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LABOUR MIGRATION – FIVE PRIORITIES FOR THE EU AND ITS MEMBER STATES

by Martin Hofmann

Governments are seeking the balance between containing the COVID-19 pandemic and saving the economy. Migrant workers are essential in this regard, and the EU and its member states have to find ways to manage labour migration in an era of restricted mobility.

As the coronavirus spreads across the globe, governments have introduced far-reaching measures to contain it. However, officials and experts witness with every passing day how much these restrictions are wreaking havoc on national, regional and global economies.

In the EU and around the world, profound measures of social distancing and border closures were introduced early in the crisis, which brought economies to a near standstill. Mobility restrictions have made clearer a point often stressed by academics but not accepted by the public debate: advanced economies are highly dependent on migrant workers.

In the EU, 18.3 million of all employees are migrants, more than 8 per cent of the EU labour force. Half are from another EU country, the other half from outside the EU. Every year, the number of non-EU nationals entering the EU labour market increases considerably. According to 2017 figures, EU member states issued [3.1 million first residence permits](#) to non-EU citizens. About half of these permits were granted for reasons of work and education. During the same period, 1.3 million people commuted across borders to work in another EU member state: they work in construction, agriculture, the health sector, the care sector, transportation, retail and other occupations that contribute substantially to national economies. During the pandemic, these jobs are even more critical to keep societies functioning.

Migrants fill the ‘too difficult’ gaps in labour market

In this context, irregular foreign employment is one aspect that deserves particular attention. No official statistics exist but previous academic research has estimated the stock of unauthorised foreign workers in the EU at about 1.1% of the total EU labour force, amounting to 2.4 million irregular migrant workers in the EU. Irregular workers typically concentrate in domestic help, construction, small trade, the catering industry, tourism, harvesting and other

types of seasonal work. Most developed economies rely on migrants in undeclared jobs which are excluded from tax or social security contributions. The fact that such workers are officially 'hidden' poses a particular problem right now. Turning a blind eye to irregular migrant work regularly raises questions of migrants' rights and taxes. As the pandemic upends societies, it reveals and accentuates hitherto uncomfortable truths: key gaps in our labour markets would remain unfilled without irregular migrants. Today, when all social activity is severely restricted by formal crisis response frameworks, recognising that this has been the case and adopting a *realpolitik* approach is the most intelligent way forward for advanced economies.

Five priorities for the way ahead

Labour migration mattered a lot before the pandemic hit Europe. Now the crisis has made its importance clearer, underlining the need for a common approach to labour mobility in the single market as part of a comprehensive crisis recovery plan. This should be made complementary to measures addressing sky-rocketing unemployment in domestic labour markets as a result of COVID-19.

To date, labour migration in the EU context is a sensitive matter. Outside of EU nationals, member states decide who may enter their territory to work. Given restricted mobility will continue for some months, novel and sound strategies in five priority areas may contribute tangibly to steering economies, labour markets and migrant work through these fundamentally challenging times, and by doing so contribute effectively to the recovery process.

The first and most important priority is, of course, to ensure safety for both migrant workers and recruiting societies. All workers need to have access to state-of-the-art health protection and infection prevention, irrespective of their nationality. Best practice guidelines should be consolidated on an ongoing basis at European Union level.

Closely linked is the second priority, namely the safeguarding of labour rights and standards. Given the changed circumstances and increased risks and hardships, employers certainly need to re-calculate wages and provide other incentives. In view of respecting regional pandemic plans and pragmatically attracting needed migrant workers: work place arrangements and all other aspects of the stay in the host country need to respect the highest possible health standards, but also better transferability of social security benefits and the guarantee to return home safely, if desired.

The third priority is to put cooperation on migrant workers between sending and receiving countries on a new level. Predictability and mutual trust are essential in a complex and fluid situation. In order to effectively manage a multitude of different national and sub-national restrictions on mobility, states need to establish comprehensive mechanisms that enable them to jointly manage labour mobility between them, taking into account current health standards. This includes provisions for specific sectors, applicable working conditions and health protection, the actual modalities of transportation, and required quarantine measures, cost coverage and assisted returns after the job is done. A mess of different bilateral approaches will overburden authorities, create bottlenecks and lead to serious delays in filling essential jobs. Therefore, it is vital to coordinate this cooperation at the European level, making use of existing actors such as the [European Labour Authority](#) and other regional fora.

A major challenge is the actual travel or transport of commuters and seasonal workers in times where border lockdowns are seen as essential for containment. The fourth priority is, therefore, to move from *ad hoc* approaches to this to standardised arrangements that combine ‘just in time’ labour force supply with health protection.

The fifth priority is less obvious but equally important. As shown above, millions of migrants in Europe are believed to work in clandestine situations. Non-visibility and informality, however, constitutes a major problem for any pandemic response plan, especially in the context of a second wave of infections. Hence it is advisable to take a pragmatic approach to situations of irregularity and informality and to consider formalising and regularising them, as several [EU countries have decided to do](#).

For many years, the EU and its member states did without effective regional labour mobility accords. At last, the pandemic may have provided the urgency to revisit the issue. Controlling mobility remains essential to contain the spread of the pandemic, and restoring mobility, albeit in a controlled way, is vital for Europe’s economic recovery.

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