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EUROPEAN FEDERATION OF FOOD, AGRICULTURE AND TOURISM TRADE UNIONS

*“IDENTIFYING OBSTACLES TO MOBILITY FOR WORKERS IN AGRICULTURE
AND RURAL SERVICE COMPANIES: FINDING AND DEVELOPING
ALTERNATIVES”*

or

Mobility in the agricultural sector

SURVEYS REPORT



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PART 1 : MISSION CONTEXT

This report is the result of a project for which EFFAT received co-funding from the European Commission, following its application in response to a call for proposals.

The aim of the study for which this report has been produced, is:

- Firstly, to identify obstacles to mobility and examine them on a case by case basis, taking the local situation into account. Before we can eliminate obstacles to mobility, we first need to understand them.
- Secondly, to try to formulate proposals for finding adequate responses to remove these obstacles in a transnational framework where differing cultures play an important role.

A fourfold approach was taken to identifying the problems more precisely and devising solutions:

- Creating a survey to complement existing studies in the different Member States where this issue is of the greatest importance in agriculture and rural service companies. This survey includes analysis of documents such as legal provisions, the positions of the social partners and information on websites.
- Summarising the results of this decentralised “round table” survey involving the main stakeholders from the countries covered by this project. Local EFFAT members (members of the steering committee) were responsible for the reporting of this (local relays).
- Communicating these conclusions and decisions at European level (including the sectoral social dialogue committee) and in the Member States, to various institutions and to all European and national social partners.
- Creating a website and distributing a CD-ROM to complete the strategy to disseminate results.

Achieving these general and operational objectives requires:

- An appropriate analysis of the situation in the new Member States (Romania, Bulgaria, Poland and the Czech Republic) through questionnaire-based interviews with:
 - The national social partners;
 - The ministers for employment;
 - Employment administrations and agencies;
 - The EURÈS network;
 - Associations dealing with issues relating to this subject (to be identified by our national members).
- An appropriate analysis of practices in the old Member States (ie, Germany, Spain, France, Italy, the Netherlands and the United Kingdom) and collecting examples of good practice, including those in other sectors of activity;



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- The development of synergies and cooperation between stakeholders in the sectors of “agriculture”, rural areas and tourism;

This analysis covers both internal mobility (within a single Member State) and external mobility (migration).

All the countries listed above were visited and organisations and/or structures requested by the partners themselves were involved. We would like to thank them very much for their support.

It was not always possible to bring all these organisations together, but the presence of those who were able to participate confirmed the importance they ascribe to this issue. The fact is that mobility at European level is developing at a much slower pace than under the Commission’s proposed objectives. This is probably due to a number of factors¹, including the behaviour of certain stakeholders (companies in particular, but also administrations) which clearly represent a major impediment to the development of mobility, often for economic reasons, in a relatively tight framework.

“Mobility is synonymous with professional development and therefore falls within the framework of lifelong learning, whether formal or informal. However, it is important not to present mobility as a panacea for the effects of restructuring. The difficulties of mobility, which often does not even function properly at national level, must not be underestimated. In fact, mobility is successful when it is a choice and is based on qualifications.” (Quotation from the report entitled “Mobility in Europe – the way forward” by the European Foundation for the Improvement of Living and Working Conditions).

It is in this spirit that the project presented to the Commission and approved two years ago was conceived.

Our initial observations demonstrate, however, that this concept of mobility is a relatively low priority for policy makers in the agricultural sector in Europe. This is mainly because this sector relies on seasonal labour and in seasonal work qualifications are generally not recognised and working conditions are still too often ignored. However, the social partners we spoke with are aware of the problems caused by these failings and often put forward proposals to improve the situation, although their genuine capacity for involvement and contribution is not always recognised in the discussions and analyses that take place among policy makers. This is probably something that the Commission should tackle at European level to help find the solutions needed to achieve the mobility objectives which are still often sidelined.

¹ As demonstrated by numerous studies.



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A second important approach in the project approved by the Commission is the creation of local relay networks:

Within the context and for the duration of the project, the members of the steering committee agree to carry out any activities requiring a local presence. These members therefore naturally become "local relays" made up of twelve members, this being the number of members of the steering committee responsible for running the project.

Their role is to:

- Identify the national (regional and/or local) contacts necessary for the effective running of the preparation phase or "Study";
- Submit analytical reports and proposals for national action plans in order to enrich them and validate them;
- Present a non-binding agreement in principle aimed at ensuring that all the stakeholders mentioned above undertake to form part of a network that will evaluate the effects of the project (the principal commitments are to hold annual round tables, produce evaluation reports and implement any corrective actions that need to be taken locally). The signatories of this agreement constitute de facto a network whose main objectives are:
 - Joint implementation of the national action plans;
 - The holding of round tables in order to produce evaluation reports on the actions taken;
- Allow the implementation of national action programmes in cooperation with the signatory members of the non-binding agreement in principle;
- Monitor the actions and their results.

An evaluation is presented in this report and the national action plans are annexed to it.

A website has been created as a reference tool to:

- Communicate the initial information in our possession;
- Disseminate the results of the study and the action plans;
- Provide up-to-date information about the project development in the form of newsletters;
- Act as a forum;
- Publish the outcomes of the annual round tables;
- Communicate any new information on the subject. .

There is a specific chapter dealing with this point which explains the website structure.



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PART 2 : GENERAL CONCLUSIONS AND ACTION PLAN

Introduction

When we talk about mobility in agriculture, we are referring in particular to seasonal labour. These discussions remain vague and contain a number of misunderstandings. In agriculture, there is no uniform definition of the term 'seasonal work'. For example, in some countries, an eight-month period of employment is considered as seasonal work, whereas in other countries, seasonal work is limited to the hiring of workers for three or six months during the harvesting period.

Very often, seasonal work is also associated with migrant work. This conceals the fact that in many countries, many local workers do seasonal work in agriculture. Following the easing of rules governing freedom of movement of workers, it is becoming increasingly difficult to know the number of migrant workers in a country or the number of cross-border workers. However, the fact that such statistics are not available does not mean that the problems have been resolved. Even after the full opening up of the borders, seasonal migrant workers must still have access to protection against arbitrary treatment and exploitation.

Workers, both male and female, who are third country nationals, form another category of migrant workers that is beginning to develop in the European Union. Up to now, their presence was limited to the outlying countries of Europe, for example Ukrainians in Poland or South American nationals in Spain. This phenomenon is now spreading to agriculture in other regions of Europe. The European Commission's proposal for a directive on seasonal work is mapping the direction this will take.

Encouraging mobility for job creation:

If the Commission's approach, which is to stimulate mobility in order to create jobs, were to be implemented, measures would be needed on different levels:

This approach includes all forms of worker mobility, specifically:

- *Occupational mobility* (change of post within a company or change of company) and
- *Geographical mobility* (moving to another region or another country).

Where European agriculture is concerned, we can envisage three aspects in the transition phase from one status to another:

- Occupational mobility – change of seasonal worker status to permanent worker
- Promotion within a company – seasonal workers promoted to professional positions
- Geographical mobility by accepting a (seasonal) mission in other regions.



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At present, debate focuses mainly on the last of these aspects. As far as the first two are concerned, encouragement measures remain deficient although a number of possibilities exist in this regard. Until recently, seasonal workers in agriculture performed simple tasks during harvesting or maintaining plantations.

As seasonal work structures take shape, a gradual but clear process of differentiation among seasonal workers is beginning to emerge. For example, today seasonal workers are performing more skilled tasks, such as managing migrant work and distributing agricultural produce. Given the current demographic evolution, a shortage of qualified labour can be envisaged, particularly in the rural areas of Western Europe, which offers new opportunities to migrant workers for whom this represents the possibility of gaining permanent employment. As a result, we can now talk of a Europeanization of the labour market in agriculture.

This development has other consequences that decision makers need to take into account:

✓ Implementing social standards

Social standards must be implemented in the following areas:

- Reaching collective agreements
- Decent and suitable accommodation
- Signing of employment contracts
- Compliance with employment legislation
- Compliance with health and safety regulations
-

✓ Pension provision

Pension provision schemes in Europe are not compatible; furthermore, the majority of seasonal workers do not belong to a pension scheme and therefore do not pay contributions. Already, in the medium term, this will lead to an impoverishment of workers and pensioners and, consequently, the pauperisation of entire rural regions.

✓ Hiring of workers

Criminality is extremely widespread in this sector of activity. To remedy this, we need to develop a system allowing only certified employment agencies to operate in this sector. Or else only use public employment services.

Positive examples emerging from interviews

Meanwhile, there are a large number of positive examples of ways of protecting migrant seasonal workers, such as:

- The "fair treatment for seasonal workers" quality label (Germany)
- The European Organisation of Migrant Workers (Germany)
- The ÖGB information and advice service (Austria)



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- Various information campaigns (Spain, Germany, France/bus² providing outreach to seasonal workers, etc). There are also centres for seasonal work in some municipalities (initiatives by local and regional authorities with social partners in France, a sort of “one-stop shop” open during the season).
- Training activities. In France, there is an agreement under which access to skill training is provided; this lasts up to one year and the cost is covered and the worker paid. This is available to workers who have spent a certain length of time in seasonal work in agriculture. Application must be made in the year following the last employment contract.

Setting up networks

At the many “round tables” held in the different countries, we pointed out that activities associated with the “*Mobility*” project should have already been organised in the past. We also felt that further meetings are both important and necessary. Nevertheless, the analysis phase must lead to concrete measures to be carried out jointly by the social partners and the State or partly within the framework of structures similar to social partnership. This package of measures could include the creation of more effective information networks or social networks designed to perfect strategies for raising awareness and achieving integration.

Need for recognition of experience gained through mobility in the labour market

One matter of particular importance is the training of both male and female workers and the proof of their qualifications. The social partners have made an important step forward in this respect at European level by reaching an agreement on the implementation of the Agripass. We now need to ensure that this instrument is disseminated at European, national and regional levels.

It is particularly important that emphasis is placed on recognising skills acquired in other countries as part of informal learning.

What awaits workers on returning to their home country

Up to now, migrant workers’ countries of origin were satisfied by the fact that a large proportion of their labour force was working abroad. This alleviated pressure on their own labour market while also ensuring financial transfer to the poorest regions of these home countries. Now, however, some countries, notably Poland, are complaining that agile, mobile work providers from Western Europe are coming to their country and “fishing” their labour market to exhaustion. The reality is that these countries of origin are losing many of their younger, mobile and often well qualified workers in this way. At the same time, the families of migrant workers

² This is a special system under which workers are transported to and from the workplace.



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have serious problems to contend with due to the prolonged absence for weeks or even months at a time of these family members from their household. This should be a matter dealt with by the municipalities from which such workers come. They should help to establish social networks, in cooperation with the social efforts made by Churches and other charitable organisations, to help the families in question with advice and assistance.

The issue of migrant workers returning to their country of origin is altogether underestimated. There are many problems involved:

- *Reports are increasingly stating that in Berlin there is a growing number of nationals from Central and Eastern Europe among the homeless in the city. They do not find work or accommodation in Germany and yet are afraid to return to their home countries for fear of being seen as "failures".*
- *There are many migrant workers who, for years, have been performing tasks below the level of their professional qualifications, and this can lead to deskilling. This means that they often come up against problems when they want to return to work in their home country.*

A whole range of measures can be envisaged to help those returning to their country of origin. These could include simple information activities or measures to monitor, assist and even train.

Implementing an action plan

To realise political objectives, given the increase in mobility, we need on the one hand to remove existing obstacles and, on the other, to implement and perfect measures to encourage mobility. The project stakeholders have therefore put forward an instrument that would enable us to develop and implement appropriate measures. Under this "action plan" the three key stakeholder groups, ie workers, employers and public authorities, must be able to act together.

The establishment and execution of action plans at national level is an important step on the road to improving worker mobility.

Involving key partners:

- Important structures:

Social partners, including organisations that bring together small farmers, ministries, public employment services, EURES



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- Partners

Church-based charitable organisations active in the field of migrant work, social organisations and public organisations responsible for combating undeclared employment.

When formulating such plans, it is important to bear in mind the respective national situations. But such planning must include the first four areas of action. The plans must also include joint measures taken by employers' organisations and trade union organisations, together with separate actions. These plans must be communicated to the sectoral Committee for it to evaluate them.

Proposed action plan structure

The plan is subdivided into four areas of action:

1. Observation
2. Information
3. Mobilisation
4. Inclusion

- First phase: observation

Content/Themes	Responsibilities/Skills	Methods used
Number and origin of workers	Social partners	Annual evaluation meeting
Survey of social standards	Ministries	Information on European associations
Presentation on the implementation of social standards and compliance with legal working conditions		Sectoral dialogue Committee information
Mobility as an instrument to promote employment		
Situation of workers returning to their country of origin		



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- Second phase: information

Themes/Content	Responsibilities/Skills	Methods used
Information from workers and employers on: <ul style="list-style-type: none"> - The general situation - Rights and obligations - Possibilities of sanctions - Opportunities such as training activities - "Correct" hiring of workers 	Social partners Ministries Public employment service	Paper-based media Internet, for example : <ul style="list-style-type: none"> - the social partner - Agri-info.eu - Agripass

- Third phase: mobilisation

Content/themes	Responsibilities/skills	Methods used
Network creation Drafting of a charter In support of social standards In support of collective agreements	Social partners Ministries and administration	Seminars, conferences Internet Collective agreements Formulation of minimum legal standards

- Fourth phase: inclusion

Objectives/content/themes	Responsibilities/skills	Methods used
Launching of local/regional initiatives	Social partners, ministries, employment services, European institutions	Regular dissemination of information Regional and European level Seminars, conferences Internet Articles at sectoral level Publications



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PART 3 : EUROPEAN UNION POLICY

The European Employment Strategy

Among other things, the European Employment Strategy (EES) places emphasis on increasing the scale and intensity of labour mobility. It is therefore thought essential that workers use existing employment opportunities to the full and that employers adjust to the economic dynamics.

Under the European employment strategy, the public employment services (PES) are tasked with fulfilling the employment policy objectives. They are responsible for implementing the most important measures of the European employment strategy and the national measures associated with it, for example, flexicurity and the “New Skills for New Jobs” initiative, which underpins the European employment strategy.

Promoting the labour market is a matter for the Member States alone, although the European Commission does have a right to monitor this via the open method of coordination, but does not have any joint decision-making power. The Member States inform the Commission of progress made in the area of employment policy. The Commission then analyses these reports and formulates proposals.

The banking crisis – time to act

The banking crisis has forced the European Union to set out a joint action plan on employment policy. In December 2008, the European Council adopted a European Economic Recovery Plan³, designed to limit the social impact of the crisis. In the spring of 2009⁴, the following priorities regarding employment policy were established:

- Maintaining jobs, creating new jobs and promoting mobility
- Improving skills and adapting them to labour market requirements
- Facilitating access to employment

This concept encompasses all forms of job mobility, in particular:

- *Occupational mobility* (changing jobs within a company or changing companies) and
- *Geographical mobility* (moving to another region or another country)

³ COM(2008)800, December 2008

⁴ 7800/1/09 REV1 European Council Presidency conclusions, Brussels, 19 and 20 March 2009



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Promoting mobility

By mobility we mean the movement of workers from one situation to another, for example, changing from a period of unemployment or inactivity to one of employment, or vice versa, the transition from education to the working life for young people, from the working life to continuing training for adults, to private activities or even to retirement. It can also refer to a change in working conditions (from a fixed-term contract to a non-fixed-term contract or moving to a new position with a different income).

In order to ensure social support for this mobile labour market, the European Commission has established a new concept known as “flexicurity”. This aims to reconcile the needs of employers with those of workers, ie flexibility and security. For workers this should make it easier for them to move from one job to another without company competitiveness suffering as a result. This will mean that the European social model can be maintained.

Workers must be flexible if they are to keep their job or find another. According to the Commission, “bad” news such as company restructuring and the renegotiation of collective agreements give rise to a feeling of instability and fear of losing acquired social benefits.

A number of studies on mobility (July 2008)⁵ commissioned by the European Commission and an opinion issued by the Economic and Social Committee (March 2009)⁶ provide information on the motivation behind and obstacles to geographical and occupational mobility. They conclude that the current situation regarding mobility is not perfect and that the well-being of a large number of European citizens could be improved if they were able to take better advantage of intra-European mobility.

If we want to improve worker mobility, there are many obstacles that first need to be removed. Not only do workers remain unconvinced about the advantages of mobility, they are also faced with a number of difficulties. These are generally legal and administrative problems, but there are also issues such as the availability and cost of accommodation, difficulty finding a job for their partner, the non-transferability of pension rights, language barriers and lack of recognition of qualifications in other Member States.⁷

⁵ “*Geographical Mobility in the EU: Optimising its Economic and Social Benefits*”

<http://ec.europa.eu/social/main.jsp?langld=fr&catld=89&newsld=385>;

Occupational Mobility in the EU: Optimising its Economic and Social Benefits, July 2008:

<http://ec.europa.eu/social/main.jsp?langld=fr&catld=89&newsld=386>;

<http://ec.europa.eu/social/main.jsp?catld=113&langld=fr>

14 2009/C 228/03: Opinion of the European Economic and Social Committee on the identification of outstanding barriers to mobility in the internal labour market, 25 March 2009

⁶ EESC

⁷ <http://ec.europa.eu/social/main.jsp?catld=540&langld=fr>



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These studies also contain recommendations for political strategies and measures aimed at stimulating mobility, for example:

- recognition of experience gained through mobility in the labour market
- setting up more effective information systems and social networks in order to improve strategies to raise awareness and promote integration
- the strategic role of inclusion of all stakeholders, including the authorities, the social partners and the employment services in the Member States.

To improve matters, the Commission presented an action plan for mobility for 2007-2010.

This plan contains the following objectives:

- Improving the regulatory framework and existing administrative procedures with regard to labour mobility;
- Providing strategic support for mobility via the public authorities at all levels;
- Strengthening the role of EURÈS (European Employment System), making it a key tool in promoting the mobility of workers and their families
- Raising public awareness of the advantages and opportunities offered by mobility.

This action plan was set out in a 15-point programme⁸.

The PROGRESS programme

PROGRESS, a European programme for employment and social solidarity, was established to provide financial support for the implementation of the EU objectives set out in the Social Agenda in the areas of employment, social affairs and equal opportunities. The Social Agenda was implemented through a combination of various instruments, ie Community legislation, application of the open method of coordination in different policy sectors and financial incentives drawn mainly from the European Social Fund. In practical terms, PROGRESS supports:

- The implementation of the European strategy for employment (measure 1)
- The application of the open method of coordination in the field of social protection and social integration (measure 2)
- Improvement of the professional environment and working conditions, including health and safety in the workplace (measure 3)
- Genuine application of the principle of non-discrimination, implementation of which must be encouraged in all Community policies (measure 4)
- Effective application of the equal opportunity principle between men and women, to be encouraged in all Community policies (measure 5).

⁸ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0773:FIN:DE:PDF>



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European rules on mobility

Essentially, there are two forms of cross-border work:

- A worker is sent/posted by his company to another country to work
- A worker seeking employment looks for a job in another country, working for a company established in that country.

The Commission believes that it is in the field of posted workers that rules are most needed. The Directive on posting of workers has therefore been adopted:

- *Directive on the posting of workers*

The objective of this Directive is to create a legal framework for the internal service market in Europe. Articles 47 (2) and 55 of the Union Treaty (new numbering) constitute the legal basis. The Directive contains rules for the implementation of provisions in the employment legislation of the Member States regarding the working conditions of workers posted by an employer established in the EU to another EU country to perform services there.

As far as the free circulation of workers is concerned, the legal situation is very clear: it is the legislation of the country where the worker has a contract or where he is working that applies. However, in the case of posted workers providing cross-border services, there is no unity of place between the place of temporary provision of services and the territorial field of application of the employment legislation applicable to the employment contract. It is this *trans-nationalisation* that justifies the need for European legislation governing the posting of workers (recitals 3 to 6 of Directive 96/71/CE).

This Directive must ensure that workers do not work in a given Member State for a longer period under a contract not governed by the employment code of the country in question:

“Whereas Community law does not preclude Member States from applying their legislation, or collective agreements entered into by employers and labour, to any person who is employed, even temporarily, within their territory, although his employer is established in another Member State; whereas Community law does not forbid Member States to guarantee the observance of those rules by the appropriate means.”

(Recital 12, Directive 96/71/CE)

The European Court of Justice relies on this principle in the “Rush Portuguesa” ruling (ECJ, Matter C-113/89 of 27 March 1990).

The principal provision of the Directive on posted workers, stipulates under the right to work, equal treatment between workers posted to a country and workers in the host country in respect



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of certain aspects relating to working conditions insofar as these are set out in legislative, regulatory and administrative provisions or by collective agreements. Article 3 of the Directive sets out the areas in which the law of the country of destination should be applied to posted workers, ie:

- a) maximum work periods and minimum rest periods;
- b) minimum paid annual holidays;
- c) minimum rates of pay, including overtime rates; this point does not apply to supplementary occupational retirement pension schemes;
- d) the conditions of hiring out workers, in particular the supply of workers by temporary employment undertakings;
- e) health, safety and hygiene at work;
- f) protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people;
- g) equality of treatment between men and women and other provisions on non-discrimination.

Initially, Article 3 (1) provided only for an obligatory transposition for the construction activities set out in the annex to the Directive. However, the Member State is free to extend application to other branches governed by collective agreements (Article 3 (10) and to impose working and employment conditions in areas other than those indicated in paragraph 1, subpara 1, insofar as these are public policy provisions.

Derogations are allowed for workers outside the building sector where they are only posted for a few days to ensure the correct assembly or installation of a product supplied by their employer (Article 3 (2)). Member States can provide other derogations for workers whose period of posting is no more than one month; however, this does not apply in the area of cross-border supply of workers.

Article 3 (7) states that paragraphs 1 to 6 of Article 3 shall not prevent application of terms and conditions of employment which are more favourable to workers.

It should be noted that the list given in Article 3 (1) does not include access to the health insurance of the country to which workers have been posted. For the first 24 months of posting, the provisions of Article 12 (1) of regulation (CE) 883/2004 on the coordination of social security systems are applicable, ie that posted workers remain subject to the social legislation of their country of origin.



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- Directive on seasonal work

From 2011 (by 30 April 2011 at the latest), all workers, both male and female, will benefit fully from free movement within the European Union. Nevertheless, occupational migration remains poorly regulated. The European Commission has therefore been working for some time now on a new Directive that would authorise the use of seasonal labour from third countries. The Commission presented a document on this subject on 13 July 2010.⁹

The key elements of this proposal by the Commission are as follows:

- Seasonal workers from non-EU third countries and/or their potential employers may submit an application for labour and residency for the performance of seasonal work. The maximum authorised duration of stay will not exceed 6 months.
- At the end of the period of employment, ie after 6 months, seasonal workers are obliged to return to their country of origin.
- The plan also provides for a “multi-season permit”, valid for three consecutive seasons.
- There is no limitation in certain areas.
- The employment services must ensure that the requirements for seasonal workers cannot be covered by national workers or nationals from other EU countries. However, a “multi-season permit” of this kind, valid for a period of three years, appears to raise questions about the prior analyses made by the employment services.
- The host country’s legal provisions, collective agreements and rules regarding remuneration must also apply to seasonal workers. The principle of equality applies.
- Employers who fail to fulfil their contractual obligations towards seasonal workers must be sanctioned and will not be able to use seasonal workers from third countries for one or more years.
- Under Commission plans, Member States must transpose this Directive within 24 months.¹⁰

⁹ Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment. COM(2010) 379 FINAL – of 13 July 2010 (abridged Directive on seasonal workers).

¹⁰ ÖGB, European Office, Brussels, July 2010



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PART 4 : OVERVIEW OF THE INTERVIEWS

Ten Member States were asked to contribute by describing the situation in their agricultural sector:

Germany, Austria, Belgium, Bulgaria, Spain, France, Italy, Poland, Romania and the Czech Republic.

The interviews were carried out on the basis of a questionnaire covering the main, but not all issues. Summaries of the responses to these questionnaires are annexed to this report and have been processed to identify the 12 issues most frequently raised during discussions. There is also a more open section under which a number of proposals are listed.

Overview:

The agricultural sector is different from others because its activities rely to a large extent on seasonal workers. It is important to stress this structural consideration because it is the main reason for increasing mobility, now mainly from external sources (migrant workers). However, the term “mobility” is also closely associated with the concept of “flexibility”, the sense of which is quite different from the concept described in the mission context (professional development).

The majority of workers have “seasonal” status and this is in response to the economic logic that dominates the sector. In Austria, a seasonal worker has a 6-month residence contract and a permit. Belgium and France both employ a very high percentage of seasonal workers; in Belgium these are mainly foreign workers.

In the new Member States (Bulgaria, Poland, Romania and the Czech Republic), the situation is slightly different: in Poland employment of migrant seasonal workers has become comparable to the levels seen in the older Member States, while in the neighbouring Czech Republic, migrant seasonal workers are used to compensate for the limited mobility of national workers. In Bulgaria and Romania there is a new trend: these countries, once seen as suppliers of labour, have, for the last three years, shifted towards using greater numbers of seasonal workers from third countries. No statistics are available on this, which is unusual given that the arrival of these migrant workers from third countries is subject to specific conditions and intergovernmental agreements. The case of Romania is also different, where the authorities want both to protect jobs for national workers and at the same time allow greater freedom for employers to recruit foreign workers. The fact that 4 million Romanians live outside their country makes the question of mobility all the more critical.



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The issue of mobility is one that affects all the countries studied and is the result of a number of factors:

- Lack of qualified workers;
- Resulting vacant positions;
- Relatively limited mobility of national workers;
- The ageing population;
- Movement between sectors;
- Future restructuring (in particular movement to the service industry).

These various factors can be found in all the countries surveyed but are particularly relevant in certain countries. A number of countries are trying to find solutions:

- In Belgium, an action plan for the future that includes wages, classifications, health and safety and training;
- In Bulgaria, an annual plan mainly focusing on evaluating the measures taken by the different institutions;
- Transnational agreements (Bulgaria and Germany – Romania and China);
- Creation of a secretariat of state for mobility in Romania.

Generally, all the countries studied have a relatively low level of mobility, often only the mobility “imposed” by the economic choices made by migrant workers. The solutions mentioned above could be complemented by other measures such as:

- The creation of a quality label;
- Employers providing food;
- A specific website for workers returning to their home country.

However, such welcoming practices appear to have a limited impact.

The issue of mobility is clearly one that impacts on all the countries studied, for structural reasons and for which the solutions offered are not obvious or understandable for the workers affected. The responses on the issue of working conditions were unanimous: they are generally poor or even very poor, given the behaviour of some employers whose main objective is to maximise profit (companies recruiting in their own country and sending workers to a host country), or to reduce operating costs (non-compliance with rights), which in turn leads to unfair competition. In some cases, part-time work is no longer permitted. These problems also compound the existing difficulties with working conditions in this sector due to the nature of the work. It is likely that these conditions are a major obstacle to worker mobility, for both national and migrant workers, with the latter having only limited options to improve their living conditions. In the chapter on working conditions, there is no single predominant issue. There are very varying practices in relation to wages, with the emphasis often on discrimination against migrant workers. However, several studies try to show that the arrival of migrant workers has virtually no impact on wages in the host country.



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The wealth of social security systems in Europe is a determining factor for people thinking about migrating. It can be an incentive in some cases or a major obstacle in others. This means that national practices can hinder some mobility, although this could be effective. The situations described in the interviews are revealing:

- Healthcare: conditions for access to healthcare are often unclear to migrant workers, particularly in the case of systems in which the contributions deducted from wages, at the worker's expense, are paid to the country of origin. In other cases, access to healthcare is provided from day 1 of work. Payments are also calculated differently depending on the host country. In Spain, for example, workers in the agricultural sector receive 50% less than workers in other sectors. In Romania, a country which is moving towards becoming a host country for foreign workers, there is no monitoring of social security issues. And in one country, access is dependent on knowledge of life in the host country.
- Pensions: there are difficult situations, such as the case of migrant seasonal workers who have spent a large portion of their working life in another country and who then are not eligible for a pension on returning home. The calculation of entitlement is often dependent on there being a minimum contract: this is the case in Germany and Italy. In France, once the worker has contributed the equivalent of one quarter (200 hours of work paid at the minimum wage), he qualifies for pension rights.
- Unemployment insurance: there are significant differences between the conditions for entitlement to unemployment benefit in the countries studied.

These findings lead us to a particular thought, something that was in fact touched on by one of the participants interviewed: could we devise a harmonised EU-wide social security system specifically designed to cover seasonal workers?

The issue of vocational training is a real paradox. On a number of occasions, the lack of qualified workers was pointed out as a reason for unfilled job vacancies. However, vocational training for migrant and seasonal workers does not generally appear under the solutions compatible with the harmonious development of mobility. At the same time, again paradoxically, the diplomas workers have are not recognised. As things stand, it is clear that the Agripass is therefore an appropriate tool to overcome these difficulties. But there is also the issue of implementation of the 2002 agreement on vocational training. However, in this contradictory landscape, there are some noteworthy practices: in Spain, for example, a body representing agricultural holdings has been tasked with evaluating needs and proposing solutions. Clearly the organisation has been hit by the effects of the severe crisis in Spain, but it is certainly a model that is worth studying, as is the proposal made on social security cover. Basically, it is a matter of evaluating and harmonising working conditions, social security and continuing education for seasonal workers, at European level, from other angles than simply that of flexibility.

We also believe that the lack of vocational training provided for this group is a major obstacle to mobility. Other obstacles were also identified by the people interviewed.

For ease and clarity, we have decided to organise these under 6 themes:



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The role of trade unions:

- Weaknesses of trade union organisations in eastern Europe;
- Lack of cooperation between trade union organisations in the EU.

- Working conditions:
 - Lack of qualified workers
 - Broad range of demand by employers within the EU
 - Obsolete training and trainer skills not updated
 - Lack of training
 - Poor pay
 - No minimum wage in many Member States
 - Limited number of vacancies for qualified workers
 - Lack of harmonisation between Member States

- Communication :
 - Lack of information from workers
 - Use of native languages use in the host countries

- Social security:
 - Insufficient social security coverage with vary varied provisions

- Administration :
 - High level of bureaucracy
 - Insufficient means of control at national level and insufficient cooperation between Member State administrations
 - Limited access to the labour market in some Member States – Romania and Bulgaria
 - Less binding European legislation

- Compliance with legislation:
 - Increased and better action against illegal practices

However, we also identified a number of factors which may encourage mobility:

- Developing good relations with national institutions
- Partnerships with trade union organisations in other Member States
- Qualifications and recognition of experience within the EU (Agridpass)
- Maintaining pay conditions when changing job

Note that all these factors were mentioned by the new Member States.

The local relays suggested in the project were present in 4 Member States:



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Bulgaria	Spain	Italy	Romania
Migration council, including the social partners. There is a mobility network for agriculture.	COAG – this covers agricultural holdings; with over 300 offices at national level it has been able to consolidate an agricultural hiring model.	Migrant workers have a network of family and friends which they use to provide workers for Italian employers.	Sporadic relations with host country trade union organisations.

There is, however, very little monitoring of mobility in the Member States investigated. Only 3 of them indicated any specific actions (though this does not necessarily mean that there are no actions in the other countries):

Belgium	Bulgaria	Romania	France
Seasonal workers are increasingly staying in Belgium.	Measures exist for people who move around but these are generally not well used.	Recent introduction of a secretary of state for mobility.	Joint organisation for labour management at national level, with regional divisions, which runs job fairs. Networking (website), implementation of innovative actions (for example, arranging transport between town and countryside, providing information). However, this tool is not suited to transnational mobility.

Likewise, mobility rarely seems to be managed, given that only one Member State responded to this question.

Perhaps there is a link between this lack of management and the obvious lack of representation of migrant seasonal workers in host countries. Certainly, the size of the holdings (which are very small) is not conducive to trade union representation, though many feel that such representation is of vital importance.



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The following ideas are developed in each national report. A great deal of information was provided to us, either directly or indirectly linked to the issue of mobility:

MEMBER STATE	INFORMATION/COMMENT
Germany	The European labour market cannot be used to compensate for the weaknesses in the national labour market. Mobility must be rethought and defined to mean more than mobility of foreign workers. The European market should include visible mobility-linked advantages for workers. Specifically, the agricultural sector is one that is under considerable threat from a "declining spare parts mentality".
Austria	There needs to be a debate about agricultural policy. Many jobs are going to arise in the service sector at European level. Trade unions are barely represented in the service companies.
Bulgaria	We can criticise the social partners for not acting earlier. We need to hold on to qualified people. We need to know what conditions migrant workers are going to encounter in host countries.
Spain	11 years ago, all migrants went into the agricultural sector and changed sector as soon as they could (eg moved to construction). Since 2007, the number of agricultural workers has been constantly decreasing but now with the crisis, there is renewed interest in this sector. There are great expectations for the harmonisation of national collective agreements – essential conditions: better provisions, harmonisation in one single agreement – this will make it possible to overcome all the obstacles mentioned.
Italy	What can the social partners do? - Negotiate contracts for agricultural workers - They can provide guidelines for policy and administration.
Romania	The massive exodus of workers to other countries has played an important part in creating a low level of unemployment.
Czech Republic	Trade unions do not want to see mobility of foreign workers because they work for very low wages and are not very interested in putting pressure on employers. As the unemployment rate is 10% (around 500,000 unemployed) in the Czech Republic, the government has introduced a programme to send foreign workers home by paying for their flights.



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NATIONAL REPORTS



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MOBILITY: INTERVIEW SUMMARY – GERMANY

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 – Two types of workers: short-term seasonal workers and long-term workers.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

Employers are facing huge challenges. In Germany, 8.8% of workers are foreign; 6% of the population is employed in agriculture. We now want to promote mobility and find effective solutions. In Germany we are actually finding it difficult to attract enough seasonal workers.

In addition, there are not enough qualified people in the agricultural sector. Many vacant positions cannot be filled on the internal market. Employers certainly share responsibility for this. They are trying to fill vacant posts with workers from other countries.

Trade union organisations have shown a lot of interest in these issues and want to ensure that mobility occurs under fair conditions. The risks and side effects associated with mobility must be avoided as far as possible. Workers are provided with advice and information by national offices to help them understand what awaits them in other countries.

In the current situation, seasonal workers are constrained to do seasonal work with different qualifications, even though they sometimes have much higher level qualifications.

Respecting social regulations would give Germany a competitive advantage. At the moment, Germany is competing with other EU countries, for example, regarding the minimum wage. Comparatively speaking, Germany draws the short straw and workers go elsewhere.

3 – Welcoming of workers: accommodation – integration

One of the main objectives of the labour market is to fill vacant positions. For years, attempts have been made to forecast trends and welcome seasonal workers into the labour market, keeping free movement and competition in mind. Mobility is sufficiently supported by funding. There are also projects that bring workers from other countries to Germany. In Germany and within the EU, migration is handled differently in different Member States and the wages paid are what decide the destination countries.

In Denmark, the magic formula “interesting jobs and attractive pay to retain workers” is used to attract foreign workers and ensure their sustainable integration in the national labour market. It's no mystery that it works.



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"*Summer at the lake, winter in the snow*" is an associated initiative by the hotel industry employment chain to create sustainable jobs. Other initiatives, for example in western Mecklenburg-Vorpommern, support workers over the winter so as not to lose them. Qualifications in the country of origin are not taken into account. Initiatives could be sponsored for pilot projects in the field of seasonal work.

Up to now, nobody could say that agricultural workers have benefited from promotion. Seasonal work can be a way of building bridges for employment in the longer term.

If this is done using private agencies, the consequences will be difficult to imagine. National employment agencies, working with EURES, can act as a neutral intermediary between workers and employers – which is not always the case with private agencies.

The social standards seal (label) is an idea that Peco and IGBAU have been trying to introduce. Workers have shown considerable interest in the idea. The seal is based on legal requirements and sets out clear conditions. However, there is some resistance by employers regarding its implementation.

The EURES approach, which involves going to countries to try to recruit, is a good one but the situations are so different. For instance, private agents from Denmark go to Poland and make good offers to attract the most qualified people. The employment agencies are then left to supply "the rest".

4 – Working conditions, social security coverage, information

Working conditions are generally poor.

To what extent can seasonal work be considered attractive employment? The prevailing image of agriculture as work involving heavy labour is no longer true. Obviously, a key factor in the attractiveness of a profession is the pay, but this is not the only consideration. Young people are looking for career prospects and personal opportunities in agriculture and need to have social security coverage for the future.

Only a small proportion of the EU population is mobile. The main reasons for going to other countries to work are the pay and working conditions. Obviously, everything possible needs to be done to attract labour to agriculture, in Germany too.

In fact, Germany has a poor image in other countries. Contributing factors are the closing of the borders following accession, and the wages. Improving Germany's image will have to involve improving working conditions.

Seasonal work in agriculture must be linked to qualifications, which is different from other sectors such as tourism. No consideration is given to individual options. For example, development opportunities and ways forward for seasonal workers could be identified on the basis of individual experience.



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Furthermore, there is the problem that seasonal work is not recorded and therefore is not given consideration in integration policies. No link is made between agricultural work and migration and it therefore remains outside of political consideration. One of the main conclusions is therefore the need for statistical data.

In the German report on agricultural employment, the employment figures are extrapolated on the basis of information about 2,000 companies. Many areas, such as agriculture and the service industry are not covered. Statistics are not something the social partners are concerned with.

Integration should also be an issue for the social partners. What is expected and what would you like to see in terms of integration of seasonal workers? How do you ensure the well-being of seasonal workers? How can you ensure integration if, for example, you bring 500 Romanian temporary workers to live in a village of 250 inhabitants for three months?

We need a short-term solution for seasonal workers and a medium-term solution to the labour requirements of the agricultural sector.

5 – Social protection: social security coverage, pensions. What conditions apply?

In the EU, there are a number of different social security models. We have the issue of Polish workers, for example, who have spent their lives doing seasonal work and who do not have a pension.

There are also workers who fall under the 50-day rule in their insurance system.

The social security conditions in the countries of origin are very difficult. It is not fundamentally a matter of reticence by employers but rather of gaps and unclear regulations in the workers' home countries.

Under the German health insurance scheme, pension contributions are payable only after 50 days of employment. However, the contributions made are not sufficient to generate a transferable pension. It is therefore very difficult for seasonal workers to claim their entitlements.

For these reasons, a European social security system for seasonal workers should be created to harmonise their rights.

6 – Describe training: vocational and technical

7 – Describe any obstacles to mobility



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One very important concept is that of social partnership. At the end of this project, it should be clear that we want to work together. In Europe, anything that is not protected by the social partners comes to a halt. We simply need to support their actions.

Companies and their workers are providing their own qualifications. They are training their own staff. This process needs political support. The social partners are asking that this policy be abandoned, regardless of the level.

One major problem, particularly in the countries of Eastern Europe, is the weakness of the trade unions and the resulting domination of capitalism.

7 – a) – Which factors promote mobility?

8 – *Is there mobility linked to climate change?*

9 – *Are there any local networks?*

10 – *How is mobility monitored?*

11 – *Are there agreements with employers about the management of mobility?*

12 – *Representation of national workers in host countries*

13 – *Other information*

The following priorities were discussed during the preceding debate:

- Employment in the agricultural sector is an important issue
- Causes of mobility
- National instruments such as social standards and qualifications (We do not yet know where training is used to integrate seasonal workers in the national market).
- Mediation (we do not know how this will evolve after 2011)
- Social protection
- Integration

Integration through qualification is difficult if the workers are not permanently employed.

The European Union understands that labour mobility is closely linked to rewards. Workers from other countries are recruited to fill gaps and cover shortages in the domestic market.

The European labour market cannot be used to compensate for weaknesses in national labour markets. Mobility must be rethought and redefined and, of course, go beyond mobility of foreign workers. The European market should offer visible advantages for workers in terms of mobility. The agricultural sector is an area which is particularly under threat from the “decreasing spare parts” mentality.



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MOBILITY: INTERVIEW SUMMARY – AUSTRIA

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 - Two types of workers: short-term seasonal workers and long-term workers.

In Austria, we make a distinction between:

- Seasonal workers – who have a maximum of 6 months' residency and a residence permit
- Harvest workers – with a maximum of 6 weeks.

Service providers are foreign companies operating in Austria. The numbers are not known.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

3 – Welcoming of workers: accommodation – integration

There are now 30,000 seasonal workers in Austrian agriculture. There is an additional requirement for around 1,000 workers. There is a particular requirement with regard to specialised crops. It is already difficult to meet the current demand for quotas. As far as authorisation of workers is concerned, the new member countries, such as SLOVENIA, and POLAND are given preference, but the requirements are not fully met. There could be additional places available for workers from the former Yugoslavia.

4 – Working conditions, social security coverage, information

How are seasonal workers recruited?

We do not know how workers are recruited. Often, recruitment is on the basis of informal private contracts.

If provided for in the collective agreement, free food and accommodation are provided. Until now, seasonal workers could also work part time, but now only full-time work is allowed.

5 – Social protection: social security, pensions. What conditions apply?

In fact, workers' contributions are to be paid in the country of origin, but this is an obstacle to mobility. Social security coverage is provided after 6 months (pension and unemployment insurance). Austria does not pay contributions in the country of origin.

In most States, there is a minimum wage for all, irrespective of their status. In the dairy industry, there is a seasonal clause (though this is illegal).



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In Austria, there is a collective agreement for the forestry services. Following the opening of the borders, we are expecting an increase in the number of foreign companies.

6 – Describe training: vocational and technical

A counter-strategy would be to call for higher labour quality and more training. Potential new jobs may include management of natural parks and biomass (energy production).

In the forestry sector, the number of jobs will decrease but there are many other employment opportunities such as forest preservation (80% renewal requirement). The future of the next generation is not assured as it is difficult to find qualified workers. The problem may increase with the lifting of restrictions on dumping.

7 – What are the obstacles to mobility?

7 – a) – Which factors promote mobility?

8 – Is there mobility linked to climate change?

Climate change has caused new problems in Austria, for example in forest protection.

9 – Are there any local networks?

10 – How is mobility monitored?

Basically, mobility is encouraged in the labour market.

11 – Are there agreements with employers about the management of mobility?

12 – Representation of national workers in host countries

13 – Other information

Scenarios:

There needs to be a debate about agricultural policy. Many jobs are going to arise in the service sector at European level. The trade unions are barely represented in the service companies.

How can the CAP be reformed in terms of controls? Social standards need to be included in the regulations or else agricultural production will not be possible in the future. Austria has its own social security system (the AG); the national collective agreement is not integrated into the general system.



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MOBILITY: INTERVIEW SUMMARY - BELGIUM

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 - Two types of workers: short-term seasonal workers and long-term workers.

In Belgium, seasonal work occurs mainly in the agriculture and horticulture sectors. There are 405,000 seasonal workers in Belgium: 1/3 from Belgium itself and 2/3 from the EU and other countries. There are 18,000 workers with non-fixed term contracts working in the agriculture sector.

Recruitment is on a very informal basis, through migration networks or employers-seasonal workers' networks.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

15 years ago, before there were no social standards or agreements; the social partners decided to create a future plan for worker mobility. They set out wage levels, wage categories, job classifications, health and safety provisions and training. Today, there are five wage categories in agriculture. There is a minimum wage for seasonal workers, who generally work 65 days per year. It is very unusual for workers to stay longer. After 65 days, it is possible to change sector and continue to work for 65 days, but there is not much mobility between sectors. Seasonal workers are involved in harvesting fruit but do not move over to the construction sector. In order to get seasonal worker status, a worker cannot work more than 100 days per year maximum (in one sector). The legal status is granted via a seasonal workers' card for Belgians and foreign nationals.

3 – Welcoming of workers: accommodation - integration

As is the case everywhere, there are good and bad companies. Criteria are used to evaluate the standard of accommodation. Generally, migrant workers pay rent.

4 – Working conditions, social security coverage, information

5 – Social protection: social security, pensions. What conditions apply?

Once they have been hired, seasonal workers are covered by accident insurance and have access to medicines.

6 – Describe training: vocational and technical



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A change of mentality is needed in order to introduce social agreements to cover seasonal workers. In addition to seasonal rights, the right to training also needs to be improved.

7 – Describe any obstacles to mobility

There are communication difficulties because of language differences.

7 – a) – Which factors promote mobility?

– *Is there mobility linked to climate change?*

9 – *Are there any local networks?*

10 – *How is mobility monitored?*

There have been two recent developments. Seasonal workers are increasingly staying in Belgium for permanent jobs. At the same time, there are problems finding enough seasonal workers and unfortunately there is no system to encourage Belgians to work in agriculture. Benefits for the unemployed are too high. Basically, there is no sense in bringing in labour from outside when there is such a high level of unemployment in Belgium. However, the Christian Trade Union (the CSC) has managed to get all the green sectors and the relevant ministers together to discuss how to improve recruitment. One effective method would be to find ways of selling the sector better and improving the attractiveness of the agricultural market in Belgium.

11 – *Are there agreements with employers about the management of mobility?*

12 – *Representation of national workers in host countries*

There is a very low level of trade union representation in agriculture. In Belgium, agriculture is structured through division into small operations and farms. There are 15 large agricultural holdings; all the rest are small companies. This makes it very difficult to persuade workers to join trade unions and employers to improve the social situation.

Trade union organisation is much more developed in horticulture. This sector is directly linked to the market and to customers, unlike the agricultural sector where the production prices are higher than the selling prices.

As a rule, seasonal workers do not belong to trade unions. Their stays are too short to discover any abuse and only 5% complain about discreditable treatment.

13 – *Other information*



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MOBILITY: INTERVIEW SUMMARY – BULGARIA

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 - Two types of workers: short-term seasonal workers and long-term workers.

There are no statistics for agriculture, although we desperately need them.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

There have been annual strategies on migration for many years. These reports speak about measures taken by the various institutions. Workers returning to the country have the possibility of being hired under the provisions of opinion 26 on free movement, which does not apply to third countries. Most of the movement is within the EU. Number of Bulgarians, in Spain: 150,000; in Greece, mainly seasonal: 50,000 to 70,000; in Germany: 65,000. We need more work abroad for our citizens. We organise work contacts in the form of job fairs. Most Bulgarians have limited qualifications. Those working abroad are not informed about their rights. Bulgarians can only move freely to 16 countries; access to the others is limited. With Germany we have 4 agreements for receiving workers. These work well and there will soon be one for agriculture.

3 – Welcoming of workers: accommodation – integration

4 – Working conditions, social security coverage, information

5 – Social protection: social security, pensions. What conditions apply?

6 – Describe training: vocational and technical

7 – Describe any obstacles to mobility

We have enough jobs but there are obstacles for workers. We need harmonisation between the old and new Member States. We support the Agripass because it was devised by the social partners. It needs to be adapted to the national situation: health insurance and social security – Bulgarians do not have access to this system. We are a supplier country but we would also like to be a host country, as happened with Vietnam last year. In Bulgaria, qualifications are taken into account, which is not the case in the old Member States.

Agriculture needs to be recognised as a sector and can be an alternative instrument for employment.

There is a national plan for employment, but it is not effective for seasonal workers because the calculation period has been changed from 6 to 9 months. The social partners met and agreed to



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act together and return it to 6 months. Internal mobility was effective in 2009. Employers had funding to pay for travel of over 100 km. The funding was not used because of a lack of information from the workers. What means can be used to ensure that workers get their rights? It is up to the government to provide information and up to the delegates to apply pressure to obtain this information.

There are problems with mobility, in Scotland for example, with the strawberry harvest. The way workers were treated was a scandal. There needs to be a legal framework in foreign countries. Secondly, there is a lack of information in the host countries regarding labour rights and social insurance. We are discussing these problems with colleagues in ETUC. We have tried to get bilateral agreements with employers in the United Kingdom and in Greece. Bulgarian workers could unite and form trade unions abroad.

We need to help ourselves; there are many questions for the EU.

In Greece, the market is open and people find work themselves. There is no social security cover and there are no statistics. EURES is in contact with Greece with a view to strengthening links.

In the United Kingdom, there are 9 operators who can employ Bulgarians. There are private operators. There are also other intermediaries but there are also no rules. Workers trust the private operators. We have had contact with the Job Centres for 3 years now.

We have been working in Denmark for 3 years. There is a good understanding between employers and workers. Around a hundred workers were sent in 2009. The constraint is the language, because English is required.

In Slovenia, the labour market is open. The agency runs information days about working conditions.

We need to find partners in Bulgaria in order to bring in procedures to negotiate collective agreements. We need this. We should consider the possibility of a European project bringing together European and national social partners.

7 – a) – Which factors promote mobility?

Problems occur when there is no restriction on mobility and this is mainly caused by a lack of information. Job fairs were introduced 3 years ago. We have had good relationships with the national institutions, and with Germany for 10 years. Our aim is to have a high number of exchanges; there is a website about integration funds to ensure that employment is integrated.

8 – *Is there mobility linked to climate change?*

9 – *Are there any local networks?*



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There is a council for migration which includes the social partners. There is a network for agriculture.

We have a mobility network and are unique in this in the labour market. EURES has run information campaigns. One method is the internet, but only 3 languages are available. The second method is through our partners – we have 800 in Europe. In Bulgaria, there are 9, 1 in each region. There is a network to provide information: 20,000 people were given advice between 2007 and 2009. In the agriculture sector, EURES had an agreement with Spain up to last year. In 2008, 4,700 people found employment in Spain. Since 2008, when the employment market opened up in Spain, agreements are made with employers. A bilateral agreement on agriculture was concluded with Germany in 2008 and 2,050 agreements were signed in 2008 and 3,000 in 2009. The contacts in Germany have made it possible to achieve minimum standards: €800 minimum and free accommodation.

10 – How is mobility monitored?

We should have a European quota for employment. In Bulgaria, 70% of the population is employed. The average age today is 35 to 45. In a few years it will be more than 45%. There is one group we must not forget: the unemployed. There is mobility to other countries but it is important not to overlook internal mobility. You can move a factory but not the site itself. We have measures in place for people who move around and, as far as I know, there is good take-up.

11 – Are there agreements with employers about the management of mobility?

12 – Representation of national workers in host countries

13 – Other information

Today there are 1.3 million workers. Why are there migrant workers? 230,000 will be leaving in the near future. We can criticise the failure to act sooner. We should be holding on to qualified people. We need to know what conditions migrant workers are going to find in the host countries. Workers have the right to social agreements and there will be a census this year.



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MOBILITY: INTERVIEW SUMMARY – SPAIN

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

Spanish agriculture is characterised by specific agricultural seasons, differing working times and diversity of products – modernisation is leading to shorter and shorter growing seasons (vegetables, greenhouse cultivation in Almeria all year round – 9 months) plus a summer season (in northern Spain), an autumn/winter season (in Andalusia) with olives now over two months (September-October). Spain has changed from being a supplier of foreign labour to being a host country, but the number of migrant workers is not known and may prove to be a surprise.

A particular feature of Spain is that labour flow is organised on the basis of a cooperation agreement between various stakeholders (town councils, trade union organisations, employers); all participate in this cooperation (which is good practice) but the needs of local workers are met first and then, if necessary, foreign workers are brought in. Conditions in the agricultural sector are difficult (agricultural workers receive 50% lower pay than set out in national collective agreements).

1 - Two types of workers: short-term seasonal workers and long-term workers.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

There are major differences between the migrants and nationals who move within the EU (although improvements are taking place); agricultural workers = low level of qualifications; today Spanish agricultural workers, if they leave the country, do so for economic reasons. Spanish workers who leave do so because of their low level of qualifications and the use of a foreign language allows them to enter specific sectors (such as hotels and catering, agriculture and tourism where skill requirements are low) but in Spain itself there has never been a high level of mobility.

Employment difficulties: evolution of qualifications, obstacles to improving qualifications, development of flexisecurity, mobility, movement between sectors of activity (eg from agriculture to construction), an ageing population, future restructuring, sectoral restructuring (from agriculture to service companies, which are growing rapidly), working conditions and health and safety. There is a need to develop qualifications given the environmental issues at stake. It is also increasingly difficult to find “local” jobs.

3 – Welcoming workers: accommodation – integration

4 – Working conditions, social security coverage, information



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Working conditions and wages are not an incentive for nationals to work in agriculture, which is why a high number of migrants are imported, despite the poor working conditions. Working conditions and wages are not very attractive.

5 – Social protection: social security, pensions. What conditions apply?

Unemployed agricultural workers are not included in unemployment statistics. They receive 50% less social security than those in other sectors (but this discrepancy is currently being resolved). This is an obstacle to mobility and increases the use of migrant workers, who get better wages in Spain than in their home countries (even if these are low and indeed lower than those received by national workers).

6 – Describe training: vocational and technical

There is an organisation that acts on behalf of farmers: 40% of the COAG's activities focus on training – this has changed significantly over the last ten years with technological developments, diversification of production (courses on pruning, shepherding, etc) and training for the unemployed. Evolution of qualifications: this is an interesting subject because it is aimed at promoting discussion about the way things are organised (price wars, lack of margin for farmers). For 10 years changes have been demanded reducing margins for farmers but in fact the situation is such that prices have remained identical during this period.

7 – Describe any obstacles to mobility

Language is one of the main obstacles to mobility.

The first major obstacles are social conditions, sectoral work and unemployment payments, which are 40% lower than in other sectors.

Wages remain low.

There is a lack of appropriate accommodation.

There is unfair competition between those who respect the law and those who do not (sometimes employers do not comply with legislation and hire illegally and casually).

Lack of training (low level of qualification) due to the lack of stability in the sector.

A coordination problem between the different regions.

Temporary work agencies sometimes try to make a profit by getting around the system.

But there is good practice too. There are three instruments:

- National Collective Agreements bringing tighter controls over who comes in and who leaves, but these also look at the issue of suitable accommodation;
- another agreement on the monitoring of agricultural seasons with the UGT (personalised report);
- and other agreements which could be used for a national campaign within Spain itself.

7 – a) – Which factors promote mobility?

8 – Is there mobility linked to climate change?



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9 – Are there any local networks?

The COAG (an organisation representing agricultural holdings) has over 300 offices nationally and has been able to consolidate an agricultural hiring model – certain conditions have to be met for entry: the public employment service authorises the arrival of migrant workers for job types that are difficult to fill with national workers – this is why requirements have to be communicated a month in advance – all laws and Collective Agreements have to be respected (there are currently 48 of these but we are trying to simplify them into a single agreement). Workers may not have a criminal record, must have the necessary qualifications and must undertake to return to their home country at the end of the contract. The COAG undertakes to pay for transport to the place of work and part of the ticket home. The COAG acts as an intermediary for supply and demand – an exchange – taking care of selection in the country of origin – providing professional consultation to both parties, ensuring that working conditions and accommodation are respected, providing consultation with legal services and drafting individual CVs for workers in order to ensure assessment and coordination from one season to another.

10 – How is mobility monitored?

11 – Are there agreements with employers about the management of mobility?

In Andalusia there is a new instrument, the GEA (agricultural employment management); this is an exchange open to workers in and for the various agricultural seasons and linked to employers). At the start the GEA was slow to take off but now labour flow management is improving. However, this instrument only applies to 8 provinces in Andalusia and meetings are held only every 3-4 months; the problem remains that this is only a regional system and moving between provinces, even if one is not foreign, still raises issues of transport and accommodation. There are still issues to be resolved, such as discrimination between nationals and non-nationals; as a result of the crisis there is a higher demand for jobs and given the unemployment benefit system this limits demand. There is a great deal of interest at local level and efforts are made to ensure there are no social conflicts. There is limited interest within municipalities and provinces and little coordination between governments: workers do not know which documents are required in order to go abroad and return home. There are problems getting follow-up services on their return.

12 – Representation of national workers in host countries

13 – Other information

Eleven years ago, all migrants went into the agricultural sector and then changed sector as soon as they could (eg, moving into construction). Since 2007, the number of agricultural workers has been constantly falling but now, with the crisis, the number is increasing – why? The same workers who went into construction are now returning (agriculture = mass arrivals and departures). The facts show that there are major difficulties with training and requalification is impossible: 95% are without qualifications – this is a real problem – eg, computer technicians working in agriculture do not come under the special agricultural system, they demand the



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general system – we are therefore holding negotiations with the government to make it possible to move from the special agricultural system to the general Spanish system – making it possible to increase training for workers. We have great expectations for the harmonisation of national collective agreements – key conditions: better provisions and unification into one single national collective agreement – this will help to overcome all the obstacles to mobility.



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MOBILITY: INTERVIEW SUMMARY – FRANCE

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 – Two types of workers: short-term seasonal workers and long-term workers.

In France, there are 1.2 million employment contracts in agriculture. 800,000 seasonal contracts, some of which are for the same person, and 400,000 permanent contracts.

The policies adopted have created an economic rather than a social Europe. There is distortion of competition in agricultural production due to certain questionable practices in certain Member States. For example, a wine producer in Italy can employ workers from “outside Europe” and pay them very low wages. In future, economic conditions must be taken into account. Another problem is the Romanians who are coming to France, while Ukrainians are going to Romania. Certain sectors are at risk.

We need to distinguish between 2 types of workers: the seasonal and the permanent. There are also qualified migrants such as doctors, etc. In Germany, workers have to pay contributions for 6 months before they can claim unemployment benefit. There are 300,000 Polish workers in Germany and in France the equivalent of 5% of the population, ie 300,000. Use of Polish workers has become the norm in Germany in conditions which also lead to a distortion of competition (work conditions, pay).

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

The majority of seasonal workers are French nationals. There are no statistics regarding community migrants and we do not know the number of secondary school and other students. There are approximately 5,000 extra-community seasonal migrant workers in agriculture. With regard to integration, some workers stay on at the end of their visa and become undeclared workers. Solutions must be found to achieve a more ethical situation *or* to regularise it by granting residence permits at least to those who have work, and those whose situation does not allow regularisation should be appropriately returned to their home country. Europe needs a common immigration policy.

For some groups, seasonal work is a way of life and for others such as secondary school and other students; it is a way of making some extra money.

3 – Welcoming workers: accommodation – integration

EURES services are not suited to the “agriculture and tourism” sectors. Recruitment is done from year to year by word of mouth. Workers from outside the EU work in Europe for a while, want



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to stay and the become illegals. We need to find solutions and also examine the situation in their countries of origin. Some are risking death to come to Europe.

4 – Working conditions, social security coverage, information.

ANEFA (a joint institution for employment) publishes information on its website aimed at seasonal workers; it even has a downloadable guide to seasonal work available in Arabic, Polish and English.

5 – Social protection: social security coverage, pensions. What conditions apply?

Today France has a complementary health and social security system but with very long service conditions that place it out of reach of seasonal workers.

Posted workers from service provider companies in other Member States: the number of workers from service provider companies operating in other European countries is on the rise. The (posted) worker remains under the jurisdiction of his home country unless he works away for more than 24 months; however, there are derogations. Since the Treaty of Rome, rules in one country can no longer penalise workers in another country. There is coordination of the rules and for some time now only one legislation applies to unposted seasonal workers: that of the host country. There is also the question of equal treatment. Periods of work are calculated using the rules in each country and pensions are paid, except in the event of 3 months unemployment. These rules do not resolve the issue of reconstitution of career.

A number of Member States stipulate a minimum period (particularly for seasonal workers, who have to work for 3-6 months) to qualify for a pension. There is no difference between a national and a migrant worker in France. Accident coverage is immediate. Pension entitlement starts after the worker has earned 200 times the minimum hourly wage, ie €1,709 gross, which represents one quarter. The worker is then able to claim the complementary pension. France is the only country that takes into account a quarter year contribution.

Posted workers and migrants. There are false posted workers, particularly among workers from Eastern Europe, who are sometimes even employed by Portuguese or Maltese companies and work under the direction of a French employer. There are links between false posted work and temporary work. Controls are not working.

6 – Describe training: vocational and technical

In France there is vocational training in agriculture; training opportunities exist even for seasonal workers who want to train. However, they do not always have the necessary information and the diplomas are not recognised in terms of wages and employment contracts, which is a problem. Permanent workers often have problems getting away from the workplace in order to train.



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7 – Describe any obstacles to mobility

- The shorter the contract, the better for the company (reduced levies for short contracts). This is an obstacle for transition from fixed-term to open-ended contracts.
- Failure to master the local language

7 – a) – Which factors promote mobility?

- A more coherent European legislation: today employers have to provide suitable accommodation for workers from outside the EU, and nothing for other workers. Spain is the only country that requires companies to accommodate seasonal workers, even those from within Spain itself. If we do not provide accommodation for Polish workers, they will not come here. There are standards that we have to respect.
- Reliable and effective tools for hiring workers and that comply with the necessary standards.
- We must make sure that countries respect the social partners' agreement with regard to training, so that we can access job offers. Languages are part of this.

8 – Is there mobility linked to climate change?

No, not within France, but there is strong migration pressure from Africa and Sub-Saharan Africa in particular, for a number of reasons.

9 – Are there any local networks?

There is ANEFA which has regional and district offices. By using this network, workers can find work in a number of places in France. This can encourage mobility.

10 – How is mobility monitored?

11 – Are there agreements with employers about the management of mobility?

Not to our knowledge.

12 – Representation of national workers in host countries

There are organisations offering information and support to Italian workers in France but this does not apply to the agricultural sector. The UGT monitors seasonal agricultural workers in the south of France.

13 – Other information



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MOBILITY: INTERVIEW SUMMARY – ITALY

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 – Two types of workers: short-term seasonal workers and long-term workers.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

In Italy, the image of mobility and migrant workers is both high profile and very complex. There is a great deal of internal migration, particularly from the south to the north of the country. This internal migration has been constantly decreasing in recent years. Emigration to other countries, such as Germany, has also decreased. For many types of work, professional qualifications are needed, for example in the pruning, harvesting and classification processes in the citrus, olive and fruit industries. The level of mobility within Italy is complex.

On the basis of pension data, the number of agricultural workers in Italy is approximately 1.085 million, 90% of whom are seasonal workers.

3 – Welcoming of workers: accommodation – integration

In 2008, 90,000 agricultural workers from within the EU did not have stable employment. Of these, 15,000 had permanent jobs, 64,000 had temporary jobs and 11,000 were employed in seasonal work. These 85,000 workers will receive a temporary permit for between 0-9 months and will then have to leave Italy again.

One interesting point is the ethnic breakdown of migrant workers from outside the EU working in the Italian regions. This is as follows:

- Albanians: 15,491; 18% in non-limited work, 67% in short-term work and 15% in seasonal work.
- Indians: 12,474; 33% in non-limited work, 60% in short-term work and 8% new seasonal workers; the majority of Indians work in the northern regions of Italy.
- Moroccans: 11,353; 1.8% in non-limited work, 75% in short-term work and 16% new seasonal workers. Most Moroccans work in the northern regions of Italy and some in Abruzzi.
- Tunisians: 17,822; 7% stable, 93% in non-limited work, 1% new seasonal workers. The majority of Tunisians work in Sicily, with a few in Emilio Romana and Lombardy.
- Macedonians: 4,676; 11% are permanent, 69% temporary and 21% new seasonal workers.

Out of the 910,000 temporary workers, 194,000 work in the north of Italy, 91,000 in central Italy, 453,000 in the south and 173,000 on the islands of Sicily and Sardinia.



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4 – Working conditions, social security coverage, information.

Italians are not inclined “to accept an inferior job” so, for a number of sectors, immigrant labour, (“mobile workers”) is important. Agricultural work is dirty, dangerous and difficult.

There are ghettos with poor conditions, but an active policy can achieve good results.

Social standards need to be defined at EU level; this is something to be dealt with in cooperation with the social partners.

The main problems are:

- Accommodation (the law states that accommodation must provide at least 25 m² per person)
- Qualifications

Example of one approach:

Some time ago, the trade unions and the cooperatives adopted regional initiatives to fight illegal practices. The aim was to cooperate with employers. The problems were that the observatories met only rarely and in the south of Italy hardly at all. In other regions they worked too ineffectively.

Employers / COPA: reports of more exclusion than inclusion; the farmers have to ensure good conditions but need support. 11% of workplace accidents are in agriculture; there are language problems.

Governments need help in order to find solutions to the problems.

GEOPA will be discussing these issues at EU level in October.

5 – Social protection: social security, pensions. What conditions apply?

Workers employed for about 51 days may benefit from the pension system. Problems have arisen with pension entitlements for non-EU workers. Of the 90,000 non-EU migrant workers recorded, around a third have been successful.

It is estimated that over 300,000 people are employed illegally. Illegal work is generally organised under the CAPO¹¹ systems, where workers and their employers are often victims of fraud. Sometimes the workers only receive €3-5 a day when they should be receiving €20 a day.

There are problems specific to Italy: unemployment benefit will be paid up to the following year.

¹¹ The Italian “Caporalato” system: illegal providers of labour



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In 2008, there was a reform aimed at agricultural workers, guaranteeing social standards. Workers have the right to healthcare, pensions and health and safety.

6 – Describe training: vocational and technical

Both parties have agreed to share in these efforts. This joint approach is the right one. They will be able to deal with issues such as undeclared work and working conditions, which need to improve.

7 – Describe any obstacles to mobility

One problem with obstacles to migration is bureaucracy. This year, strawberry picking in Verona was one clear example: the authorities granted the work permits too late. A delay of several weeks between applications and approval is not conducive to the harvesting of ripening strawberry crops.

Another approach would be to perform work as part of a social partnership. We need to address the issue of illegal CAPO systems together. The European institutions need to address this problem and the EU must deal with it.

7 – a) – Which factors promote mobility?

8 – Is there mobility linked to climate change?

9 – Are there any local networks?

Migrant workers have a network of friends and family through which they supply workers to Italian employers. The state-run systems do not work (the public sector does not have the appropriate contacts). They take part-time jobs where the migrant workers are temporary and working on a freelance basis.

10 – How is mobility monitored?

11 – Are there agreements with employers about the management of mobility?

12 – Representation of national workers in host countries

13 – Other information

What can the social partners do?

- Negotiate contracts for agricultural workers
- The social partners can provide guidelines for policy makers and the administration.



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MOBILITY: INTERVIEW SUMMARY – POLAND

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 – Two types of workers: short-term seasonal workers and long-term workers.

In Poland there are very few studies on migrant workers.

Since 2007, there has been an inter-ministerial committee to deal with migration. Currently, a strategic plan has been produced for Poland. The social partners were only involved in a general way (consultative role); the trade unions for the professions will not be participating.

There are very few reasons for migration in Poland as there is a high level of mobility. A new policy for migrant workers (immigration) has been established. The problem for the industry is the issue of access to data – everyone should have access to this.

Polish state-run agriculture employs 450,000 people. Today their status is as follows:

- 30% retired
- 30% moved into other jobs

- 10% unemployed

- 30% are still employed on farms

- 1 million hectares have been privatised,

- 800 000 are still the property of the Polish Real Estate Office (similar to the German Treuhand)

In Poland, workers are trained in agriculture.

For 70 years (under Gierek) there was selective migration from the villages rather than the towns. Six to eight million Poles moved to the towns and cities.

In Poland at present there are many Ukrainians working in agriculture.

Reasons for the low level in agriculture:

- Agriculture in Poland is very basic (small farms)

- The common agricultural policy



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These structural differences do not provide the qualifications needed to meet requirements.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

3 – Welcoming of workers: Accommodation – integration

Poland has a website available for those returning to the country (porearat.pl)

Many returning workers experience difficulties (see the website for further information):

- Encouraging self-employment
- Providing information about schools and nurseries
- Awarding of welfare benefits.

Returning workers are often disappointed individuals because they have had no career prospects, often working below their level of qualification and losing their skills. They are often frustrated and have psychological problems.

Eighty per cent of Ukrainians are in contact with their employers in Poland; many of these workers were previously employed illegally. The aim is to ensure that the Ukrainians who were working illegally move into official employment. The OECD estimates that illegal work in Poland accounts for 20% of the total economy – the figure for Germany is 14%.

In Poland, there is a relatively low proportion of temporary work agencies. There are job vacancies on EURES for the Polish labour market.

There are 4-8 million undeclared workers in the EU.

The cost of the minimum wage is very high and this has led to the development of illegal, undeclared work.

Respecting the rules on labour inspection:

Checks are made on the number of sick days, holidays, working days, work and on health and safety.

Accommodation is dealt with individually: the Ukrainians want to earn money and spend it on accommodation. They live in poor conditions. The labour inspectorate should also look at living conditions. There are no minimum standards. Polish employers provide daily meals to motivate their workers.



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Agreements with Ukrainians and Russians make no mention of accommodation.

4 – Working conditions, social security coverage, information.

In private companies, there are sometimes wage agreements. Pay can vary by as much as 50%.

Foreign workers will be offered a written contract. It should be possible for the worker to understand the contract. The employment contract should have attached a document showing what their key rights are:

- Working time (40 hours/week, 8 hours/day – 5-day week)

Period of work – 3 months

- Work schedule

- 11 hours rest

- Holidays

5 – Social protection: social security, pensions. What conditions apply?

6 – Describe training: vocational and technical.

7 – Describe any obstacles to mobility.

7 – a) – What factors promote mobility?

8 – Is there mobility linked to climate change?

9 – Are there any local networks?

10 – How is mobility monitored?

11 – Are there agreements with employers about the management of mobility?

There is no national agreement. There are agreements in large companies ("Collective agreements house", or centre for agreement registration).

12 – Representation of national workers in host countries

13 – Other information



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OUTLOOK

In Poland, there is no policy on immigration. Germany has more experience.

There are 9 million Ukrainians working in Russia.

In Poland there are 500,000 Ukrainians in temporary employment.

Poland receives requests for information on employment from Bangladesh.

It is better to employ immigrants who are culturally similar.



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MOBILITY: INTERVIEW SUMMARY – ROMANIA

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 – Two types of workers: short-term seasonal workers and long-term workers.

The issue of mobility affects Romania just as it affects the other Member States visited, but there are no official statistics allowing us to gain a precise view of the situation.

Over 4 million Romanians have migrated to various EU countries and outside Europe. It is mainly qualified people who have left; the less qualified workers tend to stay in the country.

Migration tends to be short-term (seasonal). Other professions, such as doctors and engineers, are sought across Europe and their salaries are higher. This type of migration is often handled by private companies, hence the lack of precise information.

Over the past three years, Romania has discovered immigration, but without being ready for it: the number of Asian workers arriving is still small but demonstrates that a change is taking place.

The Romanian authorities want both to protect jobs and allow employers greater freedom to recruit from abroad.

The issue of Romanians returning from abroad and using the skills they have acquired should be examined.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

Cf. recent introduction of a secretary of state for mobility

3 – Welcoming workers: Accommodation – integration

Agreement between the Romanian government and the governments of the countries of origin (eg China).

4 – Working conditions, social security coverage, information.

The interview participants are aware that partnerships need to be developed and that the government should decentralise certain actions/initiatives, while strengthening the autonomy of the social partners.

5 – Social protection: social security, pensions. What conditions apply?



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No specific monitoring takes place – EURES is concerned about social security for migrant workers in host countries, even though there is a regulation providing identical rights for national and migrant workers.

6 – Describe training: vocational and technical.

There is very little information about initial and continued vocational training. Agrostar is putting together a project to develop continuing vocational training and under this it should be possible to train 12,000 people.

7 – Describe any obstacles to mobility.

The training system has become obsolete as teacher training has not been updated and remains identical to that provided prior to 1989.

Generally, the low level of worker training in the agricultural sector is a matter of concern.

Politicians do not have a vision for the economic and social development of the country.

Romanian farmers cannot employ seasonal workers for very short periods.

Employers' needs vary from host country to host country.

Not all countries have a minimum wage and there are very few job opportunities in qualified employment.

Only 16 out of 27 Member States accept Romanians and Bulgarians.

7 – a) – Which factors promote mobility?

Qualifications and recognition of experience in the EU: this is an interesting idea. The Agripass will be an important tool for worker qualifications.

8 – Is there mobility linked to climate change?

There are no statistics on external migration. There is some inter-regional movement but this is not viewed as such.

9 – Are there any local networks?

Sporadic relations with trade union organisations in host countries – The EURES network is present here (with a representative at the meeting).



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10 – How is mobility monitored?

There is no specific action, except for:

- The recent introduction of a secretary of state for mobility (we met with the person responsible at the interview)
- Exchanges with the trade union organisations in the host country (Spain), but not ongoing.

11 – Are there agreements with employers about the management of mobility?

There is no specific agreement on this subject, although the relations between the social partners in the sector are excellent.

12 – Representation of national workers in host countries

No specific information is available, but this is essential.

13 – Other information

The mass exodus of workers to other countries has led to a relatively low level of unemployment. The role of employment companies is being developed but there is very little information.



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MOBILITY: INTERVIEW SUMMARY – CZECH REPUBLIC

(Document drawn up in accordance with the method proposed in GRAZ at the end of June 2010).

1 – Two types of workers: short-term seasonal workers and long-term workers.

2 – Describe the mobility of national, community and extra-community workers and workers in given professions.

The Czech Republic is not a country where migration poses a problem. The issue is more that of Czech citizens who find it difficult to move internally. They don't like to move around. There are a number of sectors and regions in the Czech Republic that suffer from a labour shortage and other regions that are affected by unemployment. Employers take advantage of this and look for workers elsewhere. Examples include the automotive industry, the retail industry (supermarkets), mining, etc.

Agriculture does not employ permanent foreign workers but there are some foreign seasonal workers. There are also Czech citizens who work in other countries, particularly in agriculture and housekeeping; they are employed by foreign agencies. These are mainly Czechs living in border areas next to Germany or Austria.

3 – Welcoming of workers: accommodation – integration

There are 300,000 seasonal workers who harvest fruit, work in the wine sector, etc. If they come from other countries they are Polish or Ukrainian. Their languages are very similar to Czech so they have no problem integrating.

Czech workers have no problem working alongside foreign workers. They live together in the same very modest accommodation.

Agencies in the Netherlands and Spain specialise in tax evasion. The amount they pay workers is very low (8,000-12,000 Czech crowns) for an undeclared period of work.

4 – Working conditions, social security coverage, information.

5 – Social protection: social security, pensions. What conditions apply?

In the Czech Republic, independent migrant workers are obliged to take a language test in Czech in order to have the right to remain in the country and benefit from the social security system.

6 – Describe training: vocational and technical



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The ministry of employment offers training but this is not taken up by foreign workers. The workers' level of education is very low.

Czechs who go abroad to work take advantage of the training on offer.

Vocational training – initial and continuing – is carried out in state-run vocational schools. Every two years, employers provide continuing training for workers. Every year there is continuing training in the state-run vocational schools and annual training on health and safety in the workplace.

7 – Describe any obstacles to mobility.

7 – a) – Which factors promote mobility?

If a worker changes jobs, providing there is an employment contract, the pay remains the same as that received in the previous job. If a worker wants to move to another company, he can providing notice is given. If a worker is dismissed, he is entitled to three further salary payments if the contract is not fixed term.

8 – Is there mobility linked to climate change?

9 – Are there any local networks?

10 – How is mobility monitored?

11 – Are there agreements with employers about the management of mobility?

12 – Representation of national workers in host countries

13 – Other information

The trade union does not welcome foreign worker mobility because they work for very low wages and are not particularly interested in putting pressure on employers.

Since unemployment has reached 10% (approximately 500,000 unemployed) in the Czech Republic, the government has introduced a programme to send foreign workers home in return for payment of their flights. 250,000 to 300,000 foreign workers have already taken advantage of this offer.

It is not possible to have free movement of migrant workers while there is such a high level of unemployment. Furthermore, the workers are exploited by employers. Often they do not even have the means to return to their country of origin because they send most of their wages to their families. It is not unusual for them to be in debt in their home country.



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Relations between Germany and the Czech Republic are not good because Germany has closed its border to workers from Eastern Europe, but the Czech Republic cannot allow everyone to come in.

Under the communist regime there were agricultural undertakings operating in parallel with specialised agricultural companies which managed technical stations and large machinery and employed specialised workers. A farmer with a field of wheat would employ such a specialised company to harvest the wheat.

Since 1990, companies have no longer needed to pay specialised companies because they have been able to buy the machines and large surface areas themselves, and become independent. They also avoid employing workers. The Czech Republic has the lowest level of labour in the European Union (1 person per 100 ha of agricultural land). This is a major problem for the farming trade union.

To remedy this problem, agriculture needs to be restructured after 2013. Subsidies should be channelled towards undertakings where the employer supports employment, workers enjoy good working conditions and there is respect for the environment. The number of livestock should not be the main factor in the allocation of subsidies.

It is also important to avoid undeclared work. Many workers are paid below the minimum standards. Avoiding this would help to stabilise employment in the agricultural sector.

Moreover, agriculture is changing rapidly. Companies are becoming standardised. Prices need to come down and both subsidies and productivity need to increase.



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