



POSITION PAPER

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European Construction Industry Federation

Building Solutions together: our mission, your future

European Social Security Pass (ESSPASS)

The construction industry is a fundamental component of Europe's economic growth and a major source of employment. It generates about 7.9% of EU GDP and provides more than 12 million jobs – that is, 6.4% of EU total employment. Among its 3.8 million enterprises, 95% are SMEs with less than 20 workers.

Whereas the construction industry is first and foremost a local-based industry, there is also a tradition of posting workers abroad when activity developments require it. According to figures from the 2024 European Commission's annual report on intra-EU labour mobility, posted workers accounted for approximately 2 million people in 2023 and, among them, construction workers represent a very significant share¹.

FIEC welcomes the forthcoming European Commission's legislative proposal on the European Social Security Pass (ESSPASS), to be presented as part of the Fair Labour Mobility package.

FIEC considers that cooperation between Member States in social security matters should be facilitated through better use of digitalised processes, including the use of the Electronic Exchange of Social Security Information (EESSI) system and the full roll-out of the ESSPASS. It is now time for the ESSPASS to move beyond a pilot and to a fully-fledged legislative proposal.

Back in 2021, [FIEC and its EU social partner for construction EFBWW published a joint declaration](#) supporting the ESSPASS pilot project and calling for the implementation of effective digital tools to ensure the enforcement of the applicable legislation, to protect worker's rights and at the same time to facilitate administrative procedures for the fair and free movement of companies and workers in the internal market.

As regards the concrete policy options presented in the European Commission's call for evidence, FIEC supports **option 4 – “interoperable EU solution based on the EUDI framework and enhanced social security documents”**. According to this option, the ESSPASS would rely on the Single Digital Gateway (SDG), the Once Only Technical Systems (OOTS) framework, and the European Digital Identity (EUDI) wallets, as well as enhanced documents which can be printed, for people who cannot or prefer not to use the EUDI wallets,

¹ While available data does not allow us to know the exact share of construction workers in the total number of posted workers, estimations indicate that they represent a very large share of them: see [ELA Strategic Analysis of 2023 on the construction sector](#)

to ensure accessibility. It would hence allow one single digital real-time verification process, independently from the format.

FIEC supports that both the portable document A1 (PDA1) and the European Health Insurance Card (EHIC) should become digital and lie in the EUDI wallet. The EHIC should be issued automatically upon issuance of the PDA1, as opposed to today, where the individual needs to log in and apply in two separate processes.

Ideally, this option 4 should be implemented on a **mandatory basis** – rather than a voluntary one that risks fragmentation – as long as it does not undermine inspections by providing less information crucial for the relevant competent authorities.

Moreover, **binding deadlines** should be applied to the national competent authorities for the issuance of standardised social security coordination documents. Currently, it is nearly impossible to obtain a PDA1 in some Member States or it takes many months before getting a decision.

FIEC also supports the European Commission in its willingness to evaluate the feasibility of technically **merging procedures to request a PDA1 and filling in the posting declaration**, so that the applicant only provides the common data once, but again, provided that the proposed solutions do not come at the cost of weakening enforcement or reduce the information available to competent authorities.

As regards the reference to **sectoral labour/social ID cards**, FIEC welcomes the European Commission's recognition of the added value of these national tools aimed at improving transparency and/or health and safety on construction sites. However, FIEC believes that interoperability is preferable to harmonisation and must follow a bottom-up approach that builds on the many social partner led schemes already in place in the construction industry.

Therefore, **FIEC does not support a sector-specific legislation replicating the ESSPASS approach for other specific labour mobility data**. Such a single EU social ID card risks adopting a lowest common denominator approach that would weaken effective existing national controls and undermine well-functioning enforcement systems.

On the other hand, among the joint recommendations drafted at the end of the [EU-funded social dialogue project SIDE-CIC](#), FIEC and EFBWW namely called for, where relevant, and in close cooperation with national social partners, **interconnection between national social ID cards and ESSPASS**.

In conclusion, fighting against unfair competition, as well as frauds and abuses against workers, in the construction sector is a key priority for FIEC. As the EU legislative framework in place is already significant, the immediate next step to improve the situation is to ensure a good implementation of the rules and their strong enforcement, especially in a cross-border context. Therefore, FIEC welcomes that several initiatives proposed by the European Commission – and in particular ESSPASS – aim at both reinforcing and simplifying enforcement.



Christine Le Forestier
Director Social Affairs

FIEC - European Construction Industry Federation
Avenue des Arts 20, BE-1000 Brussels - +32 2 514 55 35 - info@fiec.eu
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