

# Supporting Mobile Migrant Labour - The Role of The Trade Union

## Movement

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Written by Jan Cremers, Tilburgh Law School for the Hans-Böckler-Stiftung

The study *Supporting mobile migrant labour - the role of the trade union movement* discusses ways for trade unions to successfully manage assumed or ascribed tasks in the area of the free movement of workers and cross-border labour migration in the EU. It aims to contribute to the debate on how and in what form trade union activities can better protect the interests of migrant workers on the basis of clear rights concerning workers' mobility.

The study begins with a presentation of the rights that can be derived for industrial relations on the basis of existing international as well as European conventions and sets of rules. Industrial relations are the central reference point for determining the character and extent of an employer's rights and obligations towards an employee. At the same time, they are the starting point for the freedom of movement based on clear legal foundations. Various international, national and European labour standards are formulated independent of the legal status of the worker and are therefore relevant to mobile migrant workers. It is true that an individual worker will not often point to general standards, let alone take violations to court. However, these standards can serve as a (legal) basis for support measures when trade unions take action against violations or when they initiate legal and/or administrative proceedings on behalf of or in support of migrant workers and their family members.

In the second part of the study, the report provides an overview of the relevant parts of the EU acquis in this context. In particular, the tasks and possibilities for action given to trade unions in the area of rights-based freedom of movement are addressed. The related activities of trade unions can be seen as an important contribution to the implementation, not least in the social dimension, of the EU acquis, as they directly affect the functioning (and success or failure) of the internal market and the related free movement of citizens and workers.

In some example cases, the third part of the study highlights experience with different advisory roles performed by trade unions in relation to mobile migrant workers within the EU, especially in the field of information, advice and support.

In the last section, recommendations are made on how measures for the counselling and support of mobile labour migrants could be structured and financed in a more sustainable way.

The following conclusions are worth highlighting:

- Structured and continuous action is necessary

The free movement of workers and the freedom to provide services have led to a significantly increased mobility of workers within the EU that is unparalleled (apart from war-related displacement). Individuals may change their place of residence or work only temporarily, but labour mobility has become a structural segment of national labour markets in all EU Member States in recent decades. The examples gathered illustrate the added value of guidance and support for workers in different industries and

sectors (e.g. temporary and mobile construction sites, seasonal work, cross-border transport) and the need to develop working methods tailored to the specific situation. It also shows that high quality guidance and support services can only be generated through the development of permanent structures and continuous provision.

- Establishing and maintaining a broad-based network of support structures

When counselling and assisting mobile migrant workers, it is often difficult to separate measures to secure better working conditions from those geared to improving living conditions and housing. Guidance and support for mobile migrant workers - whether they have taken up work in another country as a result of the free movement of workers or as posted workers - often call for a multidimensional approach, looking at employment relationships, working conditions and living conditions. Networks of support structures need to be established and maintained, with input from NGOs and charitable organisations. Moreover, mobile migrant workers are frequently not members of trade unions, and temporary migrant workers in particular are unlikely to join a trade union in a particular country.

- Solid funding and possibilities for "flexible" responses

The existence of a fixed portion of mobile migrant workers staying for a limited period in a country and the associated problems require counselling and support services that go far beyond what trade unions offer their members. For the development of high-quality support, long-term funding is needed beyond individual, uncoordinated projects. It also requires structures that can react flexibly to newly developing situations and problems and a readiness to launch campaigns on certain issues.

- Advance the transnational approach

Most of the examples examined show the relevance of practical transnational activities. These build mutual trust, greater awareness of the difficulties partners face and a better overview of the impact of labour migration for both the home and host countries. They also have the potential to contribute to a better understanding of the differences between nations with regard to traditions and cultures affecting industrial relations. Transnational cooperation in promoting and defending rights-based labour mobility is the way to demonstrate the added value of free movement.