

Policy Brief

The bargaining for working conditions and social rights of migrant workers in the Central East European countries (BARMIG) project assesses the role of established industrial relations institutions in addressing the effects of migration on changing labour markets and how trade unions and employer organisations in Czechia, Croatia, Estonia, Hungary, Slovakia and Poland respond to these changes.

In Estonia, the long-term employment of migrant workers of third countries is restricted to an annual quota of 0.1 percent of the permanent population. At the same time, temporary access to the Estonian labour market is more open: simplified criteria apply to both short-term and seasonal workers. Furthermore, international students do not need a working permit while studying in Estonia. There are many temporary employees in construction, the metal industry and some areas of the services sector, for example, with fewer in health due to language and professional requirements.

Labour market integration and the working conditions of third-country nationals are affected by the extensive use of temporary working schemes, leading to worse working conditions and less data being available on working conditions. In fact, third-country nationals may even choose worse conditions in order to maximise their income, e.g. through longer working hours. There are issues with the lack of employment contracts, law of obligation instead of labour contracts, occupational safety, pay below that of local employees and issues with social security.

The approaches of social partners to migrant workers vary across sectors. In the platform economy, employers avoid statistical categories that count migrant workers, and there are no special staff designated to them, though customer support is available in Estonian and English. In the services and metal industry, collective agreements do not deal specifically with third-country nationals. Yet, any collective agreement seems to guarantee that migrants and locals are treated as equals (because fewer problems are reported). Despite some discrepancies in the views of social partners, employers see the potential for cooperation with unions on migration issues. In regard to health, strict qualification and language criteria hinder the hiring of third-country nationals; the position of social partners is that Estonia should not be a transit country for third country migrants and, accordingly, the necessary training should be targeted to those willing to work in Estonia. In the construction sector, the biggest challenges for employers are in eliminating the migration quota and enabling the immigration of relatively more qualified employees for more extended periods.

Recommendations

- Consider alternatives to the current strict quota system (e.g., points system).
- Search for alternative solutions to labour shortages if strict migration policies continue.
- Identify and develop the migration-related capacities of social partners.
- Consider the recommendations of social partners on sectoral specifics and suggestions for solving the problems.