

Labour Markets in Flux: Migrant Workers Integration and the Role of Institutions in Central Eastern Europe

Report of the expert workshop

On February 1 2022, the Central European Labour Studies Institute (CELSI) organised an expert workshop in online form, with the involvement of renowned migration and industrial relation specialists. *Due to the pandemic, the workshop was organised online, and it gathered 60 participants, including representatives of trade unions and employer organisations, but also institutions and organisations dealing with labour market integration of migrant workers from third countries. Participants mostly came from four traditional sectors covered by the project and project countries, including Ukraine and Serbia.* Besides BARMIG consortia members, participant-speakers of the workshop were:

- **Marek Čaněk**, expert of NGO Spot and former director of Multicultural Center Prague, specialised in labour migration and migrant worker rights Czechia;
- **Christiane Kuptsch**, a Senior Specialist in Migration Policy at the International Labour Office in Geneva (ILO), a political scientist with specialisation in international relations, and with a background in law;
- **Stefania Marino**, Senior Lecturer in Employment Studies, Alliance Manchester Business School (AMBS), University of Manchester, co-leader of the Immigration, Immigrants and the labour Market (IILME) Standing Committee within the IMISCOE European Research Network;
- **Robert Modrijan**, Expert, Employment Service of Slovenia, Ljubljana, involved in several projects targeting integration of migrant workers;
- **Anne Mette Ødegård**, Senior Researcher at the Institute for labour and social research – FAFO, Oslo, with focal research areas of labour migration, collective agreements and wage formation.

The workshop was opened by **Marta Kahancová**, Executive Director of CELSI and the discussion was prepared and moderated by **Tibor T. Meszmann**, Senior Researcher and Scientific Coordinator of CELSI.

In the first part of the expert workshop, **Agnieszka Kolasa-Nowak**, professor of the Maria Curie-Skłodowska University (MCSU – UMCS) in Lublin presented the main comparative findings of the BARMIG project. The presentation had a sectoral focus, it concentrated on indicating sectoral variations in presence of migrant workers, characteristic employment forms, strategies of employers and trade union responses and best practices in the five analysed sectors, indicating thus similarities and differences in the six countries covered by the BARMIG project. The comparative finding indicated rising presence of migrant workers in most, especially low wage sectors in all six countries, and limited resources of social partners to deal with the challenge, with significant variation among countries.

Anne Mette Ødegård pointed out that although labour shortage in several industries is a shared challenge among European countries, the strategies in which this issue is addressed reflects the type of migrant inflow in terms of origin. For example, Norway mainly receives EU

migrants, and it is oriented towards policies to attract high-skilled migrants from these countries. Overall, the unionisation is a chief need in order to influence politics, establish collective agreements and to cooperate with employers for tackling social dumping and unfair competition.

Christiane Kuptsch stressed that regulation of migration and the simultaneous need for workers due to labour shortages represent two opposed objectives, which are often reconciled by quota systems and labour market tests. The involvement of employers' and workers' organisations in these systems should be fostered in order to provide governments with good and timely information regarding occupational shortages and to develop effective responses accordingly. Moreover, since participation in the labour market is a powerful means to guarantee social integration and combat migrants' exclusion, investments are also essential to support migrant workers' early integration into the labour market along with equal treatment to guarantee upward mobility. Such development could result in long-term benefits for all the involved actors.

In her reflection, **Stefania Marino** stated that employers' demand for migrant labour represents the most crucial aspect in shaping migratory movements, which exacerbates social dumping both when this demand contradicts the restrictive migration policies in force, and also in the case of liberal migration policies sided by a lack of regulation of recruitment. An interaction between policies and employment regime is therefore essential in the context of migrant labour. State support then plays an important role not just in the regulation process, but also in providing resources to unions and labour inspectors in monitoring interventions and controlling intermediate agencies that are often involved in exploitation.

Robert Modrijan drew a parallel of the six countries analysed with the experience in Slovenia. The shortage of labour in Slovenia has resulted in a massive recruitment of foreign workers, which represent 20 percent of employees, and are primarily employed in low paid and labour-intensive sectors, such as transport, warehousing and construction, under severe exploitative conditions. The peculiarity of the Slovenian case is that the majority of migrant workers come from countries of the former Yugoslavia and a great portion of them also fall under the category of "family migration".

Marek Čaněk stressed that although there is a convergence among countries in addressing labour shortage through circular schemes of migration, a chief difference among European countries concerns the great gap in working conditions and wage imbalance for the same job between a Central Eastern European and Western European country. There are some important recommendations to address these issues and imbalances. For example, trade unions are involved in wage pressure, there is a call to create social spaces, enabling interaction among workers, as well as to provide better education on workers' rights, etc.

In the **second part of the expert workshop**, the invited experts shared their experience and main insights stemming from their research and work related to the themes of labour market integration of migrant workers, of high relevance for social partners, but also for policy makers.

Marek Čaněk reflected on the various discussions and fights for migrant worker rights in Czechia, in which he has been involved since about 2004, starting with his work at the Multicultural Center Prague. He pointed out that during his work he faced inertia on part of both state institutions and trade unions, and for years there were little improvements for the migrant workers themselves. Still, efforts in exposing social dumping and protecting migrant workers have evolved somehow positively over the years, an example being the way trade unions started to perceive migrant workers by approaching the issue in a different way - i.e., from a general neglect towards an increasing interest in seeing migrant workers as an opportunity for trade unions and migration as an effort to decrease insecurity in the labour market. Scepticism is still present among trade unions which, despite improvement in integration, still do not place the issue as a priority. On the other hand, other actors have been more involved through public hearings with migrant workers themselves and stakeholders, such as labour inspectors and NGOs, which managed to find a common ground for action, despite the shortcoming some of them can bring about. Campaigns grew in recent years, which involved migrant workers and actors, such as anti-racist leftist groups, trade unions and NGOs. Activists have glowingly organised several petitions, demonstrations and legal meetings, which have not received sufficient political and media attention and did not reach some of the established campaigns' goals.

Robert Modrijan presented a special programme of the Employment Service of Slovenia targeting migrant workers. The programme is intended to achieve a broad social integration of migrants into the national labour market and thus to increase their employment opportunities. Two main projects have been developed within the programme. The first project, called Info Point ran from 2010 to 2015 and then again from 2019. It is intended for those migrant workers, who have been recognised as the most vulnerable in the labour market. The purpose of Info Point is to make migrants more aware of their rights, opportunities and obligations and offer support throughout the stages of integration, through the assistance of the Employment Service of Slovenia and in partnership with trade unions providing legal assistance. The second project, Labour Market Integration Program, started to run from 2016, and developed at the service of refugees first (and in a later stage included other third country nationals) in order to address the main barriers they face - e.g., language, recognition of education, experience. It consists of a counselling service and workshop organisation that work as a job training program with the guidance of mentors.

Anne Mette Ødegård introduced the evolution of relevant institutional responses, and institutional synergies, to labour market integration of migrant workers in Norway. Her lecture reflected on relevant and important developments in Norway in terms of cooperation between employers' and workers' representatives at the company and sector levels. Specifically, there is an insistence on sector-wide application of collective agreements in the most affected industries. The institution of chain liability (health and safety regulation) is important to highlight, including the work and role of labour inspectorates. She underlined the general policy principle, which crystallised over time: *"The overall attitude during the past sixteen years has been that labour migrants are welcome as long as they are treated well and receive Norwegian salaries"*. Main changes in the Norwegian labour market have taken place following EU integration in 2004, after a growing influx of migrant workers. Despite the high union density in the country, migrants have been less likely to join trade unions. In addition, many controversies with employers regarding labour conditions have emerged and persisted as

migrant workers still tend to be employed in the most unstable sectors of the labour market, and usually at the bottom of the labour market hierarchy. The latter is the case due to several barriers, first being the language. Within this context, the question about integration has evolved throughout the years and some success has been recorded, such as the cooperation between social partners and the government. Social partners have been increasingly engaged in developing action plans to combat social dumping. The labour market model of Norway is today based on multi-level cooperation which makes it possible to implement central decision making at all levels and allows local authorities to use a public procurement system to require fair conditions for employees in subcontractors, thus making all contractors in the chain liable for unpaid wages. A successful example is the extension of collective agreement in some industries, with the purpose of ensuring that foreign workers receive wages and working conditions equal to locals and to prevent unfair competition in the labour market along with the introduction of the minimum wage for all workers in sectors, where migrant workers are typically employed, such as construction, ship building, cleaning, agriculture, fish processing, electric, transport, and hospitality. Another effective initiative concerns the issuance of a health and safety card for workers of the construction and cleaning industries. Moreover, in the sphere of enforcement, three main changes can be tracked: (1) the expansion of labour inspectorate for the supervision of wages and provision of guidance to migrant workers, (2) the establishment of seven work-related crime centres in cooperation with several actors as police forces, labour inspectorates and tax authorities, and (3) the entrance of labour inspectors into international cooperation with authorities in CEE to ensure fair working conditions.

The main question guiding the brief lecture of **Stefania Marino** was what actions are at trade unions' disposal regarding labour market integration of migrant workers. Some trade unions' past experience can be regarded as an effective benchmark of good practice. Two relevant examples come from Italy and Spain. In Italy, the establishment of the CGIL extended the horizon of international collaboration between unions in home and host countries, in order to avoid social dumping. The chief component has been in fact to strengthen the labour movement through definition of union policy on emigration, which could regulate the mechanism of the workers' rights and employment conditions of Italian workers abroad, along with the unionisation of emigrant workers before their departure. A similar work has been carried out in Spain, where local offices established relationships to make the territorial level and the central state collaborate in migrant workers integration. Both these initiatives have resulted in a new awareness of the needs of migrants in the host society and new practices of inclusion through immigrant centres with high levels of engagement. The role of trade unions in these two cases has been to act as the first reference point of migrants for social-related and work-related services. Although these experiences are the basis of good practice, they encountered some obstacles to innovation, such as (1) the neglect of issues of social citizenship right as being considered outside the domain of unions, (2) the weakening of labour organisation and migrant workers' empowerment on a long run, because of opposition regarding issues of "servicing", and (3) the ability of trade unions to justify why resources are spent for migrants in environment where anti-immigration sentiment are diffuse. Despite the past effective actions of trade unions, there are two dimensions in which they are recommended to act to achieve better outcomes in the future. First, unions should consider major actions and investments so as to organise outside of the workplace and be more focused on the local territorial dimension in building longer-term relationships with migrants.

Second, a line of action, increasingly centred on broader social rights of migrant workers should be developed, with a focus point on inclusion of non-work-related issues, such as providing major legal assistance.

In her talk **Christiane Kuptsch** stressed that there is a need to find novel pathways in designing and implementing "embedded" complex migration policies, given also new crises (e.g., Covid), and persistent dangers of job quality deterioration in case certain jobs become "migrant jobs". Namely, integration of migrant workers includes a wide array of potential policy responses. A central element in designing policies is to take a "system-based approach", that the ILO called *fair migration agenda*, in terms of considering migrant integration policies in interaction with many other spheres such as industrial relations, labour market, education, taxation and welfare policies. An example are the seasonal work schemes which must be integrated into plans for improvements and "*must not be designed as a sort of parallel reality from migration policies*". Along with the fair migration agenda, the ILO also set up the reconciliation between economic and social policy so as to create coherence among the four pillars of the *decent work agenda*, namely rights, employment, social protection and social dialogue. The latter represents a strategy of resilience against external shocks, such as the current Covid-19 pandemic. From such a system approach, systemic resilience might be improved by improving resilience for all workers in particular branches of the economy - e.g., whether more or fewer migrant workers should be hired in given sectors. Furthermore, a cornerstone for designing policies is equal treatment between locals and migrants to prevent unfair competition on both sides. The main obstacle in applying the principle of equal treatment is that "*equal treatment does not really deliver for migrant workers where certain jobs become migrant jobs, and where migrant workers develop as a sort of underclass*". In this context, the ILO has underlined the importance of overcoming the view of migrants as factors of production: instead, a human-centred approach is strongly advocated which stresses the rights of all people at the core of policies and frames the questions accordingly. In designing integration policies, the element of labour market integration therefore has to strike the right balance between rapid access to job and decent work, as well as the right balance between broad policies, such as employment services and targeted small scale integration policies. In particular, when migrants and refugees arrive in large numbers, it is suggested not to leave the local population behind as it might foster societal fracture; in this respect policy makers are encouraged to check how excluded groups can be included into new strategies of integration.

Tibor T. Meszmann and Federica Piezzo