



GMS Flash Alert

Employment Law

2022-073 | April 4, 2022



European Union – European Labour Authority and Posting 360 Programme

In March 2023, the European Labour Authority (ELA) launched the “Posting 360 Programme” which aims to bring national authorities across the EU together to increase knowledge and expertise about social security and posting of workers.¹ The project also seeks to improve exchange of information and share knowledge about the EU and national rules on the posting of workers.

ELA is a European organisation that ensures that EU rules on labour mobility and social security coordination are enforced in the member states in a fair and effective way. Among their many responsibilities, ELA organises trainings of staff with the local authorities competent for social security and labour mobility.²

WHY THIS MATTERS

The posting of workers is a key priority for ELA. The Posting 360 Programme is among the initiatives aimed at strengthening the cross-border cooperation between authorities and social partners.

Companies should be aware that this focus on enforcement of the rules for posting of workers will lead to increased scrutiny by the authorities, more frequent inspections, and a higher degree of transparency due to improved exchange of information relevant for social security and rules on posting about workers between authorities across Europe.

Compliance with the EU directive on posting of workers and social security should be a key priority with companies that have employees working in other countries.

Highlights from the Posting 360 Programme

ELA and the local authorities have already held their first meeting in the scope of the Posting 360 Programme.³ The objective is to have two annual meetings in this forum with the aim of exchanging views about posting of workers with the EU Commission and ELA to increase expertise about posting of workers and social security, and to identify priorities for action under the Posting 360 Programme.

ELA has currently defined the following six priority areas of work under the Posting 360 Programme:

- 1 Implementation of the EU directives on posting of workers;
- 2 Posted third-country nationals;
- 3 Implementation of social security coordination rules as concerns posted workers;
- 4 Information exchange and digitalisation opportunities for authorities, employers, and workers;
- 5 Effective administrative procedures and control measures;
- 6 Facilitation of collection and improvement of data.

Each year ELA launches a campaign aimed at compliance with the rules on labour mobility, including social security and rules for posting of workers. Thus far the campaigns focused on seasonal workers and workers in road transport.

This year, ELA will aim its campaign at the construction sector.⁴ This means, among other things, that joint labour inspections that ELA organises with several countries will focus on construction sector.

KPMG INSIGHTS

Companies should prioritise their focus on compliance with the rules on social security and posting of workers as it can be expected that authorities will continue to increase their activities around labour inspections across the region and across business sectors.

The exchange of information between authorities, closer cooperation and focus on increasing knowledge and expertise about the rules surrounding posting of workers will contribute to authorities having easier access to information about mobile workers and being able to conduct their checks efficiently.

Companies should review their risk profile for mobile workers in relation to social security and the EU directives for posting of workers to stay ahead of such developments and foster compliance.

FOOTNOTES:

- 1 European Labour Authority, "[Enhancing cross-border cooperation in the area of posting of workers: ELA launches the Posting 360 Programme](#)," 13 March 2023. The project is funded by the EU Commission and is led by the French National Institute for Labour, Employment and Professional Training (INTEFP) together with partners from 14 EU member states.
- 2 See the European Labour Authority webpage "[What we do](#)," updated March 2023. Also, see "Interview with Leader of the European Labour Authority" in [GMS Flash Alert 2021-248](#), 30 September 2021.
- 3 See footnote 1.
- 4 See European Labour Authority, "[European Labour Authority published its work programme for 2023](#)," (6 February 2023).

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