

(English version)

**Question for written answer E-002793/26
to the Commission
Christine Anderson (ESN)
(6 July 2026)**

Subject: Labour market integration and access to family-related social benefits

The Court of Justice of the European Union has repeatedly referred in its case-law to the requirement of a genuine link or integration in the labour market.

1. What criteria does the Commission consider relevant for determining whether there is sufficient labour market integration?
2. Does the Commission consider that, when granting certain social benefits, Member States may take into account the duration and stability of employment relationships?
3. To what extent are Member States permitted to distinguish between short-term employment and sustainable labour market integration?

Submitted: 6.7.2026

**Answer given by Executive Vice-President Mînzatu on behalf of the European Commission
(31 August 2026)**

According to the case law of the Court of Justice of the European Union (CJEU), a sufficient link of integration of a mobile EU worker with the society of a Member State is, in principle, created by participation in the employment market of a Member State ⁽¹⁾.

This link of integration arises, in particular, from the fact that, through the taxes and social security contributions which EU mobile and frontier workers pay in the host Member State by virtue of their employment there, they also contribute to the financing of the social policies of that State.

In view of this contribution, the CJEU underlined the importance of ensuring mobile workers receive equal treatment as regards family benefits and tax and social advantages in the Member State of work ⁽²⁾.

In accordance with the CJEU case law on free movement of workers, the term ‘worker’ covers any person who undertakes genuine and effective work for which he is paid under the direction of someone else ⁽³⁾. This might include activities such as part-time work, traineeships, au pairing, volunteering and students’ work.

However, activities carried out on such a small scale as to be regarded as marginal or ancillary do not fall within that term. It is the responsibility of the national authorities to undertake, in the light of that definition, a case-by-case evaluation to establish whether those criteria are met.

Moreover, it is the responsibility of Member States to design labour market policies and determine eligibility to social protection systems e.g. duration of employment for accessing some social security benefits.

⁽¹⁾ C-20/12, Giersch, ECLI:EU:C:2013:411 para 63 — https://infocuria.curia.europa.eu/tabs/jurisprudence?lang=EN&sort=DOC_DATE-DESC&searchTerm=%2522ECLI%253AEU%253AC%253A2013%253A411%2522.

⁽²⁾ C-328/20, Commission v Austria, ECLI:EU:C:2022:669, para 109 — <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A62020CJ0328>.

⁽³⁾ C-66/85, Deborah Lawrie-Blum v Land Baden-Württemberg, ECLI:EU:C:1986:284, para 16, 17, 21 — <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:61985CJ0066>.