
2. The agenda shall be adopted by the Working Group at the start of the meeting.

Article 4

Documentation to be sent to Group members

1. The Secretariat shall send the invitation to the meeting and the draft agenda to the Working Group members, alternates and observers no later than 21 calendar days before the date of the meeting.
2. The Secretariat shall send the documents on which the Working Group is consulted to the members, alternates and observers of the Working Group no later than 14 calendar days before the date of the meeting.
3. In urgent or exceptional cases, the Chair may authorise derogations from the deadlines referred to in paragraph 1 and 2.

Article 5

Opinions of the Working Group

The Working Group shall agree on its opinions, recommendations or reports by consensus. If consensus cannot be reached, the Chair will summarise the proceedings, and where appropriate the minority positions shall be reflected in the relevant documents.

Article 6

Written procedure

1. If necessary, the Working Group's opinion or recommendation may be delivered via a written procedure. To this end, the Secretariat sends the Working Group members the document(s) on which the Working Group is to be consulted. The Working Group members shall reply within 21 calendar days. The outcome of the procedure is communicated to the Working Group members within 14 calendar days from the deadline for receiving replies.
2. The absence of reply within the deadline of 21 calendar days shall be considered as an agreement with the document.

Article 7

Summary of the deliberations

1. The summary of the deliberations shall be drafted by the Secretariat under the responsibility of the Chair and submitted to the Working Group via written procedure within 21 calendar days following the meeting date. The Working Group members shall provide their comments, if any, to the Secretariat within 21 calendar days after receiving the Summary.
2. Following the approval by the Working Group members in the next Working Group meeting, the summary of deliberations and other relevant documents will be published in the dedicated section of the ELA website, allowing the stakeholders, practitioners and the public to access the key points of the discussions.

Article 8

Attendance list

At each meeting, the Secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the affiliation of the members of the Working Group.

Article 9

Conflict of interest

1. Each member of the Working Group shall sign a written statement at the time of his or her appointment declaring that he or she is not in a situation of conflict of interest and shall update his or her statement in the case of a change of circumstances with regard to any conflict of interest.
2. The Chair of the Working Group shall, at the first meeting of each calendar year, remind all members of their obligation to promptly inform the Management Board of the Authority of any relevant change in the information previously provided with regard to their conflict of interest, including upcoming activities. In this case they must immediately submit a newly completed declaration of conflict of interest describing the

change, in order to enable the Management Board of the Authority to assess it in due course and take any appropriate measure in order to ensure the independence and impartiality of the deliberations of the Working Group.

Article 10

Correspondence

Correspondence relating to the Working Group shall be addressed to the Secretariat, for the attention of the Chair.

Article 11

Access to documents

Applications for access to documents held by the Working Group shall be handled in accordance with Regulation (EC) No 1049/2001².

Article 12

Expert meetings

1. The Working Group on Information meetings shall be complemented by expert meetings covering the specific expertise required.
2. The expert group meetings shall focus on technical and operational aspects, engaging in in-depth discussions related to specific sectors or topics as defined by the Authority.
3. The members and alternates of the Working Group on Information shall not participate in the expert meetings, unless they voluntarily nominate themselves as experts. If they do so, they will attend the meetings in their capacity as subject-matter experts, distinct from their roles as members or alternates of the Working Group on Information.
4. The outcomes of the expert meetings shall be reported to the Working Group on Information by European Labour Authority staff as default agenda point in the Working Group meetings. The members of the Working Group will deliberate on whether to offer any recommendations to the Authority based on these outcomes.
5. Participants in the experts' meetings shall not be remunerated for the services they offer.

Article 13

Experts' nomination

1. The experts (e.g., on a topic, sector, information tool) may be nominated on a meeting-by-meeting basis by the Working Group on Information's members/alternates or observers, in close cooperation, where relevant, with the respective National Liaison

² Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Officer, and the Authority. The nomination of experts will be based on a template outlining the targeted thematic areas and the required expertise, provided by the Authority. It is not obligatory for all Working Group members to nominate experts.

2. For each meeting the European Labour Authority will indicate the minimum and maximum number of envisaged experts and the planned distribution of the number of participants by type of expert. If the number of nominations exceeds the maximum number of planned participants, the European Labour Authority shall consider to organise several meetings to benefit from all expert input or conduct a selection among nominated experts based on the most suitable combination of characteristics requested.

Article 14

Meeting frequency

1. The expert meetings will be scheduled as needed and will be chaired by a staff member of the Authority.
2. ELA will set up a tentative expert meeting plan for each calendar year. Before deciding on the thematic orientation of the meeting plan, the Working Group on Information will be consulted and invited to suggest topics.

Article 15

Meeting logistics

1. The expert meetings will be organised in a hybrid format or online only. Interpretation services will be provided.
2. The Secretariat shall define the meeting topics and objective, draft the agenda, provide relevant documents to the participants prior to the meeting, and prepare and distribute minutes of the meetings to the members of the Working Group on Information.

Article 16

Attendance list

At each expert meeting, the Secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the affiliation of the experts attending the meeting.

ANNEX 2 - Declaration of absence of conflict of interest for Working Group on Information



DECLARATION OF ABSENCE OF CONFLICT OF INTEREST

As required by Article 18(1)(f) of Regulation (EU) 2019/1149, I the undersigned in my capacity of member/alternate of the Working Group on Information of the European Labour Authority hereby declare that I have no actual or potential conflict of interest that may negatively affect the performance of the duties that I have committed to duly and appropriately serve as a member of the Working Group on Information of the European Labour Authority.

A conflict of interest is a situation whereby my private interest and affiliations could actually or potentially be perceived to negatively influence my independence or loyalty towards the European Labour Authority, and includes:

- Direct interest (financial benefits arising from, for example, employment contracted work investments, fees etc.);
- Indirect financial interest (e.g. grants, sponsorships, or any other kind of benefit);
- Interest deriving from my professional activities or that of my family members;
- Any membership role or affiliation that I may have in an organisations, bodies, clubs with a vested interest in the work of the European Labour Authority;
- Any other interest or facts that I the undersigned consider pertinent.

I hereby further commit to inform the Management Board of the European Labour Authority in writing, as soon as any situation of conflict of interest arises during the performance of my duties, by submitting without undue delay a written declaration describing the particular situation of the actual or potential conflict of interest. If such a situation arises, I understand that the Management Board shall assess my perceived situation of conflict of interest and shall take any appropriate measure in order to ensure the independence and impartiality of the deliberations of the Working Group. The Management Board shall thus reach a duly reasoned decision with respect to my perceived situation of conflict of interest and the performance of my duties. I undertake to abide by the decision of the Management Board.

I declare on my word of honour that the information provided is true and complete.

Signed at on/...../.....

Name

Signature