Non-paper

Belgium, Croatia, Denmark, Finland, Germany, Greece, the Netherlands, Slovenia

Digital tools to promote free and fair movement of workers in the EU

The Single Market is a cornerstone in the European Union, fostering prosperity for workers, consumers, businesses and society at large. The right to free movement is a significant achievement in this context.

Shortcomings, however, remain in the current framework, and instances of fraud and abuse by unscrupulous companies persist. Each time such misconduct occurs, it undermines workers' rights and obstructs fair competition. Ultimately, the support for free movement risks being jeopardized altogether.

Therefore, additional measures are imperative to promote free and fair mobility, preventing downwards pressure on working conditions and workers' rights. Efficient use of digital tools represents an important part of the solution.

Further use of digital tools
Advancing digitalisation is an important measure to safeguard the rights of citizens and improve the established EU infrastructure for mobile workers. It can strengthen our overall goal and enhance capacity for early identification and prevention of fraudulent activities, consequently minimizing the risk of fraud and error.

Significant strides have already been taken as part of Europe's Digital Decade. Especially the European Digital Identity Wallet (EUDIW) under the revised eIDAS 2.0 Regulation holds great potential to become the foundational digital system facilitating user-friendly and secure identification and verification across borders[1].

Ambition to launch ESSPASS for EU27
Building on pilot activities of DC4EU, we should set an ambition to simplify the process for mobile and posted workers by providing proof of identification and share digital versions of entitlement documents through an ESSPASS for EU27. Citizens could have control of their own data and a comprehensive view of their rights and case status. And social security institutions, labour inspectorates and healthcare providers could be able to instantly verify these documents.

We encourage the European Commission to maintain emphasis on the current strategy and extend the review of the pilot activity outcomes to further identify processes and documentation capable of alleviating challenges for mobile workers, citizens and administrations.

Further consideration for a Labour card
We should look further into the possibility of expanding our efforts beyond the social security domain and investigate synergies and interoperability across different sectors, i.e. labour and company law. This aligns with the initial indication from the European Parliament regarding ESSPASS[2].

As a preliminary step, the European Commission should explore the feasibility of incorporating information on the citizen's full social security coverage and their labour situation – a possible pan-European Labour Card containing information on e.g. the employer, workplace, working period and contractual relationships.

We believe these initiatives could represent significant steps toward a more free and fair labour mobility in the EU. Going forward, we should also be mindful of existing structures to avoid disproportionate, unjustified administrative and economic costs, as well as the division of competences and the autonomy of social partners which need to be respected.

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[1] Additionally, the eIDAS 2.0 Regulation features robust safeguards for data safety, privacy, and voluntary use, among other protections, which are crucial for driving and shaping future digitalisation initiatives.
[2] EP, 2021, Resolution of 25 November 2021 on the introduction of a European social security pass for improving the digital enforcement of social security rights and fair mobility (2021/2620(RSP)).