



European Union Programme for Employment and Social
Innovation ("EaSI" – Progress Axis) 2014-2020

Call for proposals VP/2019/008

"Posting of workers: enhancing administrative cooperation and access to information"

Any questions should be sent by email to:

empl-vp-2019-008@ec.europa.eu

To ensure a rapid response to requests for information, applicants are invited
to send their queries in English, where possible

This text is available in English, French and German. The English version is the original.

Applicants are invited to read the present document in conjunction with the Financial
Guidelines for Applicants and the model Grant Agreement(s) published with this call as well as
the financial rules applicable to the general budget of the Union:

http://ec.europa.eu/budget/biblio/documents/regulations/regulations_en.cfm

Table of Contents

Table of Contents	2
1. INTRODUCTION – BACKGROUND	3
1.1. Programme/Legal Basis.....	3
1.2. Policy and general background	4
2. OBJECTIVES, TYPES OF ACTION AND EXPECTED OUTPUTS	4
2.1. General objectives	4
2.2. Specific objectives	5
2.3. Types of action	5
2.4. Expected partnerships and outputs - Requirements	6
2.5. Monitoring	6
3. TIMETABLE	7
3.1. Starting date and duration of the projects	8
4. AVAILABLE BUDGET AND CO-FINANCING RATE.....	8
4.1. Available budget	8
4.2. Co-financing rate.....	8
5. ADMISSIBILITY REQUIREMENTS	9
6. Eligibility Criteria	9
6.1. Eligibility of the applicants (lead and co-applicants) and affiliated entities.....	9
6.2. Eligible activities	11
6.3. Ineligible activities.....	11
7. EXCLUSION CRITERIA.....	11
7.2 Rejection from the call for proposals	12
8. SELECTION CRITERIA	12
8.1. Financial capacity	12
8.2. Operational capacity	14
9. AWARD CRITERIA.....	14
10. LEGAL COMMITMENTS	16
10.1. Sources of funding	17
11. FINANCIAL PROVISIONS	18
12. PROCEDURE FOR THE SUBMISSION OF PROPOSALS	18
13. COMMUNICATION.....	19
14. Instructions for the presentation of the application and Required Documents ..	21
14.1. Instructions for the presentation of the application	21
14.2. Required documents	21
15. CHECKLIST for required documents	23
ANNEX I: FINANCIAL GUIDELINES FOR APPLICANTS.....	25
ANNEX II: MODEL FOR TENDER SPECIFICATIONS FOR SUBCONTRACTING EXTERNAL EXPERTISE	26

1. INTRODUCTION – BACKGROUND

1.1. Programme/Legal Basis

This call for proposals is published under REGULATION (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI")¹ and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion.

The **European Programme for Employment and Social Innovation "EaSI" 2014-2020**² is a European-level financing instrument managed directly by the European Commission to contribute to the implementation of the Europe 2020 strategy, by providing financial support for the Union's objectives in terms of promoting a high level of quality and sustainable employment, guaranteeing adequate and decent social protection, combating social exclusion and poverty and improving working conditions.

The EaSI Programme shall, in all its axes and actions, aim to:

- (a) pay particular attention to vulnerable groups, such as young people;
- (b) promote equality between women and men,
- (c) combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;
- (d) promote a high-level of quality and sustainable employment, guarantee adequate and decent social protection, combat long-term unemployment and fight against poverty and social exclusion.

Hence, in designing, implementing and reporting on the activity, beneficiaries/contractors must address the issues noted above and will be required to provide detail, in the final activity report on the steps and achievements made towards addressing those aims.

The Annual work programme acting as financing decision [C\(2018\)6891](#) was adopted by the Commission on 25/10/2018.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:347:0238:0252:EN:PDF>

² <http://ec.europa.eu/social/main.jsp?langId=en&catId=1081>

1.2. Policy and general background

The general aim of this Call for Proposals is to fund initiatives in order to enhance the implementation and correct application of Directive 96/71/EC and Directive (EU) 2018/957 amending Directive 96/71/EC concerning the posting of workers in the framework of the transnational provision of services, as well as the implementation of the Enforcement Directive 2014/67/EU³.

Member States are to transpose Directive (EU) 2018/957 into national law by 30 July 2020 and apply the related measures no earlier than that date.

A European Labour Authority (ELA) will soon be established⁴. This new EU body will focus on EU legislation in the fields of cross-border labour mobility and social security legislation, thus including the posting of workers. It will have the tasks of facilitate access to information to citizens and employers; facilitate cooperation and the exchange of information between Member States with a view to the consistent, efficient and effective application of Union law in the field of labour mobility; coordinate and support concerted and joint inspections; carry out analyses and risk assessments on issues of cross-border labour mobility; support Member States with capacity-building; support Member States in tackling undeclared work; and mediate in disputes between Member States.

Some initiatives with the aim to promote administrative cooperation and mutual understanding and fund initiatives relating to the application and enforcement in practice of the applicable rules, have been carried out in the past under the Pilot Projects on "Working and Living Conditions of Posted Workers" (VP/2009/015 and VP/2010/011). A similar call to this one was launched during the last years (VP/2013/008, VP/2014/007, VP/2015/007, VP/2016/006, VP/2017/003 and VP/2018/011). Furthermore, a call for proposals for preparatory actions with a view to create information centres for migrant and posted workers was launched in 2013 (VP/2013/011) and 2014 (VP/2014/005). No similar call was launched from 2015 onwards.

2. OBJECTIVES, TYPES OF ACTION AND EXPECTED OUTPUTS

2.1. General objectives

This call intends to support the Commission and the Member States to understand existing and new challenges and develop initiatives in the field of posting of workers and a decent work agenda.

The proper functioning of administrative cooperation between Member States and improved access to information on applicable terms and conditions of employment and administrative requirements for companies in a transparent and accessible manner, are essential for the correct application, implementation and enforcement of the Directives.

³ OJ L 159, 28.5.2014, p. 11–31

⁴ At the time of the publication of this Call, a preliminary agreement between the co-legislators is in place but the founding Regulation has not been adopted yet.

In order to achieve the objective, it is intended with this call for proposals **to fund transnational cooperation initiatives (see section 6.2.a)** aiming at developing autonomous and concrete initiatives by the relevant stakeholders involved in the context of posting with a significant and lasting impact on workers, companies and administrations.

2.2. Specific objectives

The specific objectives of this call for proposals are the following:

- a) To promote transnational *cooperation* among competent public authorities and stakeholders, including the promotion of the use Internal Market Information (IMI) and sharing of information and best practices in this respect.
- b) To increase the accessibility, transparency and quality of the *information* concerning the terms and conditions of employment and/or of the administrative requirements to be respected, and/or of the existing practices in the Member States to *monitor and enforce* the provisions of the Posting of Workers directives;
- c) To promote the *evidence basis* through the collection and evaluation of original data, analysis and information specific to the posting process, including through the collaboration between universities across various disciplines, research centres and institutes, and stakeholders.

2.3. Types of action

The following actions may be co-financed:

- a) *Cooperation*: developing new or improving existing exchanges, peer reviews and/or training programmes (for example joint visits, joint inspections, short training actions) between officials of competent public authorities and/or between relevant social partners and stakeholders in the contexts of monitoring the compliance with and enforcement of the applicable rules in relation to posted workers, and/or of administrative cooperation and mutual assistance, including the use of the Internal Market Information System (IMI).
- b) *Information*: developing, upgrading and improving online platforms for the collection and dissemination of quality, user-friendly, and specific information targeted at workers and/or undertakings with respect to the working conditions applicable to posted workers (for example single official national websites), the procedures and conditions to be respected by undertakings in different Member States, and other relevant information for the posting of workers in the context of the provision of cross-border services.
- c) *Evidence*: development of joint research projects on different dimensions of the posting of workers in the context of the transnational provision of services and dissemination of results through targeted publication strategies, both in the scientific domain as well as in the specialised and general press.

Applicants are encouraged to develop actions cutting across the above-mentioned three strands in their proposal⁵.

⁵ Applicants are required to align their proposed actions with activities on administrative cooperation in the field of posting necessary for social security coordination under the Regulation (EC) No 883/2004

The first work programme of the European Labour Authority (ELA) will be adopted in the course of the implementation of the actions, presumably by early 2020. While applicants cannot be aware of its content at the stage of application, successful projects may be required to attend an information session on the ELA work programme with a view on aligning actions to it as much as possible.

2.4. Expected partnerships and outputs - Requirements

The scope of this Call is to support actions that bear a lasting impact on administrations, companies and/or workers, beyond the duration of the action.

In order to cater for a more significant impact of the actions, the composition of the network will be carefully evaluated. In particular, **priority will be given to projects based on consortia with one or more of the following characteristics:** (a) **involving a balanced and justified distribution of partners established in sending and receiving countries** in the context of a specific flow of posted workers; (b) enabling a **sector-specific focus in the action** (e.g. construction, road transport, care sectors) of the action; (c) enabling a **comprehensive focus in the action** through a **heterogeneous composition of partners**, in terms of a balanced inclusion of, for example, both workers' and employers' representatives, or of both social partners and competent authorities, or of both research institutes and stakeholders with a more operational mandate such as competent public authorities (e.g. national labour inspectorates).

Moreover, in light of the incoming set-up of the European Labour Authority and in order to cater for a lasting impact of the action, the projects are expected to deliver outputs that ensure either the sustainability of the same action by the partners in the project or its potential transferability to other Member States or organisations, including the European Labour Authority in the future.

The **proposals must therefore include:** a) a **(set of) tangible deliverables** to be produced as the final output of the action (e.g. information fiches, reports, a website) that are suitable for sustained use, transferability or as a continued learning resource; and b) a **plan for communication and dissemination of the projects' results** specifying the targeted audience that will follow up and / or use these deliverables beyond the duration of the action.

At final report stage, the awarded applicants will be required to provide details about the deliverables produced, including links to the website (if any), copies of the information, research, report material, topics discussed during meetings, about how and to whom the results, best practices and findings have been disseminated, about and how interested parties have been involved in the project.

2.5. Monitoring

The Commission, with the support of an external contractor, will monitor regularly the EaSI Programme. Therefore, beneficiaries will have to transmit qualitative and quantitative monitoring data on the results of the activities. These will include the

and Regulation (EC) No 987/2009 in order to avoid overlaps with activities in this field. Any such activities should be indicated in section D.3 of the SWIM application form or in the document n° 12 in the checklist (see section 15)

extent to which the principles of equality between women and men has been applied, as well as how anti-discrimination considerations, including accessibility issues, have been addressed through the activities. Related templates are attached or will be provided.

In setting up the action, beneficiaries must foresee the necessary funding for monitoring and reporting to the Commission.

For events, it is important to get from participants their specific consent by a statement or by a clear affirmative action for processing and transferring their personal data including to an external contractor responsible for the monitoring of the EaSI programme. Beneficiaries/contractors should therefore inform all participants via a Privacy Statement that is not only published online, but is also provided individually to each participant (e.g. as part of the email where the beneficiary/contractor first contacts the individual concerned) that the Commission/external contractor would be processing their personal data. Beneficiaries/contractors shall be able to demonstrate that consent was obtained subject to conditions of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (i.e. keep a record that shows how the consent was obtained and whether it was valid) and Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

A model privacy statement is available on the Europa website of the EaSI programme <https://ec.europa.eu/social/main.jsp?catId=1081&langId=en&furtherCalls=yes&callType=2>.

3. TIMETABLE

	Stages	Date or period
a)	Publication of the call	March 2019
b)	Deadline for submitting proposals (reference to the date of <i>sending</i>)	13 June 2019 Swim, Courier and Post : 24:00 Brussels' time (CET) Hand deliveries 16:00 Brussels' time (CET)
c)	Deadline for questions and requests for clarification	03 June 2019 24:00 Brussels' time (CET)
d)	Evaluation period (indicative)	June-August 2019
e)	Information to applicants (indicative)	September 2019
f)	Signature of the grant agreement (indicative)	October 2019

g)	Starting date of the action	At the latest from 1 January 2020.
----	-----------------------------	------------------------------------

3.1. Starting date and duration of the projects

The actual starting date of the action will either be the first day following the date when the last of the two parties signs the grant agreement, the first day of the month following the date when the last of the two parties signs or a date agreed upon between the parties.

Applicants should note that if their project is selected, they may receive the grant agreement after the start date of the action that they have indicatively set in the application form. It is therefore advisable to number the months in the work programme instead of indicating the name of the month.

Any expenditure incurred before the signature of the Grant Agreement will be at the applicant's risk. No expenditure can be incurred before the date of submission of the application.

An action grant may be awarded for an action which has already begun only where the applicant can demonstrate in the grant application the need to start the action before the grand agreement is signed.

The project's duration should indicatively be between twelve (12) months and twenty-four (24) month. The action shall **start at the latest from 1 January 2020**.

4. AVAILABLE BUDGET AND CO-FINANCING RATE

4.1. Available budget

The total budget earmarked for the EU co-financing of projects under this call is estimated at EUR 3,000,000.

The present call requires applicants to ensure a broad geographical coverage and the set-up of sizeable consortia. Thus, and for illustrative purposes, the Commission expects to award 5-7 grants.

The Commission reserves the right not to distribute all the funds available or to increase the budget if additional funds may be made available.

4.2. Co-financing rate

Under this call for proposals, the EU grant may not exceed 80.00 % of the total eligible costs of the action. The applicants must guarantee their co-financing of the remaining amount covered by the applicants' own resources or from other sources other than the European Union budget⁶.

⁶ Letters of commitment are required from any third party providing financial contributions to the eligible costs of the action (see section 15, checklist point 4).

5. ADMISSIBILITY REQUIREMENTS

- Applications must be sent no later than the deadline for submission referred to in section 3(b)
- Applications (meaning, the application form, including budget and description of the action including work plan) must be submitted using the electronic submission system available at <https://webgate.ec.europa.eu/swim>, and by sending a signed, printed version of the application form and its annexes by post or courier service (one original dossier and one copy; see section 12).

Failure to comply with the above requirements will lead to the rejection of the application.

Applicants are encouraged to submit their project proposal in English, in order to facilitate the treatment of the proposals and speed up the evaluation process. It should be noted, however, that proposals in all official languages of the EU will be accepted. In this case, applications should be accompanied by an executive summary in English (see section 15, checklist point 2).

6. Eligibility Criteria

6.1. Eligibility of the applicants (lead and co-applicants) and affiliated entities⁷

Please be aware that eligibility criteria must be complied with for the entire duration of the grant.

If the United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU, ensuring in particular that British applicants continue to be eligible, British beneficiaries will cease to receive EU funding (while continuing, where possible, to participate) or be required to leave the project on the basis of Article II.17.3.1(a) for multi-beneficiary Grant Agreements.

a) Place of establishment

Legal entities properly established and registered in the following countries⁸ are eligible as lead applicant and co-applicants:

- EU Member States;
- Iceland and Norway in accordance with the EEA Agreement;
- Albania, North Macedonia, Montenegro, Serbia and Turkey⁹

⁷ See section 2 of the Financial Guidelines for definitions.

⁸ In derogation from this requirement, international organisations whose registered headquarters are outside the eligible countries are also eligible.

⁹ Other candidate and potential candidate countries, would also participate in accordance with the general principles and the general terms and conditions laid down in the framework agreements concluded with them on their participation in Union programmes. However, it is not yet confirmed, therefore applicants and co-applicants from those countries should check their eligibility with the secretariat of the call.

Organisations established in countries other than those listed above may participate in the project as "associate organisations" provided their participation serves the aim of the action and exclusively on a no-cost basis, i.e. they cannot be responsible for carrying out project activities for which they incur costs. For example, it will not be possible to organise events or activities in countries not listed above. However, expenses for participants from organisations in non-EaSI Progress participating countries may be included in the budget (see section 4.2.2.2 of the Financial Guidelines published with this call). These organisations will not be a party of the grant agreement concluded with the Commission. Their role shall be described in the description of the action.

b) Type of entities

To be eligible, lead applicants, co-applicants and affiliated entities must fall in one of the following categories:

- Public authorities;
- International organisations;
- Non-profit organisations (private or public);
- Research centres/institutes;
- Higher education establishments;
- Civil society organisations,
- social partner organisation at European¹⁰, national or regional level (in application of Article 197 of the Financial Regulation, social partner organisations without legal personality are also eligible provided that the conditions of the Financial Regulation related thereto are met¹¹).

c) Consortia¹²

To be eligible, actions must:

- have the involvement of lead applicant and co-applicants established in at least four different EU Member States or other eligible EaSI-Progress participating countries [see point a) above], i.e. lead applicant and at least 3 co-applicants

For the purpose of reaching the threshold of applicants or co-applicants based in four different Member States or other eligible EaSI-Progress participating countries, European-level organisations such as a European confederation of national associations (e.g. a European trade union), will be considered in relation to their country of establishment. Therefore, a project involving as an applicant a European association or a legally constituted consortium legally established, for example, in Belgium will need to involve organisations from three additional Member States or other eligible Easi-Progress participating countries, in order to be eligible.

10 These include the European social partner organisations that are consulted in accordance with Article 154 TFEU (an up-to-date list of these organisations can be found under "List of consulted organisations" on webpage <http://ec.europa.eu/social/main.jsp?catId=329&langId=en>), as well as other European-level social partner organisations that are not included in this list, but who are for example involved in the preparation and launch of European social dialogue at sector level.

11 For organisations without legal personality, a signed letter of the legal representative certifying his/her capacity to undertake legal obligations on behalf of the organisation must be submitted (see section 15, checklist point 8).

12 Letters of mandate, authorising the lead applicant to submit the proposal and to sign any Grant Agreement on their behalf must be submitted from each co-applicant (see section 15, checklist, point 5).

If the lead applicant is not considered to be eligible, the application will be rejected.

If a co-applicant is considered not to be eligible, this organisation will be removed from the consortium and the eligibility of the modified consortium will be re-evaluated. In addition, the costs that are allocated to a non-eligible co-applicant will be removed from the budget. If the modified consortium is still eligible, the application will be evaluated on that basis. If the application is selected for funding, the work plan will have to be adapted as appropriate.

d) Affiliated entities

Legal entities having a legal or capital link with applicants, which is neither limited to the action nor established for the sole purpose of its implementation and which satisfy the eligibility criteria, may take part in the action as affiliated entities, and may declare eligible costs. For that purpose, applicants shall identify such affiliated entities in the application form.

6.2. Eligible activities

a) Geographical Location

To be eligible, activities must be carried out in at least 4 EaSI-participating countries (see point 6.1 a), which may also be different from those where the applicant organisations are established. However, coverage of more than 4 countries will be considered as an added value for the proposal.

b) Types of activities

The grant will finance inter alia the activities indicated in section 2.3.

c) Core activities

The following activities are considered to be core activities and may not be subcontracted:

- Project management

6.3. Ineligible activities

Financial support to third parties as defined in point 3 of the Financial Guidelines is not eligible under this call.

7. EXCLUSION CRITERIA

7.1 Exclusion

Applicant(s) (lead applicant and each co-applicant) must sign a declaration on their honour signed in their name (and on behalf of the affiliated entities, should they be part of the application), certifying that they are not in one of the situations referred to in article 136 and 141 of the Financial Regulation concerning exclusion and rejection

from the procedure respectively, using the relevant form attached to the application form available at <https://webgate.ec.europa.eu/swim/external/displayWelcome.do>.

7.2 Rejection from the call for proposals

The Commission shall not award a grant to an applicant organisation which:

- a. is in an exclusion situation established in accordance with Article 136 FR; or;
- b. has misrepresented the information required as a condition for participating in the procedure or has failed to supply this information; or
- c. was previously involved in the preparation of call documents used in the award procedure where this entails breach of the principle of equality of treatment, including a distortion of competition that cannot be remedied otherwise.

The same exclusion criteria apply to any affiliated entities which must, therefore, be included in the above-mentioned declaration(s).

Administrative sanctions may be imposed on applicants, or affiliated entities where applicable, who are guilty of misrepresentation, if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

8. SELECTION CRITERIA

The applicant (lead and each co-applicant) must have the financial and operational capacity to complete the activity for which funding is requested. Only organisations with the necessary financial and operational capacity may be considered for a grant.

8.1. Financial capacity

Applicants (lead and co-applicants) must have access to solid and adequate funding (i.e. be considered as having a strong financial capacity) to maintain their activities for the period of the action and to help finance it as necessary.

The verification of financial capacity will not apply to public bodies or to international organisations.

The applicant's (lead and each co-applicant) financial capacity will be assessed on the basis of the following supporting documents to be submitted with the application:

- Declaration on honour (including financial capacity to carry out the activity) (see section 15, checklist point 3);

Where applicable, the Commission may nevertheless request further information at any stage of the procedure, proceed to further verifications and take various proportional measures depending on the level of weaknesses identified.

- Annual balance sheets and profit and loss accounts for the last financial year available (see section 15, checklist point 15);

- for newly created entities: the business plan might replace the above documents;
- Summary balance sheet and profit and loss accounts using the template provided in SWIM (see section 12) and signed by the legal representative (see section 15, checklist point 16);
- information on the financial capacity provided by the applicant and in particular the information provided in section "Financial Resources" of the SWIM application form
- for grants exceeding EUR 750 000 per beneficiary or affiliated entity, an audit report produced by an approved external auditor certifying the accounts for the last financial year available where such an audit report is available or whenever a statutory audit report is required by Union or national law.
- If the audit report is not available AND a statutory report is not required by law, a self-declaration signed by the applicant's authorized representative certifying the validity of its accounts for the last financial year available. (see section 14, checklist point 17).

In the event of an application grouping several applicants (consortium), the above thresholds apply to each applicant not to the consortium as a whole.

The ratio between the total assets in the applicant's (single, lead and co-applicant(s)) balance sheet and the total budget of the project or the part of the project budget for which that organisation is responsible according to the budget in the application form would be considered strong if it is equal or greater than 0.65.

If the lead applicant is considered not to have a strong financial capacity, the application as a whole will be rejected.

If a co-applicant or several co-applicants are considered not to have a strong financial capacity, the Commission will also take into account any other relevant information on the financial capacity provided by the applicant and in particular the information provided in section "Financial Resources" of the SWIM application form.

After this further analysis, the Commission will take various proportional measures depending on the level of weaknesses identified, which may be to:

1. reject the whole application;
2. remove the co-applicant from the consortium and re-evaluate the proposal without this co-applicant;
3. propose a Grant Agreement without pre-financing;
4. propose a grant agreement with a pre-financing paid in several instalments;
5. propose a Grant Agreement with pre-financing payment(s) covered by (a) financial guarantee(s);
6. propose a Grant Agreement with joint financial liability of 2 or more applicants/co-applicants,
7. propose a Grant Agreement with a mix of the measures 4, 5 and 6;

In the case of mitigating measure 5, the Commission may request a pre-financing guarantee for up to the same amount as the pre-financing in order to limit the financial risks linked to the pre-financing payment.

The financial guarantee, in euro currency, shall be provided by an approved bank or financial institution established in one of the EU Member States. When the beneficiary is established in a third country, the Commission may agree that a bank or financial institution established in that third country may provide the guarantee if it considers that the bank or financial institution offers equivalent security and characteristics as those offered by a bank or financial institution established in a Member State. Amounts blocked in bank accounts shall not be accepted as financial guarantees.

The guarantee shall be released as the pre-financing is cleared against the payment of the balance, in accordance with the conditions laid down in the grant agreement.

8.2. Operational capacity

Applicant's (lead and each co-applicant) must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action. In particular, applicants must have:

- A strong track record of competence and experience in the fields of free movement of workers or labour mobility in the last three years;
- The necessary operational resources (technical, management) to carry out the action.

The operational capacity of the applicant (lead and co-applicant) to complete the proposed action must be confirmed by the submission in the proposal of the following:

- A list of the main projects relating to the subject of the call carried out in the last three years and demonstrating competence and experience in the type of actions proposed in this call (see section 15, checklist point 14);
- The CVs of the proposed project co-ordinator and of the persons who will perform the main tasks, showing all their relevant professional experience (see section 15, checklist point 13);
- Declaration on honour signed by the legal representative (including operational capacity to carry out the activity) (see section 15, checklist point 3).

If the lead applicant is considered not to have the required operational capacity, the application as a whole will be rejected. If a co-applicant is considered not to have the required operational capacity, this co-applicant will be removed from the consortium and the application will be evaluated without this co-applicant¹³. In addition, the costs that are allocated to the non-selected co-applicant will be removed from the budget. If the application is selected, the work programme will have to be adapted as appropriate.

9. AWARD CRITERIA

The proposals which fulfil the eligibility and operational capacity criteria will be assessed according to the following award criteria:

13 *This includes a re-evaluation of the eligibility of the modified consortium.*

-
- 1. Relevance of the proposal to the call objectives,** in particular:
(Maximum score: 20 points)
- The coherence between the objective(s) of the action and the specific objective(s) of the call for proposals;
 - The extent to which the action involves more than one of the three types of action indicated under 2.3 (cooperation, information, evidence);
 - The extent to which the geographical scope of the action covers at least 4 EaSI countries and its justification. Coverage of more than 4 countries will be considered as an added value for the proposal;
 - The target groups and the degree to which the proposal facilitates cooperation between different stakeholders.
- 2. Quality of the methodology and of the activities proposed,** in terms of:
(Maximum score: 30 points)
- The degree of specificity in the description of the substance of the planned activities and of their purpose in relation to the objectives of the project;
 - A clear and justified rationale for the composition of the consortium in relation to the target, including, i.e.
 - 1) a balanced distribution of partners established in sending and receiving countries in the context of a specific flow of posted workers;
 - 2) a sector-specific focus in the action (e.g. construction, road transport, cleaning);
 - 3) a comprehensive representation of different stakeholders, for example both workers' and employers' organisations, or both social partners and competent public authorities, or both research institutes and other stakeholders with a more operational mandate such as public authorities;
 - A clear definition of the roles for the tasks among the organisations and a distribution of the roles appropriate to the mandate of the organisations concerned;
 - The degree of innovativeness of the substantive output with respect to existing programmes, facilities, tools or studies, including in the context of a particular geographical area or trans-national economic sector.
- 3. Impact of the proposal,** in particular:
(Maximum score: 30points)
- Added value of the proposed substantive deliverables in the area of posting in general and in the specific target domain of the action;
 - The potential for or the proposed methods to ensure long-term sustainability of the deliverables by the organisations, or its transferability to other Member States or organisations in the future, or at least to provide a learning resource for other stakeholders concerned.

4. Visibility of the proposed activities, in particular:
(Maximum score: 10 points)

- Comprehensiveness, clarity and expected effectiveness of the plan for communication and dissemination of the projects' results, including a specification on the targeted audience that may follow up and / or use the produced deliverables beyond the duration of the action;
- The extent to which communication and dissemination activities are expected to reach out to all the participating countries, in a similar and effective way.

5. Cost efficiency of the operation, in particular:
(Maximum score: 10 points)

- Consistency and proportionality between resources, objective(s) of the action, activities and expected results;
- Appropriateness, in particular, of staff costs amount with respect to the type of envisaged activity.

Applications will be ranked according to the total score awarded. Taking into account the available budget, the proposals with the highest total scores will be recommended for award, **on condition that the total score reaches at least 70% of the maximum possible mark.**

10. LEGAL COMMITMENTS

In the event of a grant being awarded by the Commission, a Grant Agreement, drawn up in euro and detailing the conditions and level of funding, will be sent to the beneficiary, or to the coordinator in the case of multi-beneficiary Grant Agreements.

The 2 copies of the original agreement must be signed by the beneficiary, or the coordinator in the case of multi-beneficiary grant agreements, and returned to the Commission immediately. The Commission will sign it last.

The Commission may have made relevant corrections and deletion of ineligible costs or activities in the Grant Agreement sent to the applicant – therefore the applicant should carefully read the whole agreement and the budget and work programme sections in particular, before signing and returning the copies to the Commission.

A model Grant Agreement is published on the Europa website under the relevant call: <http://ec.europa.eu/social/main.jsp?catId=629&langId=en>.

There is no alternative to these models in the context of this call.

Please note that the award of a grant does not establish an entitlement for subsequent years.

10.1. Processing of personal data

Before the grant agreement's signature:

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EU) 2018/1725. Unless indicated otherwise, the applicant's replies to the questions and any personal data requested that are required to evaluate the application in accordance with the call for proposal, will be processed solely for that purpose by the Head of Unit F.4 – Programme Management and Implementation, DG Employment, Social Affairs and Inclusion. Details concerning the processing of your personal data are available on the privacy statement at : https://ec.europa.eu/info/data-protection-public-procurement-procedures_en.

Personal data may be registered in the Early Detection and Exclusion System by the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/104614. For more information see the Privacy Statement on: http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_edes_en.pdf.

Once the grant agreement is signed:

Beneficiaries must process personal data in compliance with the applicable EU and national law on data protection in accordance with the Regulation (EU) 2016/67915

Any personal data included in the Agreement must be processed by the Commission in accordance with Regulation (EU) No 2018/172516

Such data must be processed by the data controller identified in Article I.7.1 solely for implementing, managing and monitoring the Agreement or to protect the financial interests of the EU, including checks, audits and investigations in accordance with Article II.27.

Please refer to Article II.7. of the General Conditions of the model grant agreements.

10.2. Sources of funding

In addition to the obligations with regard to visibility of Union funding foreseen in the General conditions to the Grant Agreement, beneficiaries must acknowledge in writing that the project has been supported by the European Union Programme for Employment and Social Innovation ("EaSI") 2014-2020. In practice, all products (publications, brochures, press releases, videos, CDs, posters and banners, and especially those associated with conferences, seminars and information campaigns) must state the following:

This (publication, conference, video, xxx) has received financial support from the European Union Programme for Employment and Social Innovation "EaSI"

¹⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1046>

¹⁵ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC, OJ L 119, 4.5.2016, p. 1, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.119.01.0001.01.ENG

¹⁶ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC

(2014-2020). For further information please consult:
<http://ec.europa.eu/social/easi>

The European emblem must appear on every publication or other material produced. Please see:

http://ec.europa.eu/dgs/communication/services/visual_identity/pdf/use-emblem_en.pdf

Every publication must include the following:

The information contained in this publication does not necessarily reflect the official position of the European Commission.

11. FINANCIAL PROVISIONS

Details on financial provisions are laid out in the Financial Guidelines for Applicants and the model Grant Agreement, both published on the Europa website under the relevant call: <http://ec.europa.eu/social/main.jsp?catId=629&langId=en>.

Applicants are required to foresee a budget for travel and accommodation costs for events organised by the European Commission or the European Labour Authority in relation to this Call for Proposal.

Where the value of a foreseen procurement contract for subcontracting external expertise exceeds EUR 60 000, in addition to the rules indicated in the Financial Guidelines for applicants, the following shall apply:

- the applicant must provide with the grant application a copy of the draft tender specifications. To assist applicants, a model for tender specifications is included in Annex to this call. The draft tender specifications should be submitted in English, French or German.

This requirement does not apply to public authorities which are already governed by a system of public procurement rules.

12. PROCEDURE FOR THE SUBMISSION OF PROPOSALS

The procedure to submit proposals electronically is explained in point 14 of the "Financial Guidelines for Applicants". Before starting, please read carefully the SWIM user manual:

http://ec.europa.eu/employment_social/calls/pdf/swim_manual_en.pdf

Once the application form is filled in, applicants must submit it both electronically and in hard copy, before the deadline set in section 3.b above.

The SWIM electronic application form is available until midnight on the day of the submission deadline. Since the applicants must first submit the form electronically, and then print, sign and send it by post service or hand delivery by the submission deadline, it is the **applicant's responsibility to ensure that the appropriate postal or courier services are locally available on the day of the deadline.**

The hard copy of the proposal must be duly signed and sent in duplicate (one marked "original" and one marked "copy"), including all documents listed in section 15, by the deadline set in section 3(b).

- By registered post or express courier service) to the following address:

(NOT TO BE OPENED BY CENTRAL MAIL SERVICES)
European Commission
Call for proposals VP/2019/008
DG EMPL.D.1
Office : CAD J_27 00/120
1049 Bruxelles
Belgium

Evidence of posting or express courier receipt should be kept as it could be requested by the European Commission in cases of doubt regarding the date of submission.

- registered post evidence : postmark

- express courier service evidence : deposit slip of express courier service

-Hand-delivered proposals must be received by the European Commission by 4 p.m. on the date of the deadline for submission as indicated in section 3(b) at the following address:

(NOT TO BE OPENED BY CENTRAL MAIL SERVICES)
European Commission
Service central de réception du courrier
Call for proposals VP/2019/008
DG EMPL.D.1
Avenue du Bourget, 1
1140 Evere
Belgium

At that time the European Commission's Central Mail Service will provide a signed and dated proof of receipt which should be conserved as evidence of delivery.

If an applicant submits more than one proposal, each proposal must be submitted separately.

Additional documents sent by post, by fax or by electronic mail after the deadlines mentioned above will not be considered for evaluation unless requested by the European Commission.

The applicant's attention is also drawn to the fact that incomplete or unsigned forms, hand-written forms and those sent by fax or e-mail will not be taken into consideration.

13. COMMUNICATION

Contacts between the Commission and potential applicants can only take place in certain circumstances and under the following conditions:

Before the final date for submission of proposals

Any requests for additional information must be made by e-mail only to the e-mail address indicated below.

The information contained in the present call document together with the Financial Guidelines for Applicants provides all the information you require to submit an application. Please read it carefully before doing so, paying particular attention to the priorities of the present call.

At the request of the applicant, the Commission may provide additional information solely for the purpose of clarifying the nature of the call.

All enquiries must be made by e-mail only to:

empl-vp-2019-008@ec.europa.eu

For any technical problems please contact: empl-swim-support@ec.europa.eu

The Commission has no obligation to reply to requests for additional information received after the deadline for questions and clarifications set in Section 3.

Replies will be given no later than 5 days before the deadline for submission of proposals. To ensure equal treatment of applicants, the Commission will not give a prior opinion on the eligibility of applicants, or affiliated entity(ies), an action or specific activities.

No individual replies to questions will be sent but all questions together with the answers and other important notices will be published (FAQ in EN) at regular intervals on the Europa website under the relevant call:

<http://ec.europa.eu/social/main.jsp?catId=629&langId=en>.

The Commission may, on its own initiative, inform interested parties of any error, inaccuracy, omission or clerical error in the text of the call for proposals on the mentioned Europa website. It is the applicant's responsibility to check for updates and modifications regularly during the submission period. It is also advisable to consult the above mentioned website regularly in order to be informed of the questions and answers published.

After the deadline for submission of proposals

No modification to the proposal is allowed once the deadline for submission has elapsed.

If clarification is required or if obvious clerical errors in the proposal need to be corrected, the Commission may contact the applicant by email provided the terms of the proposal are not modified as a result.

It is the applicant's responsibility to provide a valid email address and contact details and to check this email address regularly. In case of any change of contact details, please send an e-mail with the application VP reference and the new contact details to empl-vp-2019-008@ec.europa.eu

In the case of consortia, all communication regarding an application will be with the lead applicant only, unless there are specific reasons to do otherwise.

Applicants will be informed in writing about the results of the selection process. Unsuccessful applicants will be informed of the reasons for rejection. No information regarding the award procedure will be disclosed until the notification letters have been sent to the beneficiaries.

14. Instructions for the presentation of the application and Required Documents

14.1. Instructions for the presentation of the application

The application comprises an application form including the budget, a description of the action and work plan plus a series of other required documents (see section 14.2 and section 15).

The description of the action and work plan must be written using the template available in SWIM. All the information related to the description of the action and the work plan must be presented in one single document. No other document is required.

Proposals should include inter alia the mandatory activities indicated in section 2.3 above in the description of the action, the work plan and foresee the corresponding expenditure in the budget estimate.

In the description of the action, the role of all applicants, any affiliated entities and any associate organisation¹⁷ must be clearly explained.

In case of subcontracting any tasks comprising part of the action (see the Financial Guidelines), the description of the action must provide details on the tasks to be subcontracted and the reasons for doing so and these tasks must be clearly identified in the budget. Core tasks as defined in section 6.2(c) of the call cannot be subcontracted.

Beneficiaries selected for a grant may be invited to attend events organised by the European Commission or the European Labour Authority in relation to this Call for Proposals. It is, therefore, recommended to include a provision for travel and accommodation costs for attendance at such events in the application budget.

14.2. Required documents

The table in annex includes the documents that should be provided in addition to the documents mentioned in 14.1 Except for items 7, 10 and 11¹⁸ which can be submitted only for successful applications, please note that all other documents are necessary either for the admissibility (see section 5) or for the analysis of the eligibility (see section 6) or selection criteria (see section 8). It also indicates where originals are required. We recommend that applicants use the table as a **checklist** in order to verify compliance with all requirements.

¹⁷ See Financial Guidelines for applicants, section 2, for definition (participation on a non-cost basis and no financial contribution).

¹⁸ Legal entity form, VAT certificate, financial identification form

While some information must be supplied using the templates available in the SWIM, other documents may need to be completed and/or attached electronically, usually either administrative documents or free format text descriptions. The SWIM application indicates in each section where SWIM templates should be used as well as which and where free format documents can be uploaded electronically.

Copies **of the signed originals** will be accepted for most of the documents to be submitted by the co-applicants. However, the lead applicant shall keep the original signed versions for its records, because **originals** may have to be submitted for certain documents at a later stage. **If the lead applicant fails to submit these original documents within the deadline given by the Commission, the proposal will be rejected for lack of administrative compliance.**

Regarding the compilation of the application file, it is recommended to:

- 1) follow the order of documents as listed in the checklist (and attach a ticked checklist as below to the proposal);
- 2) print the documents double-sided;
- 3) use 2-hole folders (do not bind or glue; stapling is acceptable).

15. CHECKLIST for required documents

This table includes the documents that must be provided for the proposal and where originals are required. We strongly recommend using the table as a checklist in order to verify compliance with all requirements. **Notes:** **highlighted documents** do not need to be provided by public entities. Documents marked with * are obligatorily to be attached online in SWIM as well. Documents marked with '°' must be provided only for the proposals selected for funding

No.	Document	Specification and content	The document must be provided by each				Originally signed?	Checkbox
			Lead applicant	Co-applicant	Affiliated entity	third party		
1	Signed SWIM application form submitted online + hard copies	The SWIM application form submitted online must be printed and dated and signed by the authorised legal representative and send by hard copies as foreseen in Section 12. <i>Note: the online form must be electronically submitted before printing. After electronic submission, no further changes to the proposal are permitted.</i>	✓	--	--	--	✓	<input type="checkbox"/>
2	Executive summary (if necessary)	Executive summary in EN (maximum 2 pages) – free format	✓	--	--	--	--	<input type="checkbox"/>
3	Declaration on honour*	The template is available in SWIM and must be written on the official letterhead of the organisation, bearing the original signature of the authorised legal representative.	✓	✓	--	--	✓	<input type="checkbox"/>
4	Letter of commitment*	The template is available in SWIM. The letter must specify the amount of any funding provided and must be written on the official letterhead of the organisation and bear the original signature of the legal representative.	--	--	--	✓	✓	<input type="checkbox"/>
5	Letter of mandate*	The template is available in SWIM and must be written on the official letterhead of the organisation, dated and signed by the authorised legal representative.	--	✓	--	--	✓	<input type="checkbox"/>
6	Legal/capital link with lead or co-applicant*	Affiliated entities are required to provide proof of the legal and/or capital link with the lead or co-applicant.	--	--	✓	--	--	<input type="checkbox"/>
7	Legal entity form°	The template is available in SWIM and online (http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm) and must be duly signed and dated by the legal representative.	✓	✓	--	--	✓	<input type="checkbox"/>
8	Proof of registration ¹⁹	A certificate of official registration or other official document attesting the establishment of the entity (for public bodies: the law, decree, decision etc. establishing the entity). Exclusively in the case of social partner organisations without legal personality : a signed letter of the legal representative certifying his/her capacity to undertake legal obligations on behalf of the organisation.	✓	✓	--	--	--	<input type="checkbox"/>
9	Statutes ²⁰	The articles of association/statutes or equivalent proving the eligibility of the organisation.	✓	✓	--	--	--	<input type="checkbox"/>
10	VAT certificate°	A document showing the identification number for tax purposes or the VAT number, if applicable.	✓	✓	--	--	--	<input type="checkbox"/>
11	Financial identification form°	The template is available in SWIM and online (http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm) and must be duly signed and dated by the account holder and bearing the bank stamp and signature of the bank representative (or a copy of recent bank statement attached).	✓	--	--	--	✓	<input type="checkbox"/>
12	Description of the action and work plan*	The template is available in SWIM which must be duly completed and submitted electronically together with the online submission form and on paper as well. The paper version must be identical to the electronic version of the detailed work programme. The document should be submitted in English.	✓	--	--	--	--	<input type="checkbox"/>
13	Curricula vitae of key staff	Detailed CVs of the person responsible for managing the action (named in section A.3 of the online application form) and the persons who will perform the main tasks . The CVs should indicate clearly the current employer.	✓	✓	✓	--	--	<input type="checkbox"/>
14	List of main projects	A list of the main projects carried out, if any, in the last three years relating to the subject of the call other than those already indicated in the SWIM online application form (section D.3) – free format	✓	✓	✓	--	--	<input type="checkbox"/>
15	Balance sheet & profit and loss accounts	The most recent balance sheet and profit & loss accounts, including assets and liabilities, specifying the currency used.	✓	✓	--	--	--	<input type="checkbox"/>
16	Summary balance sheet & profit and loss accounts	The template is available in SWIM and must be signed by the authorised legal representative	✓	✓	--	---	✓	<input type="checkbox"/>
17	Audit report	For grant requests of EUR 750,000: an external audit report produced by an approved auditor, certifying the accounts for the last financial year available. The threshold applies to each co-applicant in line with their share of the action budget. The report should be submitted in English, French or German.	✓	✓	--	--	--	<input type="checkbox"/>

¹⁹ If the applicant (lead or co-applicant) has signed a grant agreement with DG EMPL within 12 months prior to submitting the application and there has been no modification of their legal status in the meantime, they may provide the grant agreement reference number in the "Description of the Action" template instead (e.g. VS/2018/XXXX)

²⁰ idem

18	Draft tender specifications	In case of subcontracting for external expertise where the value of the contracts exceeds EUR 60 000, a copy of the draft tender specifications must be submitted. A model is included in Annex to this call. The draft tender specifications should be submitted in English, French or German.	✓					
----	-----------------------------	--	---	--	--	--	--	--

ANNEX I: FINANCIAL GUIDELINES FOR APPLICANTS

Annex I is available on the Europa website under the relevant call:

<http://ec.europa.eu/social/main.jsp?catId=629&langId=en&callId=422&furtherCalls=yes>

ANNEX II: MODEL FOR TENDER SPECIFICATIONS FOR SUBCONTRACTING EXTERNAL EXPERTISE

Tender Specifications –

1. Background
2. Purpose of the Contract
3. Tasks to be performed by the Contractor
 - 3.1. Description of tasks
 - 3.2. Guidance and indications on tasks execution and methodology
4. Expertise required
5. Time schedule and reporting
6. Payments and standard contract
7. Price
8. Selection criteria
9. Award criteria

The contract will be awarded to the tenderer whose offer represents the best value for money - taking into account the following criteria:

.....
.....
.....

It should be noted that the contract will not be awarded to a tenderer who receives less than 70% on the Award Criteria.

10. Content and presentation of the bids
 - 10.1. Content of the bids
 - 10.2. Presentation of the bids]