

Position Paper

September 2026

Quality Jobs Act

On 20 July 2026 the European Commission initiated a second-phase consultation of social partners under Article 154 TFEU on possible direction of EU action to improve working conditions, health and safety at work and implementation of workers' rights – Quality Jobs Act. On 1 September 2026 the Commission launched a call for evidence for an impact assessment for the planned Quality Jobs Act.

The German digital association Bitkom would like to highlight its key positions on the upcoming initiative, particularly with regard to algorithmic management and AI at work, occupational health and safety in the context of telework, the potential introduction of a right to disconnect, subcontracting and just transitions.

Summary

- The EU should prioritise initiatives aimed at **streamlining regulatory frameworks and fostering competitiveness**. To this end, EU action should focus on simplifying labour legislation, for example through an additional omnibus package, and on implementing existing rules within the framework of the planned Quality Jobs Act.
- **In Bitkom's view there is currently no need for additional AI specific labour legislation.** Existing legislation – notably the AI Act, the General Data Protection Regulation and the Platform Work Directive – **already provides comprehensive rules for the deployment and use of AI in the workplace, offering sufficient safeguards for workers' rights and safety**. Before introducing new legislation, these frameworks must first be fully implemented and evaluated in terms of their effectiveness, practicality, and impact on European digital innovation and competitiveness.
- Therefore, Bitkom is of the view that **non-binding EU action** within the planned Quality Jobs Act **should focus on the effective implementation and enforcement of existing EU protections for workers as well as providing implementation guidelines and clarifying the interaction of existing EU rules**.
- We welcome that the Commission considers taking a **differentiated view regarding the extension of the scope of the Workplace Directive to off-premises workplaces including telework**. Employers cannot fully equip or effectively monitor compliance with occupational health and safety provisions in workplaces that are outside their

legal control and premises. **The minimum requirements laid down in the annexes of the Workplace Directive should not apply to off-premises workplaces.**

- **The planned Quality Jobs Act should refrain from regulating work arrangements in detail. Practice shows that collective agreements at sectoral or organisational level as well as individual work agreements are the most appropriate to lay down work arrangements on telework and a right to disconnect.**
- When it comes to **working with subcontractors**, the focus of EU action should be on targeted enforcement against actual abuse. **The Quality Jobs Act should avoid broadly classifying sectors as high-risk, imposing automatic joint and several liability, and creating overlapping regulations for digital labour platforms.** All measures must be evidence-based, proportionate, and linked to the monitoring and awareness of breaches, as well as the ability to prevent or remedy them.
- We propose introducing a clear and predictable framework for **due diligence as an exoneration route**. This would allow contractors to demonstrate due diligence, for example by pre-qualification checks, periodic compliance audits and the embedding of labour and OSH obligations in contracts, and exempt them from liability when these measures have been implemented.
- Addressing the **employment and skills implications of the twin transitions is a task for society as a whole**. Bitkom acknowledges that the Just Transition Fund supports reskilling and upskilling programmes as well as vocational education and training. We support better use of existing EU funds, including the ESF+, Just Transition Fund, EGF, and Erasmus+, which already provide the financial architecture for just transitions. **EU action should focus on co-financing instruments that incentivise employer-led, format-neutral upskilling.**

In detail

Algorithmic management and Artificial Intelligence at work

We acknowledge that the planned Quality Jobs Act aims to support and enable take-up of AI at work, while protecting workers from potential risks. However, in Bitkom's view there is currently no need for additional AI specific labour legislation.

Existing legislation – notably the AI Act, the General Data Protection Regulation (GDPR) and the Platform Work Directive (PWD)¹ – already provides comprehensive rules for the deployment and use of AI in the workplace, offering sufficient safeguards for workers' rights and safety. In this context, the well-established acquis on working conditions, occupational health and safety, and equality also play a relevant role².

New legislation on algorithmic management would duplicate regulatory requirements where the scope of different legislative instruments overlaps. This is particularly the case with regard to **transparency and information rights** (Art. 13, Art. 26 (7), Art. 26 (11), Art. 50, Art. 86 AI Act; Art. 12-15 GDPR; Art. 9 PWD), **human oversight** (Art. 14, Art. 26 (2) AI Act; Art. 22 GDPR and Art. 10 PWD) and **the protection of workers' personal data, including a data protection impact assessment** (Art. 26 (9) AI Act; Art. 35, Art. 88 GDPR and Art. 7-8 PWD).

Ultimately, duplication leads to incoherence and legal uncertainty, as well as placing an administrative burden on businesses and public organisations striving to ensure compliance with multiple layers of regulatory requirements. New legislation on algorithmic management at this stage would also undermine the EU's efforts to simplify regulation and promote competitiveness. The «one-in, one-out» principle and simplification would require regulatory obligations to be streamlined. For example, complying with one piece of legislation could fulfil the equivalent obligation under another. This would involve calibrating obligations according to their actual impact on workers, in line with the risk-based approach of the AI Act.

Given the implementation timelines for the AI Act and the Platform Work Directive, the lack of evidence how these frameworks function in practice and how they interact with each other, introducing further AI legislation at this stage would be premature.

The obligations set out in the AI Act for high-risk workplace systems will apply from December 2027. Important accompanying guidelines and standards for the AI Act are not yet finalised. The Platform Work Directive must be transposed into national law by December 2026. National laws are not yet in place.

¹ AI Act Regulation (EU) 2024/1689, General Data Protection Regulation (EU) 2016/679 and Platform Work Directive (EU) 2024/2831.

² Directive on Transparent and Predictable Working Conditions (EU) 2019/1152, Working Time Directive 2003/88/EC, Information and Consultation of Employees Directive 2002/14/EC, European Framework Directive on Safety and Health at Work 89/391 EEC, Equal Treatment Directive 2006/54/EC.

Before introducing new legislation, these frameworks must first be fully implemented and evaluated in terms of their effectiveness, practicality, and impact on European digital innovation and competitiveness. Evidence-based policymaking requires a thorough impact assessment of any further measures aimed at addressing potential gaps in workers' rights protection in the context of AI and algorithmic management.

EU action should take a risk-focused rather than technology-focused approach. The deciding factors should be the intended use of the algorithmic management and AI systems in question and the severity of the potential harm they could cause to workers' health, safety or fundamental rights. To avoid legal ambiguity and prevent low-risk applications from inadvertently falling within the scope of the planned Quality Jobs Act, the risk-based approach used in the AI Act should be maintained.

Otherwise, the planned Quality Jobs Act may also cover algorithm-based digital tools which have been in use for decades without posing a risk to workers' rights or safety. For example, shift schedules in larger industrial companies have not been created using pen and paper for decades, but rather with computer programmes. Introducing new regulatory requirements would significantly complicate the use of such applications and ultimately hinder further take-up of digital technology.

Therefore, Bitkom is of the view that non-binding EU action within the planned Quality Jobs Act should focus on the effective implementation and enforcement of existing EU protections for workers as well as providing implementation guidelines and clarifying the interaction of existing EU rules.

To this end we support the development of interpretive guidance clarifying how existing instruments interact in practice. Specifically, we welcome EDPB guidance (with Commission involvement) on the scope of GDPR Art. 22, information duties, and employment-specific processing under Art. 88; AI Office and European AI Board guidance on what «meaningful human oversight» means for algorithmic management deployers under the AI Act; and a Commission interpretive communication on how the Information and Consultation Directive, OSH Framework Directive, and Transparent Working Conditions Directive apply to algorithmic management deployment. For example, it would be useful to clarify that information and consultation rights may only be triggered by decisions likely to lead to substantial changes in work organisation or contractual relations (e.g. regarding earnings), and not by routine software updates, algorithm recalibrations or security patches.

Common compliance standards developed with social partners would reduce documentation and risk-assessment burdens, particularly for SMEs. Enforcement coordination between data protection authorities, labour inspectorates, market surveillance authorities and equality bodies should be strengthened to avoid duplicative or contradictory enforcement on the same technology.

Alongside the recently announced High-Level Expert Group on the impact of AI on the labour market, the Commission should promote stakeholder dialogue, monitoring and foresight regarding the impact of AI and algorithmic management in the workplace. This should include the sharing of good practices, capacity building, and facilitating cooperation among the relevant authorities in Member States for coherent implementation of the EU acquis.

Occupational safety and health

The review of the Display Screen Equipment Directive and the Workplace Directive³ aims to adapt occupational health and safety provisions to a digitalised world of work.

Extending the scope of the Workplace Directive

We welcome that the Commission considers taking a differentiated view regarding the extension of the scope of the Workplace Directive to off-premises workplaces including telework. We also welcome, that the Commission intends to ensure that employers' responsibilities remain proportionate and corresponding to their means of influence over the workplace, and without creating undue obstacles to workers who wish to homework/telework.

Bitkom would like to underline that employers cannot fully equip or effectively monitor compliance with occupational health and safety provisions in workplaces that are outside their legal control and premises.

According to the consultation document a conditional extension of the scope of the Workplace Directive would depend on whether the worker's amount of work performed outside the premises of the employer is significant. In such a case, the minimum requirements laid down in the annexes of the Workplace Directive should not apply when the worker would work outside the employer's premises.

In case a of conditional extension of the workplace definition to off-premises, including homework (i.e. in case of significant part of the work carried out in such workplaces) a risk assessment would need to be carried out and resulting preventive and protective measures put in place. If the work in off-premises including homework is not a significant part, no such measures would need to be carried out by the employer regarding that workplace.

Bitkom would like to point out, that there are already existing measures in place to protect employees' health and safety at telework, notably risk assessment combined with training and instructions provided by the employer.

The European Framework Directive on Safety and Health at Work⁴ introduces the principle of risk assessment and defines its main elements. Accordingly, in Germany employers are obliged to carry out a risk assessment of the working conditions in accordance with Section 5 of the Occupational Health and Safety Act⁵. This applies regardless of the place of work, i.e. also for telework («mobile Arbeit»)⁶. The assessment focuses on the protection of employees from hazards in the workplace and the minimisation of behaviour patterns of employees that are harmful to health. The

³ Display Screen Equipment Directive 90/270/EEC and the Workplaces Directive 89/654/EEC.

⁴ European Framework Directive on Safety and Health at Work 89/391 EEC

⁵ Act on the Implementation of Measures of Occupational Safety and Health to Encourage Improvements in the Safety and Health Protection of Workers at Work (Arbeitsschutzgesetz, ArbSchG) (gesetz-im-internet.de)

⁶ In Germany whereas «Telearbeit» is precisely defined and strictly regulated in the Workplace Ordinance, there is no legal definition for the more commonly used «mobile Arbeit». With «Telearbeit» on the one hand, work is carried out at a permanent workstation installed and fully equipped by the employer in the workers' private sphere, for which the employer and the worker have stipulated weekly working hours in an agreement. With the much more flexible «mobile Arbeit», on the other hand, the work is carried out irrespective of a fixed workplace at any location: from home or from a customer's premises, from a hotel during a business trip, from the private home of a third party, from public transport, from a co-working space or a local community centre, from a café or a park, etc. With «mobile Arbeit» employees are essentially free to decide where and when to perform their work.

assessment of the conditions of work must cover risks result from *inter alia* the design and setup of the workstation and the workplace as well as psychological stress at work.

Supporting instruments for the protection of employees' health and safety at telework are already available: the Federal Ministry of Labour and Social Affairs has adopted a Recommendation for good hybrid screen work⁷, the Institute for Work and Health of the German Social Accident Insurance has published a checklist for carrying out the risk assessment for working from home⁸ and also a survey software for carrying out a self-assessment⁹ is available. These checklists provide workers with specific recommendations on how to set up their workstation at home and can also be used by employers to assist the assessment of working conditions.

In terms of working conditions EU action should refrain from regulating work arrangements in detail. The minimum requirements laid down in the annexes of the Workplace Directive should not apply to off-premises workplaces. Practice shows that collective agreements at sectoral or organisational level as well as individual work agreements are the most appropriate to lay down telework arrangements. In this context, greater emphasis should be placed on employee responsibility and empowerment.

Employers may be reluctant to enable telework to their employees, if the compliance burden and costs are disproportionate. This would ultimately result in employees losing the flexibility that these options provide.

Moreover, as part of the simplification agenda, certain provisions of the health and occupational safety framework applicable for telework could also be reviewed. For example, periodic inspections of work equipment under Article 5 of Directive on the use of work equipment, which has been transposed into German law by the Operational Safety Ordinance (Betriebssicherheitsverordnung)¹⁰. This requires employers to regularly inspect equipment made available to employees for home use, such as monitors and electrically height-adjustable desks. Within the context of telework if an employer requires an employee to use specific equipment, the employer should also be responsible for ensuring safety. However, if employees can decide for themselves whether to use such equipment at home, inspections should not be compulsory.

Right to disconnect

Establishing a right to disconnect is closely linked to the definition of «working time». The Working Time Directive¹¹ defines «working time» as any period during which the worker is working, at the employer's disposal and carrying out his activity or duties, in accordance with national laws and/or practice. There are specific rules concerning «on-call» and «standby» work arrangements. If arrangements for «on-call» and «standby»

⁷ BMAS ASUG Richtlinien Mobile Arbeit

⁸ Work from home CHECKLIST - long version | DGUV Publikationen

⁹ Use our HomeOffice-Check.de assessment for Hybrid Work now! (hub4you.eu)

¹⁰ Use of work equipment Directive 2009/104/EC and BetrSichV - nichtamtliches Inhaltsverzeichnis.

¹¹ Working Time Directive 2003/88/EC

do not apply, employees must only be reachable and available for work during their working time. Employees are not required to respond to work-related communications or requests from their employer during their rest time.

The current legal framework in the field of employment law already provides for appropriate procedures and safeguards for employees to enforce their rights regarding working arrangements. There is no need to introduce a specific right or additional enforcement structures specifically designed for the right to disconnect.

The planned Quality Jobs Act should refrain from regulating work arrangements in detail regarding the right to disconnect. For example, employers should not be obliged to organise special training or take technical measures (e.g. shutting down servers). Work arrangements on a right to disconnect can be best laid down in collective agreements at sectoral or organisational level as well as in individual employment contracts or in internal company guidelines. This can ensure lean and pragmatic procedures for implementation and enforcement.

Guidance from the Commission on the application of existing EU acquis and/or other aspects of work organisation, such as best practices, could facilitate the practical implementation of current rules and help to mitigate the risks associated with the use of digital tools and flexible working arrangements.

Subcontracting

The consultation document rightly points out that subcontracting is a legitimate business model which can help businesses to obtain specialised expertise and adapt to changing business needs. However, subcontracting can also lead to fraudulent practices and non-compliance with labour legislation.

We support measures against fraudulent, abusive or deliberately opaque chains of subcontractors, where workers are prevented from exercising their rights, or where companies use intermediaries to circumvent legal obligations. However, working with subcontractors should not be considered problematic in itself. All market participants must comply with applicable regulations, and breaches must be effectively prosecuted. The Quality Jobs Act should target clearly documented abuses rather than legitimate business models.

In Bitkom's view existing EU acquis and national laws already provide several safeguards for vulnerable groups or economic sectors at risk of fraudulent practices. For example, the German Act to Combat Undeclared Work and Unlawful Employment provides for *inter alia* the control of compliance with the provisions of the Residence Act, social security law, minimum wage legislation and working conditions legislation.

Looking specifically at platform work, the Platform Work Directive provides additional safeguards. It stipulates that persons performing platform work through intermediaries should enjoy the same level of protection as those with a direct contractual relationship with a digital labour platform. The Quality Jobs Act should not create overlapping regulations for digital labour platforms on top of the PWD.

Identification of high-risk sectors

The consultation document suggests that identifying high-risk sectors would enable targeted intervention when working with and through subcontractors. **In our view, the most balanced approach would be in this respect to set out common risk criteria at EU level, that are applied by the Member States following consultation with the national social partners and relevant stakeholders.**

This approach would establish a common framework across the EU whilst enabling Member States to identify risks that are actually relevant to their national labour markets. Taking this option would help avoid both a purely national approach, which could result in significant disparities between Member States, and a fixed EU-wide list, which could quickly become outdated or be overly rigid or broad. As several Member States have already introduced sector-specific mechanisms, enforcement priorities or high-risk classifications, any EU-wide criteria should complement these national frameworks rather than replace or extend them.

Any classification of a sector as high-risk should be transparent and based on evidence of repeated and actual breaches. The classification should also be regularly reviewed and accompanied by safeguards for businesses that are operating in compliance with the law.

This should enable Member States to distinguish between undertakings which deliberately use opaque supply chains to circumvent legal obligations and companies that work with subcontractors in a transparent, legally compliant and well-monitored manner. In this context existing compliance systems, contractual safeguards, audit rights, due diligence processes and cooperation with the relevant authorities should be taken into account. This is crucial to ensure that companies operating in compliance with the law are not treated in the same way as non-compliant entities. Member States should be encouraged to support industry standards or codes of conduct that contain practical recommendations on compliance checks, partner onboarding, documentation, audit rights and escalation procedures.

Commission guidelines could support the consistent application of the common EU criteria whilst ensuring that high-risk classifications target specific instances of abuse rather than entire sectors or business models. At the same time, stricter enforcement against non-compliant operators, combined with industry-led standards and proportionate internal pre-qualification systems, would be more effective than blanket sectoral assumptions.

Liability provisions – mechanisms, scope and limitations

The consultation document also addresses liability provisions relating to the use of subcontractors. Policy options include preventive measures, direct subsidiary liability, joint and several liability or chain liability. The scope of the introduced liability provision may cover minimum rates of pay and overtime rates, social security contributions or contributions to social funds. The Commission also points out that limitations or exonerations from liability could apply where effective preventive measures are in place that allow main contractors to assess the reliability of the subcontracting parties.

The planned Quality Jobs Act should avoid imposing automatic joint and several liability across the entire supply chain. Imposing such liability on legally and operationally independent companies would not necessarily improve worker protection. In fact, it could make it more difficult to clearly assign responsibilities, increase legal uncertainty and impose liability risks on compliant companies for events outside their control.

Instead, responsibility should be clearly and proportionately allocated. Liability should follow the actor's actual control and role in the supply chain. Liability should lie with the party that is genuinely able to prevent or remedy a breach. In principle, every company should be responsible for complying with its legal, contractual, employment law, tax and social security obligations. Liability beyond this should only be considered in clearly defined cases and should be linked to the ability to influence specific breaches of duty, or a failure to exercise appropriate due diligence. Extending liability beyond this would weigh most heavily on fast-growing companies and would be disproportionate.

Policy measures should take into account existing compliance structures, contractual responsibilities, and effective preventive measures. **To this end, we propose introducing a clear and predictable framework for due diligence as an exoneration route. This would allow contractors to demonstrate due diligence, for example by pre-qualification checks, periodic compliance audits and the embedding of labour and OSH obligations in contracts, and exempt them from liability when these measures have been implemented.** Companies that implement appropriate verification and control mechanisms, cooperate with the relevant authorities, and can demonstrate that they have taken reasonable measures to prevent abuse, should not be held liable for events beyond their control. This would provide legal certainty, enable targeted enforcement against non-compliant companies, and preserve functioning, compliant business models.

We stand ready to contribute actively to the development, together with other relevant stakeholders and in cooperation with national authorities, of practical standards for responsible chain governance in those sectors where the evidence genuinely points to elevated risk. Such standards should comprise commonly agreed due-diligence and verification criteria, setting out the checks a contractor should carry out when selecting and engaging a subcontractor and at appropriate intervals thereafter. Developing common compliance standards and documentation with social partners, ensuring common verification mechanisms such as a single repository, would reduce compliance burden and cost for adoption, including by SMEs, particularly for cross-border contractors. This would provide mutual recognition of what is already in place and enable clearer and more efficient enforcement across jurisdictions.

Standards should also clarify different governance levels and expectations, distinguishing between cooperation in ensuring a responsible environment and the higher level of control required when subcontracting is part of the contracting party's own core activity. Clear guidance is needed on what a contractor can reasonably be expected to verify, what evidence is sufficient to discharge that expectation, and what level of involvement and control is enough to meet standards of responsible chain governance without incurring the risk of excessive intervention that could lead to co-

employment allegations or de facto administration. Any liability mechanism must provide effective remedies for employees whose rights are violated while including robust exoneration for contractors demonstrating compliance with defined due-diligence standards, building on the model in Art. 12(1) of the Posting Enforcement Directive. The European Parliament's resolution of 12 February 2026 does not expressly call for new EU legislation imposing full-chain liability but rather asks the Commission to clarify the room Member States already have to legislate proportionately.

Experience across Member States illustrates why a new Directive alone will not resolve the underlying standardisation challenge. For example: While French Duty of Vigilance regulations establish a clear certificate that companies need to verify to confirm contractors' level of compliance, together with the cadence for their verification to exclude joint liability, Italian regulations impose different levels of documentary checks that are frequently burdensome to adopt, including for SMEs. Creating a new Directive will not prevent this lack of standardisation, but developing common compliance standards and documentation with social partners will. Since the underlying enforcement tools already exist in most Member States, the value of such an exercise lies not in creating new requirements but in aligning, clarifying, and mutually recognising what is already in place. Over-regulation, including new requirements and the need to develop additional compliance mechanisms, would have a material impact on companies' competitiveness, forcing higher costs without necessarily resulting in more efficient control mechanisms, and reducing their willingness to offer services in the supply chain. EU end-customers would ultimately suffer the impact through reduced quality, less specialised services, and higher costs.

Just transitions

The consultation document rightly notes that the EU acquis, particularly the Information and Consultation of Employees Directive¹², provides a solid basis for workers involvement at company level in restructuring processes.

The Commission's own screening of the relevant instruments concludes that «the EU legal framework is fit for purpose and the key information and consultation Directives do not need to be amended.» Where the Commission's own evidence base indicates that the identified problem is one of awareness, coordination, and implementation rather than legislative insufficiency, the Better Regulation Guidelines (SWD(2021) 305) require a presumption against new binding action. The 2013 EU Quality Framework for anticipation of change and restructuring is acknowledged by the Commission as «not sufficiently known and applied by stakeholders.» The appropriate response is targeted promotion and awareness-raising of this existing instrument, not replacement with binding legislation.

In Germany, the works council's right for information and consultation in the case of restructuring is already adequately regulated in the Works Constitution Act

¹² Information and Consultation of Employees Directive 2002/14/EC

(Betriebsverfassungsgesetz)¹³. Section 111 et seq. contains provisions relating to alterations and the reconciliation of interests in the case of alterations, including an (enforceable) social compensation plan.

Addressing the employment and skills implications of the twin transitions is a task for society as a whole. Bitkom acknowledges that the Just Transition Fund supports reskilling and upskilling programmes as well as vocational education and training. We support better use of existing EU funds, including the ESF+, Just Transition Fund, EGF, and Erasmus+, which already provide the financial architecture for just transitions. Underutilisation of these instruments is an implementation problem, not a legislative gap.

Furthermore, non-legislative instruments within the existing framework can also deliver practical results. For example, Art. 4 of the AI Act already requires AI literacy, but its practical impact is limited due to lack of clear guidance. The Commission should develop additional sector-specific guidance on how AI literacy obligations can be leveraged as a tool for just transitions, without new binding legislation.

Also, companies take responsibility for the skills' development of their employees. A 2025 Bitkom study¹⁴ found that around three-quarters (73 per cent) of companies provide their employees with further training on digital topics. It is important to involve employees in matters relating to further training at the workplace. However, it would be clearly disproportionate to establish individual rights for employees to further training at the expense of their employer. Instead, **EU action should strengthen co-financing instruments (ESF+, the European Globalisation Adjustment Fund, national schemes such as Germany's Qualifizierungsgeld) that incentivise employer-led upskilling, particularly in SMEs and sectors undergoing restructuring. Any EU measure on skills in transitions should be format-neutral and recognise digital, modular and asynchronous learning as equivalent to classroom-based training.**

Enforcement and role of social partners

Bitkom acknowledges the key role of collective representation in social market economies. EU action within the Quality Jobs Act should focus on effective implementation and enforcement of existing EU protections for workers and on providing clarifying guidelines for implementation. The implementation of EU action should respect different national systems and the autonomy of social partners.

The enforcement deficit identified by the Commission is a problem of national implementation and resource allocation, not of EU legislative gaps. We support cross-authority coordination between data protection authorities, labour inspectorates, market surveillance authorities and social security bodies through administrative cooperation. Peer learning and best-practice exchange under the Senior Labour Inspectors' Committee and the European Labour Authority should be strengthened. National labour inspectorates already have the mandate to inspect and enforce; where

¹³ Works Constitution Act (Betriebsverfassungsgesetz - BetrVG) ([gesetze-im-internet.de](https://www.gesetze-im-internet.de/betrvg/))

¹⁴ Vermittlung von Digitalkompetenz: Drei Viertel der Unternehmen bilden Beschäftigte weiter | Presseinformation | Bitkom e. V.

inspections are effective, the existing framework delivers results. Where they are less effective, the root cause is resource constraints and prioritisation, which coordination and capacity-building can address without the legal uncertainty of new binding obligations. Strengthening national inspection capacity through ESF+ funding, ELA coordination, and smart-inspection methodologies, including data analytics and risk-based targeting, represents a proportionate response.

Digital tools reducing recurring verification costs and facilitating standardised enforcement across the EU, such as the once-only principle, interconnected registries, and the European Social Security Pass, can be promoted through guidance and best-practice exchange without binding legislation. The ELA already has a legal mandate for cross-border coordination, and its role can be enhanced within its existing framework. Making rights and obligations publicly available in clear, accessible formats is achievable through Commission guidance, particularly for mobile and cross-border employees. The application of the once-only principle, reducing duplicative compliance requirements, is consistent with simplification objectives and achievable through administrative cooperation.

We oppose binding inspection targets or resource mandates, as these would encroach on the institutional autonomy of Member States under Article 4 (2) TEU. Numerical targets risk distorting risk-based prioritisation by incentivising inspectorates to pursue volume over impact, directing inspections to meet quotas rather than concentrating limited resources on sectors and operators where exploitation risks are highest. Uniform targets would place a disproportionate burden on large, visible employers, who are already subject to regular oversight, whilst doing little to reach hidden-economy operators where enforcement gaps are most acute. The design of sanctions systems is a matter for Member States under the principle of national procedural autonomy.

The Commission's stated enforcement objectives can be delivered in full through a coherent package of non-binding instruments: a Council Recommendation encouraging best practices in labour inspection and cross-authority coordination; Commission Guidance clarifying the interplay between the GDPR, the AI Act, and the labour law acquis; capacity-building for national labour inspectorates and social partners funded through the ESF+ and coordinated by the European Labour Authority and the Senior Labour Inspectors' Committee; and, where the social partners so wish, an autonomous agreement under Article 155 TFEU, with the Commission suspending legislative work in accordance with its stated commitment. The Commission should prioritise making the existing framework work coherently through non-binding interpretive guidance, cross-authority enforcement coordination, and capacity-building before concluding that additional legislative layers are required.

Bitkom represents more than 2,200 companies from the digital economy. They generate an annual turnover of 200 billion euros in Germany and employ more than 2 million people. Among the members are 1,000 small and medium-sized businesses, over 500 start-ups and almost all global players. These companies provide services in software, IT, telecommunications or the internet, produce hardware and consumer electronics, work in digital media, create content, operate platforms or are in other ways affiliated with the digital economy. 82 percent of the members' headquarters are in Germany, 8 percent in the rest of the EU and 7 percent in the US. 3 percent are from other regions of the world. Bitkom promotes and drives the digital transformation of the German economy and advocates for citizens to participate in and benefit from digitalisation. At the heart of Bitkom's concerns are ensuring a strong European digital policy and a fully integrated digital single market, as well as making Germany a key driver of digital change in Europe and the world.

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