

EMN OECD Inform

“Maintaining labour migration in essential sectors in times of pandemic”

Presentation of key findings

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Background and aims of the Inform

- Examined whether workers in certain occupational sectors – essential or otherwise – were exempted from general mobility restrictions at the external and internal borders of the EU (and OECD countries) resulting from policies to contain the pandemic.
- Reviewed the measures implemented as a response to the COVID-19 crisis at national level to facilitate entry into the territory of migrant workers in essential occupations/sectors.
- Identified where undocumented third-country nationals in the EU were offered a possibility to regularise their status for employment specifically in essential sectors.
- Examined specific measures for seasonal agricultural workers, given their importance to that sector in many countries.

The Inform covered developments in EU countries between March and July 2020 (timeframe extended for some OECD countries).

What were the 'essential' occupational sectors?

- EC Communication: identified workers in essential occupations, which were **exempt from travel restrictions** and allowed to enter the EU.
 - E.g. Healthcare professionals, health researchers, and elderly care professionals; Frontier workers; transport personnel (necessary haulage); diplomats, IO staff; military personnel and humanitarian aid workers; passengers in transit; passengers travelling for imperative family reasons; persons in need of international protection or for other humanitarian reasons etc.
- EU MS: many followed the EU guidelines or put in place measures to exempt several categories of essential workers from general mobility restrictions based on **national priorities and needs**:
 - E.g. the transportation sector (people and goods), highly qualified work, healthcare, medicine, food processing, critical infrastructure, high-level sport, seasonal work.

How to facilitate entry of third-country nationals (TCNs) ?

- Most countries **did not** introduce new policies or procedures → however **general adaptations were introduced in practice**
 - e.g. by facilitating the issuance of permits/visas or expediting processing
- Specific policies or procedures to facilitate entry of essential TCN workers introduced in 5 EU Member States. E.g:
 - streamlining/ prioritisation (ES)
 - collective organised border crossings (HU)
 - new measures to authorise seasonal workers in the medical sector to work or to continue to work in the country (FR)
- Exceptions from health measures - **lighter or alternative measures** to normal 14-days quarantine

Other measures to meet essential labour market needs

- **Access** to labour market to TCNs already residing in the country, (especially in agriculture and healthcare sectors)
 - Refugees and asylum seekers targeted (e.g. DE and ES)
 - New procedures to facilitate recruitment of TCNs who lost their jobs during pandemic (MT)
 - Facilitating job change for single permit holders (CZ)
 - Right to work granted or extended to international students (e.g. DE, ES, FR, IE)
- **Targeted regularisation** of undocumented migrant workers in shortage sectors (IT and GR)
 - e.g. agriculture and livestock, fisheries, long-term care (IT) and seasonal agriculture (GR)

Seasonal agricultural workers

- The COVID-19 pandemic has had a **significant impact** on Member States that rely on seasonal workers from third countries due to suspension / part suspension of applications
- Most labour shortages in **agriculture, horticulture, forestry** sectors
- Measures aimed at TCNs in agriculture sector **already residing** in country:
 - extension of **permits or time limits** for short-term employment;
 - extension of **maximum working hours**;
 - reduction of **minimum rest periods**;
 - **right to seasonal work** for certain categories
- Member States also introduced measures to mobilise the existing labour force.

Seasonal agricultural workers

- Measures to maintain flows of seasonal agricultural workers during the pandemic:
 - Lifting travel restrictions (13 EU Member States and NO)
 - Respecting quarantine periods but creating safe environments for seasonal agricultural workers to commence work immediately on arrival;
 - Adopting special arrangements with third countries to facilitate direct flights;
 - Allowing entry by land, air or sea.

To recap

- Despite the general restrictions, most EU (and OECD) countries **identified specific occupational sectors** that were considered as essential or ‘key’ where continued admission during the COVID-19 crisis was justified, based on specific guidelines. Many Member States applied the European Commission’s guidance or adapted and/or drew on some of the occupations included in their national guidelines to meet labour market needs.
- Most countries **did not introduce** new policies or procedures but **adapted their practices**. Where new policies or procedures entered into force, these applied mainly to workers in the health, agriculture and transport sectors.
- The majority of EU (and OECD) countries applied some **exemptions from health measures** for migrant workers in essential occupations to facilitate entry and rapid access to the labour market.
- Several countries implemented measures which aimed at facilitating access to the labour market for third country nationals **already residing in their territory** in order to address labour shortages in essential sectors, especially agriculture and healthcare.
- **Regularisation** of third-country nationals who had been employed in certain key sectors was also permitted in a limited number of cases.
- **Special measures** were introduced both for agricultural seasonal workers already in country, and to maintain flows of such workers during the pandemic.

Stay healthy!

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