

Resolution

Strengthening the European Labour Authority: Making Fair Labour Mobility a Reality

Brussels, 18 November 2025 | **The European Labour Authority (ELA) holds the promise of ensuring that labour mobility within the EU, as well as between the EU and associated countries such as Switzerland, is accompanied by fairness, protection, and enforcement. Over 17 million workers move regularly within the EU, while more than 500,000 cross-border workers commute daily to Switzerland, and tens of thousands of Swiss nationals work in EU countries. These figures underline the scale of mobility and the crucial need for coordinated enforcement and protection measures both within the EU and in the extended mobility area. Yet, five years after its establishment, ELA remains constrained by insufficient resources, unclear competences, and weak social partner involvement. To make fair labour mobility a reality, ELA must be strengthened – institutionally, operationally, and socially. Strengthening the ELA will ensure that all workers on the move within the EU, the EEA, and the extended mobility area – including posted and cross-border workers – benefit from effective and coordinated safeguards. A stronger ELA would help secure fair wages, prevent social dumping and foster a level playing field for compliant employers across the entire European mobility area.**

Background: Towards a Fair Labour Mobility Framework

The European Labour Authority was established in 2019 to improve compliance with EU labour mobility rules, strengthen cooperation between national authorities, and provide information to workers and employers on their rights and obligations. Its creation was a milestone in building a truly fair and social single market, countering abuse and ensuring that cross-border mobility does not result in a race to the bottom.

As labour mobility has grown not only within the EU but also between the EU and associated countries such as Switzerland, ensuring fair and coherent enforcement across borders has become increasingly important. Mobility patterns today include posted, seasonal and cross-border workers moving between Member States and neighboring countries, making the need for coordination and social protection mechanisms stronger than ever. The experience of flanking measures developed in Switzerland offers valuable insights for preventing wage undercutting and ensuring that freedom of movement is matched by strong labour rights.

Since its establishment, ELA has launched joint inspections, awareness campaigns, and training through the ELA Academy. It has become a focal point for coordination between labour inspectorates, social security institutions and employment services. However, despite these achievements, ELA's current mandate and resourcing fall short of what is needed to guarantee real fairness in the EU's labour market.

Trade unions across Europe have repeatedly highlighted persistent gaps: insufficient trade union participation, limited data access and analytical capacity as well as a lack of follow-up mechanisms in cross-border inspections. Ensuring fair conditions for both cross-border and posted workers within the EU and in its wider mobility area is essential to prevent social dumping. Without decisive reforms, ELA risks remaining a coordination forum without enforcement strength.

The Need for a Stronger ELA

Effective Coordination Between Labour Inspectorates

ELA's central task is to support and coordinate national inspection authorities in combating wage and social dumping. This work must be deepened and adequately financed. Joint inspections in high-risk sectors such as construction, agriculture, transport and care should become systematic, not exceptional. Coordination must also include:

- Structured follow-up inspections and reporting mechanisms to ensure that detected infringements are acted upon.
- Expansion of training programmes and capacity building of national labour inspectorates to ensure the consistent application and promote mutual recognition of inspection results.
- A clear legal framework for trade union participation as observers or whistleblowers in inspections, ensuring that workers' rights are defended on the ground.
- Inspections should be conducted without prior announcement to ensure they accurately detect non-compliance and prevent companies from circumventing enforcement.
- Joint inspections coordinated by ELA should be based on cooperation between public authorities, trade unions and employers' organizations. Within this framework, social partners should be able to take part in the preparation, observation and follow-up of inspections, drawing inspiration from bipartite control practices established in Switzerland and several Member States.
- The Authority's internal expertise remains limited, with much of the risk and data analysis delegated to external contractors; increasing in-house analytical capacity would strengthen ELA's ability to identify and prevent labour violations effectively.
- ELA should establish structured cooperation channels with social partners and labour authorities of countries associated with the free movement of persons, such as Switzerland. This should include information-sharing and joint development of risk-based inspection strategies, particularly in sectors with high cross-border employment.

Trade Unions as Full Partners

Social partners, particularly trade unions, are indispensable in achieving fair labour mobility. Yet, their role within ELA activities remains ill-defined. Trade unions should not only be consulted but institutionally embedded within ELA structures. This means:

- Establishing a structured social partner dialogue at both EU and national level, going beyond liaison offices.
- Granting trade unions a clear role in reporting suspected cases of abuse and supporting inspections as associated actors.
- Ensuring active involvement of trade unions in awareness and information campaigns, drawing on existing advisory networks, multilingual communication channels and field expertise.

Only through meaningful and institutionalised trade union participation can ELA fulfil its mission of protecting workers and ensuring compliance.

Data, Transparency and Enforcement

To be effective, ELA must develop the analytical capacity to detect and prevent violations proactively. The lack of structured processing and analysis of company data remains a critical weakness. ELA should establish:

- A risk-based early warning system for identifying fraudulent or high-risk companies.
- A central register of non-compliant employers, allowing authorities and workers to recognise and sanction repeat offenders.

- Mechanisms to cross-check data from labour inspectorates, social security institutions, and other EU databases and where possible with Swiss authorities' databases (while respecting data protection rules), to track compliance for cross-border workers and prevent wage dumping.
- Measures to promote introducing joint and several liability in cross-border subcontracting chains thus ensuring the accountability of lead contractors, so that they can be held responsible for breaches committed by their subcontractors. Joint and several liability in cross-border subcontracting chains would strengthen deterrence, ensure fair competition and effectively protect workers.

Without these instruments, enforcement will remain reactive and fragmented.

Fair Treatment of Third-Country Nationals

ELA's increased focus on third-country nationals is welcome but must be guided by workers' rights, not employer demands. Third-country nationals often face particularly exploitative conditions, especially in seasonal work, agriculture and other high-risk sectors. Their protection requires cooperation with trade unions, which have long-standing experience providing advice, legal aid, and language support. ELA must not become an employer-oriented job placement platform; its role is to enforce fair mobility, not to facilitate recruitment at any cost.

Recommendations for the Future

To make fair labour mobility a reality and strengthen the European Social Model in the entire European mobility area, CETUN calls on EU institutions and national governments to:

- [Guarantee adequate funding](#) for ELA's operational activities, ensuring continuity of joint inspections and training, especially in high-risk sectors, for cross-border and posted workers.
- [Institutionalise trade union involvement](#) within ELA's governance and operational framework, ensuring that unions have a real voice in inspection priorities, enforcement follow-up, and awareness campaigns.
- [Develop an EU-wide early warning system](#) to detect and prevent cross-border labour rights abuses.
- [Promote the introduction of joint and several liability in cross-border subcontracting chains](#), thus ensuring responsibility of lead contractors. Companies based in the EU or cooperating with companies based in the EU, should be accountable for violations committed by their subcontractors.
- [Ensure mutual recognition of inspection results](#) to facilitate cross-border enforcement.
- [Protect third-country nationals](#) through advisory structures built in cooperation with trade unions, not employer-driven intermediaries.
- [Guarantee transparency and accountability](#) in ELA's operations, including regular reporting on follow-ups and enforcement outcomes and the effectiveness of measures for cross-border, posted and third-country worker.

Conclusion

The European Labour Authority is a central element to make Single Market fairer for workers, but it needs the tools, resources and partners to act effectively. Strengthening ELA means:

- strengthening the rights of Europe's mobile workers, including posted, cross-border and third-country workers within the EU, the EEA, and Switzerland,
- creating a level playing field for compliant employers and curbing the race to the bottom,
- ensuring that fair competition and decent working conditions prevail across borders
- and fostering structured cooperation with social partners and authorities in associated countries to prevent wage dumping and labour rights violations.

To deliver on the promise of fair labour mobility, the EU must ensure that ELA becomes not only an effective coordinating body, but also a powerful guardian of social fairness throughout the entire European mobility area.

About

The Central European Trade Union Network (CETUN) assembles trade unions from Czechia, Croatia, Liechtenstein, Hungary, Montenegro, Austria, Slovenia, Slovakia, Serbia, and Switzerland. As a regional grouping of ETUC members, the network's goal is to foster trade union structures and social dialogue in the region. Through greater cooperation and coordination, participants aspire to promote common themes at European level.

Contact

CETUN Liaison Office

A: Avenue de Cortenbergh/Kortenberglaan 30, 1040 Brussels

T: +32 2 2345-177 | +32 2 2345-110

W: www.cetun.eu

E: unions@cetun.eu

Social media: [Bluesky](#) | [LinkedIn](#)

EU Transparency Register: 168069692041-64