



EUROPEAN COMMISSION

*Brussels, 27.7.2018
C(2018) 5140 final*

Dear President,

The Commission would like to thank the Senat for its Opinion on the proposal for a Regulation of the European Parliament and of the Council establishing a European Labour Authority {COM(2018) 131 final}.

This proposal, presented within the framework of the Social Fairness Package, forms part of a series of Commission initiatives to deliver on the European Pillar of Social Rights and to support fair and well-functioning labour markets. It aims to contribute to the overall strengthening of the Internal Market, which is one of the priorities of the Juncker Commission.

Over the last decade, the number of mobile citizens almost doubled to reach 17 million in 2017. The Commission submitted several proposals to ensure that the EU legislative framework on free movement of workers, freedom to provide services and social security coordination is fit to respond to the social and economic reality in the Member States and to the challenges of the increasing mobility across Europe. However, concerns remained regarding the effective application and enforcement of these rules. The proposal to create a European Labour Authority aims at addressing this aspect by ensuring that the Authority can provide relevant information and services to individuals and employers, as well as support Member States in cooperation, information exchange, concerted and joint inspections, risk assessment, capacity building, mediation, and cooperation in the event of cross-border labour market disruptions.

The Commission welcomes the Senat's support for the objectives of the proposal on fostering fair mobility. The Commission is pleased to have this opportunity to provide a number of clarifications regarding its proposal and trusts that these will allay the Senat's concerns.

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The Senat raises concerns regarding specific competences assigned to the European Labour Authority, and ways of achieving its objectives, in addition to concerns over the transition phase. The Commission is well aware that the set-up of the proposed Authority would imply a number of specific organisational challenges. In order to ensure a smooth transition, the Commission has established an Advisory Group, bringing together representatives of Member States, the European Parliament, European level social partners and other stakeholders. While not participating in the legislative process, the task of the Group is to advise the Commission on how to build the future Authority taking into account good practices and anticipate and address possible challenges, in order to ensure that the future Authority is operational immediately after the adoption of the proposal.

Concerning the management of the EURES European Job Mobility Portal by the Authority, the Commission would like to clarify that, according to the proposal, the management of the Portal would be transferred from the Commission to the Authority. The technical operation and development of the portal and related informatics services would continue to be provided by the Commission. Furthermore, the management of the EURES European Coordination Office would also be transferred from the Commission to the Authority. Practical arrangements to ensure a smooth transition of the relevant EURES tools to the Authority would be further discussed by the above mentioned Advisory Group.

The Commission decided to table the proposal after drawing lessons from the discussions on the revisions of the Posting of Workers Directive and of the Regulation on Social Security Coordination. The Commission believes that the Authority, which is included in the Social Fairness Package, will ultimately contribute to combat inequalities in the single market.

The Senat's Opinion has been made available to the relevant Commission services. Discussions concerning the proposal are now underway between the Commission and the co-legislators, the European Parliament and the Council.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Věra Jourová
Member of the Commission*