



Protection gap for migrant workers in the EU

Focus on working and living conditions for migrant workers and their families

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An analysis of working and living conditions of migrant workers in the EU

The challenges the unions see in relation to the subject of the seminar

Maria Mihaela Darle (CARTEL ALFA)

A summary of migration in Romania:

- UN 4th place concerning the number of people having left their country (looking for a better life): 3.5 million migrants, after the UK, Poland and Germany
- Most of them left in 2007 (Romania joined the EU – more than 500,000 left the country)
 - advantages:
 - To build a better life financially, improve living conditions. They have a higher income and can send more money to the family that is left behind. Those who stay at home get more chances as well, because they can travel to visit family in other countries and in that way widen their cultural knowledge.
 - disadvantages:
 - To leave their family behind; grandparents and children stayed behind, about 100,000 children
 - There is a connection between the number of divorces and labour migration: the number of divorces has increased
 - Shortage of labour; those who left the country are between 30 and 45 years old: the most active part of the population
 - Romania is known as a country that receives a lot of immigrants, rather than people leaving it. Migrants from neighbouring countries.
 - 2015 research on migration: 65,400 migrants from third countries came to Romania; not visible on the labour market. 10% of this group works.

In 2015: More than 64,000 migrants of 110,000 come from third countries (mostly Moldova, 7,000 from Turkey and 8,000 Chinese).

In 2016 229 people from Syria, Pakistan, Iraq and Somalia applied for asylum.

There are 13,000 Italians (2016), 5,492 Germans and 4,981 French.

Migration of qualified labour gave rise to special situations.

Example Tulca: 300 Vietnamese (welders and goldsmiths) brought to Romania to work in various sectors.

Challenges:

- Migration has not always been a priority for labour unions. Immigrants are not very visible on the labour market. However, we are aware of changes.
- Currently there are hundreds of people employed in one sector.
- The main challenge: to get people from third countries to join the labour unions, to eliminate thresholds.
 - The labour unions are denied access to a lot of small and medium-sized enterprises (SME's)
 - Acquaintance with labour unions is important, as is trust in labour unions
 - Language and language barrier
 - The main challenge is the 15 persons threshold to start a labour union in SME's
 - Employers pay low wages and living conditions will remain low when we don't succeed in uniting these people in labour unions.

Plenary workshop: expectations and getting acquainted

Dirk Coninckx (ACV BIE - Social Dumping in the Construction Industry, see presentation) and Erwin De Bruyn (Stebo - Labour Migration and its Challenge for Local Housing Conditions)

Q: The rate of workplace accidents? What are the latest figures? Per country? Is there a distinction between labourers within and outside the EU? This also relates to Portugal: what happens to labourers who migrate from Portugal to Belgium? Actually large construction enterprises won the Belgian tender procedures and subsequently established a mafia.

A.: At the moment there are no specific data. And yes, those are mafia-type activities. More and more accidents happen and we only see what we see and hear stories, but there is a need for enquiry. Important research is necessary, so we hope to learn from yours.

Migration is of all times. We must fight malpractice and misuse. To address this issue within Europe and to fight illegal activities we have to cooperate.

Q.: **Ukrainian labour union:** Can we make a distinction between refugees, temporary labourers, seasonal workers and working migrants? Is there a tool or structure to map this?

A.: It is hard to communicate with working migrants. We have a small leaflet we try to give them, in order to inform them about their rights and duties. We need an exchange between labour unions to share stories about working and living conditions. Labour migrants often hear romantic stories about Belgium and by means of the leaflet we try to inform them. There are also bilateral contacts, f.i. with Romania, to inform them about what it is like in Belgium.

Research results about labour migration in the EU

Johan Wets (HIVA - Picum.org, see presentation)

Q.: Is there a connection between racism and migration or does racism influence migration?

A.: See Lee Everett's push-pull model in which both countries of origin and countries of destination have positive and negative characteristics that influence migration.

Example: Immigrants in Italy feel remarkably negative about the Italian population, but this is compensated by the advantages the immigrants experience: jobs, the weather, facilities, etc. So this doesn't stop migrants to come to or stay in their host country. Going back, on the other hand, is often thwarted by not wanting to fail or by the pressure from family or relatives who stayed behind.

Q.: How should we cope with the growing pressure on our borders. Because the group of people who want to work, study and aspire a better life, grows and will keep on growing. Do we have to build a wall, like Donald Trump?

A.: Things are changing. Fifteen years ago there was a considerable migration pressure on the Canary Islands. Meanwhile there has been a discouragement campaign which resulted in the fact that now hardly any migrants go down there. In other places people are physically impeded to cross the border, with barbed wire and military patrols. Often the outcome is that groups of migrants settle at their side of that border. Europe will often be forced to negotiate agreements with those countries to efficiently keep those migrants outside. Each time ad hoc. But we need a general, inclusive guideline. We need a European policy that combines integration, humanity and security.

Q.: Large Western European companies open branches in Eastern Europe because of the lower labour cost. Can that limit migration?

A.: A better economy is of course part of the solution. Up to this moment, however, the number of jobs created that way is still considerably less in number than the potential of migrants wanting to look for happiness elsewhere. And even if there was a shortage, it would be replenished by labour migrants from other parts of the world.

The crux is hope: that is the only thing that can restrain people from leaving their country. In that sense it is a good thing that little by little there is an ever louder call for a more social Europe -which is this hope-, but this mere process already took 40 years. I am an optimistic defeatist..

The impact of the crisis on Romanian migrants and on living conditions of labour migrants in the EU

Cristina Chert (TON)

Q.: Do you think migration in Romania will also cause problems in the area of domestic and foreign investments?

A.: Right, this is a problem. Investors are already complaining about a lack of qualified workers, although there should be enough potential because of the relatively low labour cost, subsidies, etc.

Q.: What is the opinion of Romanians about people who leave the country?

A.: Those migrants are regarded as people looking for a better life. At the same time it is good that money returns. So it seems justified.

Q.: Why did so many Romanians migrate to Spain?

A.: The language is very similar. Even if you don't know one word of Spanish, you can still understand about 70%. Romanian television, for instance, broadcasted a number of Spanish telenovellas, which increased familiarity with Spanish.

Q.: Why did so many Romanians go to Belgium? Are they not aware of labour exploitation and the living conditions described here?

A.: Despite stories about poor labour and living conditions, Belgium to them remains a country of many opportunities. The situation in Germany, however, is different: when you don't officially work for a period of two years, and therefore don't pay taxes, you lose your right to a social security allowance and other forms of support. That is different in Belgium. And don't forget that, even if they are exploited, they still have higher wages than in Romania.

Q.: A question to labour union ACV: Do Romanian migrants join a labour union in their host country?

A.: In Belgium you can in every respect join a labour union, even if you don't have a legally recognised job or are without papers. The only requirement is that you pay your membership contribution, which amounts to 15 to 16 Euros a month. Given their income, this is not always self-evident. In other countries membership of a labour union is subject to conditions. Practically speaking, both cases tend to thwart membership.

Response of a Romanian labour union: Studies show that Romanian migrants almost never join a foreign labour union. The aim of their migration is earning money. We don't know whether this is related to the amount of the membership fee. Also in other countries we notice that labour unions are appealed to in case of salary problems or already signed contracts which were actually not understood. So an enveloping body of thought concerning labour unions is rarely present, although it is necessary.

Friday, 20 October 2017

An analysis of the living conditions of the families involved

Euro-Orphans in Latvia

Ilze Trapenciere (University of Latvia, see presentation)

Sometimes also children from refugee countries are involved. In Belgium we nowadays often notice that unaccompanied minors arrive in the context of the refugee crisis.

Europol data: 10,000 children travelling alone are missing (mafia, smuggling of people).

In Portugal not that many unaccompanied children arrive, but it is a known problem that requires our attention.

But is it a consequence of the migration waves and is this not more important than the left-behind children?

Attention to unaccompanied children is at least as important as attention to children left behind.

Ukraine:

- Migration to Italy (labour migration), Spain and Poland.
- To Poland: seasonal.
- Italy (15-20 years of migration): about 600,000 migrants, 80 to 90% women, mainly highly educated (doctors and teachers) and many still have children in the Ukraine.

Applications for asylum in Italy increased because of the war. The story is similar to that of the Euro Orphans from Latvia. Often it's also about sending money back to the homeland. Family networks also fall apart. 'Trans border family' is a new phenomenon: due to the emergence of cheap transport and the digital revolution there is increasing contact between members of families of which the parents migrated for reasons of better life and work.

Positive elements: learning of new professions, develop talents, to explore the world has become easier. Ukrainian communities are being formed abroad.

Johan Wets: Research of migration of women from around the world to Belgium mainly shows marriage migration as the cause. Is that the same in Ukraine?

No, it is different. We mainly have labour migration of doctors and teachers and seasonal migration to Poland.

Barbara Savalova: How is the fact that so many Slovaks work abroad regarded in Slovakia?

It is considered as being normal. It's a trend, but definitely a brain drain. Seen from a national perspective it is a pity that money is invested in our youths who are then leaving.

We need young people in the labour unions. Mobility is an important question in Europe. Young people undergo an education in their own country and now we notice that they leave to work elsewhere and thus cause a brain drain.

Q.: How do young people view a return to their country after having worked elsewhere for some time? Their new talents, additional language skills, etc. could have an added value in their country of origin.

A.: Youths are aware of the situation. They think it's ok to leave and they get a lot of chances to study abroad. I worked abroad myself and I noted that abroad they work much harder than in Slovakia. But it is good that when we return to Slovakia with our new experiences, we can lift our country to a higher level in some domains.

Impact on abandoned children

Annik Lampo (Departement Child and Youth Psychiatry)

The mother is still too much responsible for the education. What is the father's role?

In most Western countries it is normal that women have a job, but motherhood remains an important role. It is much more accepted that fathers get a job. People expect less involvement in the household chores from fathers.

A lot is known about the bond between parents and children, but far less is known about children who initially had a good bond with their parents, which afterwards diminished.

There are no easy answers.

We don't always have an answer to the problem of children who see their parents (often their mother) leave for a long time.

The bond between parents and children is important. First come food, feelings, etc. In the course of the first year of one's life an emotional tie develops. Bonding develops when children grow up. When people receive, they can also give.

We don't need the voice of doom. Some children suffer a lot, but still turn out okay in the end. A good bond and trust and togetherness often lead to long term relationships.

Research on growing up within a family framework (the first 3 years) or child-minders or day care centres shows there are differences, but no problems. The quality of the care is decidedly important.

A very worrying conclusion from Romanian research described a lack of care and the occurrence of child abuse. This study was about orphans (in day care or in family framework). When care is absent, badly organised or of inferior quality, the impact on the development of children (especially at a young age) is significant. Children must have the chance to talk about their negative experiences and to be able to give them a place. If not, the results of better care will be weakened.

Dutch research shows one better does not grow up in institutions. A child is better off with bad care or being ignored than with growing up in an institution. Children under the age of 6 should not be in an institution ever! Never! They miss a lot of care and emotional involvement, which they can never catch up later.

Social awareness starts developing from the age of 1 onwards. For parents: loving goes hand in hand with bringing up.

Raising a child is sharing the road, and being together is very important (quality, quantity and time). Balance is important! Being there when necessary is important.

Family time is important. For children, belonging is vital, to trust, relying on something and someone, discussion. Those are all parts of 'being a family'.

The mixture of cultures exists and we have to deal with it. An African proverb, for instance, says: 'You need a village to raise children.' We consider this to be an individual responsibility.

There is head and there is heart! Parents are anchors. Children need to be able to fall back on them, to lean on them.

Recommended: Movies by James Robertson about children being separated from their parents. See www.robertsonfilms.info and http://www.concordmedia.org.uk/documents/Teaching%20notes/A_Two_Year_Old_goes_to_Hospital_Guide.pdf

Europe can take pride in its open borders, but poverty creates a dangerous situation for child care, because children suffer very much from it. Poverty significantly enlarges the risk of problems during a child's growing up.

When they are ready for it, we let our children go: to university, to build their own life, etc. But do we ever reflect on what it means to children when they are 6, 8, 10 or 12 years old? We never give this a moment's thought.

We have to listen and to take into account that it's about giving and taking and educating them to become responsible adults.

Q.: In Belgian schools there are a lot of traumatised children. What is the budget for tranquilizers for those pupils? Do we have to close the borders to ensure that mobility is constricted? No!

If boarding schools might help, aren't they a solution for f.i. Latvia? Boarding school pupils only go home during the weekend. The parent's care is best, but we don't know its cost. Perhaps this is a good solution, but besides that, there is a need for parents who are sufficiently available. There is an imbalance.

To build boarding schools for children whose parents work elsewhere, so they can be at work during the week and visit their children on weekends, is a possible solution. In those boarding schools there is a need for teachers from their own country. The mixture of cultures has significance, but an education based on their own culture is important for children.

We have boarding schools in Mol and Brussels, but those are for the elite. It would be a solution to organise these boarding schools more wide-ranging and to make them accessible for the socially disadvantaged.

Boarding schools in Latvia: There is a problem of teachers working 21 hours and consequently lacking the time to pay enough attention to the children. This is not really a solution for us.

Children of refugees are able to integrate when they belong to something. To integrate without being attached is very difficult.

A mixture of rich and poor is typical for schools, which is a good thing.

One caregiver for every 20 children is not enough. It doesn't suffice for children who hardly ever see someone. We need to work on mental health care for children.

There are not enough child psychiatrists! In Belgium I personally know them all, and that is not good! There is lots of work and we have new psychiatrists starting, but too little. The Netherlands don't accept foreign teachers.

An example of approach of children in Belgium

Dirk De Rijdt (ARKTOS)

Q.: Is a project like Arktos also possible in Eastern Europe?

A.: Of course it is. Only, the main obstacle will be funding. There is, however, a number of examples, but those are financed privately or funding is kept entirely apart from the school system.

Q.: The Polish delegation is very enthusiastic, especially because of the active commitment of the youths themselves. We should propagate this method as much as possible in Europe. Is it the ministry or the school that ask Arktos for assistance?

A.: At the onset, this way of working was merely experimental. Arktos could recruit the youths itself, but was not allowed to issue diplomas or certificates. That was an impediment. However Frank Vandembroucke, Minister of Education at that time, saw the benefits of the project and thanks to his support this method could be embedded in the current part-time education, which allows youths to partly take classes and partly work or acquire work experience. Meanwhile, Arktos is often asked to participate in this educational trajectory.

Q.: Do you have an indication of the rate of employment after participating in an Arktos trajectory?

A.: Unfortunately we have no such data. At the start I was personally acquainted with everybody and I knew where each person was hanging out, but this is no longer feasible. What I do know is that we helped a considerable number of youths to, in their turn, guide other youths to the labour market.

Remark: What I have learned: motivation and shared responsibility is just what we need in Europe.

Q.: A question from Romania, where they have a similar project, 'Ghetto Games'. The problem there is that they can find few candidates to supervise the youths, or that supervisors resign too quick.

A.: Arktos started as a personal project. At the moment we have about 116 employees. We train our employees ourselves, but also cooperate with schools. The prerequisite for people who want to work for us is to like our youths and to be able to deal with their difficult stories.

Q.: Considering the subject of this seminar: what about the youths who don't have their parents near them?

A.: Arktos always tries to mend the bond with the parents, but they have to be around of course. At the same time we work a lot with youths who stay in institutions or youths who live completely separated from their parents. Youths will tell when they resent that all that's being done for them is done by people who get payed for this. They miss the unconditional commitment of, for instance, their parents. To engage more volunteers can be part of a solution.

Q.: What is the statute of Arktos?

A.: We are a kind of NGO, but cooperate with schools and other structures, such as mental health initiatives, leisure organisations and municipal or other authorities. The main thing is that working with these youths remains difficult, as a result of which we keep getting requests. When, f.i. a problem of neighbourhood disturbance is detected, the city or the municipality will turn to us for advise in how to handle it.

Q.: What if a school applies for support? Does the request have to pass by the Ministry of Education?

A.: Right. We don't always recruit ourselves, sometimes children or youths are being referred to us by a CLB (centre for counselling, orientation and guidance of pupils). But we always start with an open round-table conversation, a discussion with youths and possibly their parents. We need this commitment from the start.

The Romanian perspective on the Social Pillar

Petru Sorin Dandea (CARTEL ALFA)

Lecture:

The speaker took inspiration from the book *The Selfish Society* (Sue Gerhardt), of which particularly the subtitle *How we all forgot to love one another and made money* instead stuck. According to the author it comes down to the fact that the liberalisation of the last few years caused a decrease in the time spent by parents with their children and an increase of the time spent at earning money. As a result generations of children lack the fundamental knowledge about our moral values and the discussion about labour conditions and working hours has more than ever become crucial. We need to make more time for our children again.

The past few years the idea of a European social pillar increasingly receives resonance. On the one hand this can be explained by the growing pressure exerted by the midfield, on the other hand by the realisation that the past decennia Europe spent too much attention to economics and too little to the social level. This has caused a growing distrust of a large part of the population in the entire European project.

At the moment 20 core values are on the table that should give form and substance to the social dimension of the European project. Broadly speaking, we can distinguish three categories: equal access to the labour market, good working conditions and a solid social protection. It is important that this document, this European pillar of social rights, will be signed in November 2017. Despite it not being binding, this would be a major step forward to underline the common European ambitions in this field.

To achieve this we need legislative instruments that guarantee the social rights of every person in Europe. At this moment, rights and obligations are dispersed over Europe and its member states. In this respect we should work towards more convergence and transparency. Important elements that should be organised at a European level are an arrangement on minimum wages, a system of unemployment insurance and a European pension product.

Next to this we have to look for a new legislative framework in the area of labour conditions. Liberal policy has eroded the labourer's rights in this respect. Barely 2,000 of 14,000 Romanian collective agreements, f.i., were negotiated in the presence of a labour union. In France, president Macron as well, has already expressed propositions which make it easy to diverge from previously formalised collective agreements. The European Commission should play a larger role in this. Properly negotiated collective agreements and the input of labour unions in these negotiations are the only instruments to protect employees.

Again, the signing of the now submitted document 'European Pillar' is essential. This will raise hope for progress. The alternative is that the social debate will again vanish into the background and the different member states will implement different practices. That is not good.

Q.: You speak of minimum wages on a European level. Isn't it impossible to equalise this situation?

A.: I think it is rather simpler than we think. Don't forget the minimum wages don't have to be equally high everywhere. I think we can safely agree on a tool that takes the poverty threshold per country into account or the average minimum wages in every member state. Above all it is important now to prevent a decrease of minimum wages in some member states, because that is what is actually happening now.

Q.: You talk about a European pension fund. Who should manage that? Will it be organised privately or will Europe be at the controls?

A.: I don't expect Juncker to become a socialist all of a sudden, but I think several companies can manage different pension funds, provided that a framework with guidelines and monitoring is created at the European level.