

## CALL FOR EXPRESSION OF INTEREST – DATABASE OF EXPERTS

### 1. Introduction

The European Labour Authority (ELA)<sup>1</sup> is a European Union agency established to assist Member States and the European Commission in their effective application and enforcement of Union law related to cross-border labour mobility and social security coordination and by making it easier for citizens and businesses to obtain the benefits of the internal market. To achieve these objectives, ELA performs a series of tasks<sup>2</sup>, including supporting Member States with **capacity building activities in the field of labour mobility**. In order to strengthen these activities, ELA aims to compile a **Database of Experts** who will be supporting the Authority with the fulfilment of its mandate and attainment of its objectives and tasks, as defined in the [founding regulation](#).

### 2. Background, objectives, and scope

**This is a call for expression of interest for the establishing of a Database of Experts** who will assist ELA in a personal capacity with the planning and delivery of various capacity building and other training activities within ELA's legal scope, in particular:

- developing training content for capacity building events , such as concept notes and presentations for the respective sessions,
- participating in and delivering training sessions in various formats, i.e. online and onsite depending on the event;
- preparation or updates of necessary training materials and learning resources, for before, during and after the training sessions;
- contributing to panel debates, round-table discussions, seminars, workshops and other thematic events organised by ELA,
- preparing reports and analysis in relation to EU labour mobility,
- acting as facilitators and/or moderators during events organised by ELA.

Tasks may also include the provision of opinions and specific advice for the dissemination and/or promotion and/or implementation of ELA's projects and activities, including drafting, reviewing and updating of reports to specific target groups and audiences, legal opinions and consulting on specific topics including horizontal EU legislation applicable to ELA, related materials, and their development.

**The Database of Experts is the main registry for all experts who want to offer their expertise and collaborate with ELA in this capacity. Being included in the ELA Database of Experts**

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<sup>1</sup> Regulation (EU) 2019/1149 establishing a European Labour Authority at: <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32019R1149>

<sup>2</sup> Article 4 of Regulation (EU) 2019/1149

**does not imply any employment relation with ELA.** Registration is a mandatory prerequisite for being contracted to work with us as an expert for an event or project.

**However, registration does not automatically mean that you will be contracted for specific tasks or assignments.** This will depend on ELA's operational needs and the specific requirements of the task or assignment. If you are contacted and offered a specific task or assignment, you will receive an official invitation with all the details on the activity.

### 3. Timetable and deadlines

This call for expression of interest is open from the date of its publication on ELA's **website** for a period of five years. Any interested natural person may submit an application at any time during the validity of the call, except in the last three months prior to the end of the validity of the call.

**The validity period of the database is five years from the date of publication of this call for expression of interest on ELA website.**

### 4. Eligible profiles

The call is open to natural persons only. ELA is looking for experts, such as **academics and practitioners**, with relevant knowledge and professional experience **in all the areas within the scope of ELA's activities, as provided in Article 1(4) of Regulation (EU) No 2019/1149** and **legal experts** with relevant knowledge and/or professional experience **in horizontal EU legislation applicable to ELA**, in particular:

#### Posting of workers

- Main rules comprised by the Posting and the Enforcement Directives.
- Tackling fraudulent posting, including by letterbox companies.
- IMI system: scope and functionalities.
- Posting by Temporary Work agencies.

#### Tackling undeclared work

- Tackling bogus self-employment.
- Tackling undeclared work in different sectors.
- Cooperation tools and instruments in cross-border actions for tackling undeclared work.

#### Social Security Coordination

- Main rules comprised by Regulations 883/2004 and 987/2009.
- Applicable legislation rules in the social security coordination Regulations 883/2004 and 987/2009.

- Principles of aggregation, exportability, equal treatment, and applicable legislation.
- Special provisions and coordination regime on specific branches of social security and benefits covered by Art. 3(1) of Regulation 883/2004.
- EEESI system: scope and functionalities, Common Data Model including Business Use Cases, Standard Electronic Documents.
- Detection and prevention of social security fraud and error.

### **Free movement of workers**

- Cross-border inspections. Planning, executing and follow-up.
- Cross-border matching and recruitment, including post-recruitment services.
- Tackling labour exploitation.
- Labour mobility issues related to third country nationals.

### **Road transport**

- Rules for posted workers in road transport, the mobility package.
- ERRU system: scope and functionalities.
- IMI modules for road transport sector.

### **Legal expertise in horizontal EU legislation applicable to ELA, including relevant EU case law, such as:**

- EU civil service law.
- EU Personal Data Protection law.
- EU public access to documents regulation.
- EU Public Procurement and contract law.
- EU AI act.

### **Other areas**

- Risk assessment in the areas of labour law and social security compliance.
- New forms of work and work organisation, including the (cross-border) telework and platform work.
- Labour market developments (incl. labour market imbalances such as shortages and surpluses, mismatches) and labour mobility developments.
- Information needs of individuals, workers, jobseekers, employers and social partners; information provision related to labour mobility (e.g. web, campaigning, events).
- Data mining for analytical activities and fraud detection.

- CJEU case law in the areas within the scope of ELA's activities.
- Mediation and conciliation procedures and alternative dispute mechanism techniques.

Throughout the duration of the call, ELA reserves the right to expand the scope of the planned areas of expertise, to encompass additional subject matters, including horizontal topics that may be relevant to the implementation of its mandate and activities.

ELA staff, members and alternates of ELA's Management Board, or employees of any EU Institution, agency or body are not eligible for this call.

The minimum eligibility requirements of applicants are:

- professional experience of at least five years in at least one field of activity (see above),
- proficient English language skills (speaking, writing, and understanding) at C1/2 level<sup>3</sup>.

## 5. Selection Procedure

To be contracted as an expert with ELA, you must declare your interest by filling in the requested information in the Database of Experts. Submitted applications will be screened at regular intervals to ensure that the minimum eligibility criteria as described under point 4 are met. Applicants who do not meet the minimum eligibility requirements for further selection will be informed thereof.

Only when the need for a particular task and assignment arises, the competent authorising officer will choose an expert on the basis of relevant criteria from the submitted applications complying with the minimum eligibility criteria. These include the level of relevant expertise, the suitability, and competence of the expert in the individual field of the task or assignment to be carried out and the required level of skills. It is also at that stage, when the precise nature of the task or assignment to be accomplished is known, that the exclusion criteria<sup>4</sup> and absence of conflicts of interests is examined. ELA will contact the candidate(s) who is selected to check on their availability and interest in participating in the specific task or assignment. The expert will receive an official invitation, and she/he will confirm the interest and availability to perform the task or assignment, as stipulated in the EU Expert Contract to be signed. The applicant can maximise the chances of being selected as an expert by providing as much information as possible at the time of submitting the application.

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<sup>3</sup> Please see the Common European Framework of Reference for Languages at:  
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168045bb52>

<sup>4</sup> Article 136 of Financial Regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A32018R1046>)

## 6. Fee and reimbursement

ELA will conclude an EU Expert Contract<sup>5</sup> with the expert selected to perform a task. The expert's fee will be determined<sup>6</sup> in accordance with the ELA's internal rules in force at the time of the contract's execution. In addition, travel and accommodation costs related to the fulfilment of tasks will be reimbursed on the basis of actual cost, unless provided by ELA. Detailed information will be sent together with the official invitation. Please note that **the payment of fees is due only after the completion of the tasks the expert was entrusted with.**

## 7. Ownership and use of the results — IPR

The results produced (including copyright and other intellectual or industrial property rights) will belong to the contracting authority.

The rights will be obtained for the full term of intellectual property protection, from the moment the results are delivered and approved. Delivery and approval are considered to constitute an effective assignment of rights. This transfer of rights is free of charge.

The expert must inform ELA of any pre-existing rights incorporated in the deliverables produced under the expert contract, including relevant and exhaustive evidence of the acquisition of all the necessary pre-existing rights.

All pre-existing rights incorporated in the deliverables, if any, are licensed to ELA.

Detailed provisions on ownership and use of the results (including intellectual property rights) are outlined in the expert contract to be signed between ELA and the selected expert.

## 8. Data protection

Personal data of experts will be processed under the responsibility of the data controller of the Authority in accordance with the specific rules laid down in this guide<sup>7</sup>. If personal data are processed by the experts, this must be done in accordance with the written instructions received from the data controller. For more information on how we process your data, please visit the privacy policy sections of ELA's website<sup>8</sup>.

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<sup>5</sup> The Contract is governed by Union law, complemented, where necessary, by the national substantive law of the Republic of Slovakia. Any dispute between the Parties resulting from the interpretation or application of the Contract which cannot be settled amicably must be brought before the courts of Bratislava, Republic of Slovakia.

<sup>6</sup> One day equals to eight hours working time. Half day equals to four hours working time. Working time will be allocated for attending the events (online or onsite), delivering the training, preparation of training materials, etc.

<sup>7</sup> See at: <https://www.ela.europa.eu/sites/default/files/2023-04/Your-data-protection-rights-at-ELA.pdf>

<sup>8</sup> [Privacy policy | European Labour Authority \(europa.eu\)](#)