

# Public consultation on a European Labour Authority and a European Social Security Number

Fields marked with \* are mandatory.

## 1. About you

**\* You are replying:**

- As an individual
- In your professional capacity (including self-employed) or on behalf of an organisation

**\* Respondent's first name**

Philippe

**\* Respondent's last name**

Seidel

**Respondent's professional email address**

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**\* Name of the organisation**

AGE Platform Europe

**Postal address of the organisation**

Avenue de Tervueren 168/2, 1150 Bruxelles, Belgium

**\* Type of organisation (please select the option that fits best):**

- Private enterprise (including self-employed)
- Professional consultancy, law firm, self-employed consultant
- Trade, business or professional association
- Non-governmental organisation, platform or network
- Research and academia
- Churches and religious communities
- Regional or local authority (public or mixed)

- International or national public authority
- Other

**\* Please specify the type of organisation:**

- Think tank
- Research institution
- Academic institution

**\* Does your organisation have any experience in EU cross-border activities?**

- Yes, in the past
- Yes, currently
- No, but we are considering it in the near future [e.g. 1-2 years]
- No, and we do not envisage it

**\* Is your organisation included in the Transparency Register?**

If your organisation is not registered, we invite you to [register here](#), although it is not compulsory to be registered to reply to this consultation. [Why a transparency register?](#)

- Yes
- No
- Not applicable

**\* If so, please indicate your Register ID Number:**

16549972091-86

**\* Country of organisation's headquarters:**

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta

- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other

**\* Your contribution:**

*(Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001)*

- can be published with your organisation's information** (I consent the publication of all information in my contribution in whole or in part including the name of my organisation, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- can be published provided that your organisation remains anonymous** (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication).

## 2. Your Opinion on the European Labour Authority

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### 2.1. CHALLENGES AS REGARDS EU LABOUR MOBILITY

**Q1. Please indicate the extent to which you agree or disagree that existing cooperation between national authorities is insufficient to ensure the effective implementation of EU employment and social security rules in cross-border situations:**

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly Agree
- Don't know / cannot answer

**Q2. Please indicate the extent to which you agree or disagree that the elements presented in the table below constitute challenges to effective cooperation between national authorities on EU cross-border mobility:**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
Fragmentation of networks of cooperation in different areas (e.g. posting, free movement of workers, social security coordination)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Insufficiency of resources of national authorities to cooperate effectively	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Difficulty in accessing relevant documentation from other Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack or insufficiency of fora for dispute settlement	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Difficulties in addressing complex cases of fraud and/or abuse that have a cross-border dimension	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Divergent interpretation and/or enforcement of harmonised rules	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other (Please explain)	<input type="radio"/>					
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**Please explain:**

*2000 character(s) maximum*

While social security cooperation works overall in most cases, it is still very difficult for beneficiaries to access cross-border benefits to which they have a right, such as pensions. National authorities are often not prepared to deal with cross-border requests and different rules on the taxation of benefits may lead to double taxation or to a situation where it is completely unclear to beneficiaries where and what to declare in a cross-border situation.

A particular problem for the collective is social fraud committed by employers who use the rules on posting of workers and create imbalances in labour markets in the same places. This leads to direct distortion of competition, but also to a reduction of social security contributions, harming financial sustainability, and of social protection coverage of the workers concerned.

**Q3. Please indicate the extent to which you agree or disagree that insufficient access to information and transparency on cross-border mobility rules is a problem for individuals and businesses:**

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly Agree
- Don't know / cannot answer

**Q4. Please indicate the extent to which you agree or disagree that the elements presented in the table constitute challenges to fair and easy access to information and transparency of labour mobility rules:**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
Lack of access to information on EU or national rules in my language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lack of easily understandable explanations of rights and obligations to comply with when working abroad	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Lack of easily understandable explanations of rights and obligations to comply with when sending people to work abroad (posting of workers)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Difficulty to identify and /or contact the competent authority to solve my problems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Lack of assistance and /or guidance by the competent authorities in my own country	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Information on rights and obligations in the field of labour mobility is fragmented across different platforms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (Please explain)	<input type="radio"/>	<input type="radio"/>				

**Please explain:**

*2000 character(s) maximum*

Especially the items mentioned above (combination of pensions from different member states and applicable rules, access criteria to minimum pensions for cross-border careers, taxation of pensions of all pension pillars) lack sufficient explanation.

In smaller member states, the access to non-urgent medical treatment in other member states, where smaller member states cannot offer these is not clear. The same is true for access to non-urgent medical treatment when living in a border area and medical facilities are geographically closer in the other member state.

More information about the consequences on social rights and benefits of taking up short-term employment contracts (< than one year) in another member state is often not clear.

**2.2. OBJECTIVES OF A EUROPEAN LABOUR AUTHORITY**

**Q5. Please indicate the extent to which you agree or disagree that following functions could be usefully carried out by a permanent EU body dealing with labour mobility and social security in cross-border situations:**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
Support the exchange of information of businesses, workers and citizens	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Coordination of systematic cooperation and information exchange between national authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support the rationalisation and streamlining of administrative practices for cross-border cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provision of technical assistance and capacity building to national authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Provision of analytical support and intelligence on labour mobility issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Coordination of joint inspections by national administrations in cross-border employment and social security matters	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Dispute resolution mechanisms in cross-border employment and social security matters	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (Please explain)	<input type="radio"/>	<input checked="" type="radio"/>				

**Please explain:**

*2000 character(s) maximum*

Other: provide a single point of information for redirecting citizens to the competent authorities relating to cross-border work experiences and the relating social rights (much like EURES, but in a more individualised and operationalised manner, including for example cross-border enquiries on social rights, such as on the model developed by the Track and Trace Your Pension project)

An EU body on labour mobility could play an important role in helping ensure there is a fairly uniform approach to dealing with cross-border labour issues. One example would be that an EU body could investigate and outline how to address specific issues that might exist between two specific member states, in terms of how to manage tax contributions and entitlements to associated benefits like pensions.

**2.3. POTENTIAL IMPACTS**

**Q6. Please indicate the extent to which you agree or disagree that improving cooperation between Member States' authorities on EU employment and social security rules in cross-border situations would have the following impacts:**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
Facilitating efficiency gains, in particular, by simplifying existing processes and structures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reducing the risk of abuse and/or fraud, due to non-compliance with EU and/or national rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasing the level of trust between administrations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (Please explain)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Please explain:**

*2000 character(s) maximum*

Other: improve the clarity for citizens of the concrete consequences of cross-border mobility in their own case, centralise information on specific situations which might be foreseen by law, but on which local social protection providers might have no knowledge or experience.

It would improve clarity for governments as well in helping them understanding the extent to which they have people who take up services in their country or might do so in the future (such as pensions), but who are working and paying taxes in a neighbouring member state

**Q7. Please indicate the extent to which you agree or disagree that improving access to information and transparency for individuals and businesses on EU employment and social security rules in cross-border situations would have the following impacts?**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
Raising awareness of EU rules and rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Facilitating opportunities to work abroad	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Enhancing of portability of social security rights	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Reducing the risk of abuse and/or fraud for workers and businesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Facilitating compliance with the EU rules	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (Please explain)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Please explain:**

*2000 character(s) maximum*

Enhance forward-planning for governments, eg. with information about the amount of social benefits that will (probably) be requested from abroad, such as pensions.

**Q8. How do you see the relationship between the European Labour Authority and other EU agencies, notably those in the employment domain (For example, European Foundation for the Improvement of Living and Working Conditions, European Agency for Safety and Health at Work?)**

*2000 character(s) maximum*

The Authority should not duplicate the work already done successfully by other agencies. By focussing on the concrete coordination of social security rights and benefits and acting as an information provider to individuals and enterprises, as well as by training labour inspectors or agents dealing with social protection benefits, it can have a unique role that is complementary to the knowledge provided by Eurofound and the practices promoted by EU-OSHA.

### 3. Your Opinion on the European Social Security Number

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**Q9. Please indicate the extent to which you agree or disagree with the following statements regarding the consequences of having a wide variety of national social security numbers and of mechanisms used for identification and registration of persons in national databases:**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
It is often complicated for the insured persons to prove their identity for social security purposes across borders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
It makes it complicated for the social security institutions to determine the identity of the person for social security purposes across borders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Please explain, if possible, by providing concrete examples:**

*2000 character(s) maximum*

The main identification is of course always possible via the exact names and date of birth. However, a common ESSN could make it easier to automatise identification and lay the grounds to online tools that provide concrete and individualised information to citizens on their social rights. The Track and Trace Your Pension project has pioneered this functioning for aggregating individualised pension information across member states, this could be helpful to develop also for other branches of social security.

In some member states, identification between national institutions is already an issue, for example when having accumulated different kinds of employment relationships (self-employed, regular employed), a common social security number, can trigger a simplification of procedures in this sense. However, the number would only be a catalyst for simplification, not a guarantee that this would actually happen.

**Q10. Please indicate the extent to which you agree or disagree that a European Social Security Number with the objectives as described in the introduction makes it easier to exercise social security rights when moving or travelling to another EU country:**

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly Agree
- Don't know / cannot answer

**Q11. Please indicate the extent to which you agree or disagree that the ESSN may bring the following benefits:**

	0 (strongly disagree)	1 (disagree)	2 (neutral)	3 (agree)	4 (strongly agree)	Don't know / no opinion
Better functioning of European labour market (free movement of workers)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Simplification of procedures for citizens /workers to prove their identity for social security purposes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
More efficient procedures for e.g. institutions/service providers to verify the identity for social security purposes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Fight against fraud and abuse	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Enhancement of transparency of social security benefits and entitlements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other (Please describe)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Please describe:**

*2000 character(s) maximum*

As described above, for all these points a ESSN would have the potential to catalyse change, but would in itself not yet be a guarantee that change takes place.

**Q12. Please indicate your preferred option as regards the set-up of the ESSN:**

- A fixed format for national numbers (e.g. prefix added to existing national numbers);
- On top of the existing national social security number(s) a dedicated EU social security number
- Other

**Q13. If a European Social Security Number were introduced, to whom should it be issued?**

- To all EU citizens
- To every newly born
- To every newly born and to every citizen once he/she is moving/travelling to another Member State
- To every citizen once he/she is moving/travelling to another Member State
- Other

**Please specify:**

To all EU residents (i.e. not only EU citizens, but also legally residing third-country nationals if they have acquired social security rights)

**Q14. Please indicate what could potentially be covered by the European Social Security Number as a priority (multiple replies possible):**

- unplanned health care provision (as currently done by the European Health Insurance Card)
- planned healthcare provision
- proof of social security cover for posted workers (currently: A1 form used by posted workers)
- sickness, maternity and paternity benefits
- old-age pensions
- pre-retirement and invalidity pensions
- survivors' benefits and death grants
- unemployment
- family benefits
- accidents at work and occupational illness
- other

**Please describe:**

Occupational old-age pensions as well as private supplementary pensions, where these are part of the rationale of the national pension and tax system

**Q15. The Commission has announced the ESSN as a 'multi-purpose' number. Taxation could be an area to be considered. What could be in your view the other purposes, beyond social security, for which the ESSN could potentially be used?**

Please describe:

*2000 character(s) maximum*

Taxation in cross-border cases could be an interesting area to develop - currently, rules, for example on the taxation of occupational pensions are not clear at all between member states, and there is no harmonisation in this area - the ESSN could make these difficulties visible and make it easier for tax authorities to verify whether an entitlement has already been taxed in the source member state (upon payout of the salary, as flat-rate tax before payout, with every payout, other options)

**Q16. Please provide any further observations that you might have concerning the European Labour Authority and/or the European Social Security Number:**

*2000 character(s) maximum*

On ESSN:

All indicated social security areas \*could\* be covered, but this would require a strong amount of harmonisation of definitions in these areas. First it should be rolled out for benefits covered by the directive on social security coordination, before exploring its extension to other areas. Necessary discussions linked to the mutual recognition of benefits in one area should take place before extending the use of the ESSN to these domains.

On the consultation process:

In the beginning of the questionnaire, the answers to the question 'specify type of organisation' do not correspond to the reality. We are a civil society organisation, not a think tank. The session timeout system in the online form does not provide sufficient time to fill in the form, copy-paste everything into a document to be shared in the network and do save the form as a draft.

It should be highlighted that the very short notice of this consultation severely hampers the ability of networks such as AGE to adequately respond to the consultation. The usual period of three months of consultation should be observed to allow for meaningful discussion and engagement with members of our network.

## Contact

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