

# FOURTH ENAR EQUAL@WORK MEETING

## HOW EU POLICIES SUPPORT OR HINDER THE HIRING OF MIGRANTS IN EUROPE

Brussels, 7 December 2012

# REPORT



european network against racism

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## Foreword



A growing number of voices are speaking up against migrants and minorities. These voices are not just those of the usual extremists, but also voices of mainstream decision makers. Regrettably, these voices disparage contemporary migration as a “threat” to society and denigrate integration in ways that introduce fears in the hearts of people and often with negative clichés. They repeatedly talk about “floods of migrants and refugees” and relate migration and migrants to increased crime, the bringing in of diseases, the building of parallel societies and the lowering of school standards. We hear these unfortunate voices talk about the many “challenges” of integration, of their own “concerns” about poverty, and of society having to cover the costs of immigrants. We hear these largely uninformed voices espouse such populist sentiments as: “immigrants are taking away jobs from EU citizens”, “migrants are driving down wages”, and “migrants are abusing the welfare state”. As a network concerned with the rights of all ethnic and religious minorities and migrants residing in the European Union, ENAR has watched and followed these developments with alarm and utter disappointment.

These populist messages are not only inaccurate, but they also contribute to the rise in anti-immigrant feelings, Islamophobia, anti-Gypsyism, anti-Semitism and Afrophobia. This tendency, coupled with policies limiting the rights of migrants and minorities, facilitates a hostile environment in which it is extremely difficult for third country nationals to enjoy equal access to services, full participation in the European labour market or equal opportunities in the workplace. Those who are visibly and/or culturally different from the mainstream population tend to experience the greatest prejudice and exclusion in addition to being blamed for Europe’s wider economic and social problems.

As an anti-racist network, ENAR feels there is an urgent need to intervene when such “labels” or social constructs are used to reaffirm, propagate and entrench inequalities that are detrimental to the majority of the European population. This is one reason why we are committed to tackling discrimination in employment, which results in precluding minorities and migrants from accessing the labour market, realising their full potential, benefiting from equal opportunities and receiving recognition for the contributions they make to European society. Eradicating structural discrimination in employment would certainly support the Europe 2020 strategy’s headline target of getting 75% of people aged 20-64 into employment.<sup>1</sup> Moreover, ENAR aims to support businesses in making the business case for diversity and in leveraging equality and non-discrimination practices internally. As featured in the Equal@work initiative, we help increase the Diversity Return On Investment (DROI) of businesses and in doing so, strengthen the contribution of ethnic minority communities throughout European societies and economies.

<sup>1</sup> For more information, see: <http://ec.europa.eu/eu2020>.

In this context, ENAR's pioneering Equal@work initiative aims to create a safe multi-stakeholder space to discuss strategies for tackling racism and discrimination in employment with the support of allies and committed business partners, and to share, duplicate and improve best practices in human resources and diversity management.

I am therefore delighted to present the report of ENAR's 4th Equal@work meeting, which presents the results and recommendations of the meeting held in Brussels on 7 December 2012 on the theme "How EU policies support or hinder the hiring of third country nationals residing in the EU". The meeting participants reflected on these policies and brainstormed innovative solutions to foster the hiring of third country nationals already in the EU.

A number of best practices and concrete recommendations are also put forward in this report. We therefore hope that EU decision makers, political leaders and all stakeholders involved will use these to address the obstacles third country nationals residing in the EU face in terms of labour market access and participation.

We are very grateful to all the speakers and participants who contributed to the discussion and shared their expertise, insights and solutions for change, and enabled this report to be produced. We also thank the Institute of European Studies (IES) of the Free University of Brussels (VUB) for hosting the event. We much appreciate the commitment and continued support of our key partners: Adecco Group, Ernst & Young, Le Groupe La Poste, L'Oréal and Sodexo, the European Commission and the Open Society Foundations.

**Chibo Onyeji**  
**ENAR Chair**

# INTRODUCTION AND BACKGROUND

On 7 December 2012, ENAR convened the fourth European meeting of its equal@work initiative (previously known as the Ad Hoc Expert Group on Promoting Equality in Employment). Experts on equality and diversity in the workplace from the European institutions, Member States, as well as representatives from multinational companies, trade unions, NGOs, universities and equality bodies gathered for this meeting. This report serves as a summarised outcome from the meeting discussions. ENAR wishes to thank the participants for their constructive and valuable contributions during the meeting, as well as their comments on the early drafts of this report.



## EU labour market needs

The topic of ENAR's 4th equal@work expert meeting is very timely. The issue of migration and labour market access can no longer be ignored or disentangled from wider debates on the European economy and growth, especially when young people are facing high rates of unemployment and Europe is facing major challenges in social cohesion.

We are living in times where economic migration is perceived by most of the EU Member States as a threat, as something to be fearful of, which influences policies related to migration, mobility and access to the European labour market. The European Commission has been assuming a leading and important role in promoting and de-securing the mobility of migrants for purposes of European labour migration, as their many contributions to economic growth in Europe are increasingly being recognised.<sup>2</sup>

Despite the European Commission's intention to create a horizontal approach to migration policies within the European Union, Member States have firmly rejected this, demanding that the authority in decisions about migration issues remains in their competency. Consequently, there continues to be incredible fragmentation regarding the establishment of a common migration policy. Evidence suggests that third country nationals residing in the EU often face barriers in accessing the European labour market due to discriminatory hiring practices, obstacles in having previous degrees from countries of origin recognised, mobility restrictions and work permit limitations, as well as skills mismatches and glass ceiling effects, just to name a few.

At the same time, employers also face challenges in hiring and recruiting non-EU migrants. With increasing competition to attract a global workforce, employers today need to know about labour rights and equality legislation, while also being familiar with steadily changing migration policies. Many, however, lack understanding of the various national and EU-wide policies on employment, migration and equality, largely due to their fragmentation. For instance, there is increasingly easier access for students, researchers, highly skilled migrants and intra corporate transferees (with companies investing and believing in the idea of a single market and thus seeking to enhance this possibility). Member States, in contrast, appear less convinced of the existence of a single market

and thus prefer to restrict access for labour migration. Many seem to be using the crisis as an excuse to claim concerns about their national sovereignty. The fact that migration policies are mainly decided at Member State level has resulted in a less ambitious approach to tackling specific obstacles affecting third country nationals. As a result, migration issues often remain a taboo issue at EU level.

Equal treatment is clearly an issue deserving greater attention in this regard, particularly when considering discrepancies in income, the labour market insertion of minorities and migrants, welfare access for families, generational and youth poverty, etc. Why do Member States insist on differentiating standards for protection among migrants and EU citizens? This sort of thinking puts the whole EU at risk. For one, it differentiates EU citizens from "others", affording a different set of rights and access, resulting in institutional racism and exclusionary tactics. This, in turn, leads to greater tensions among EU residents, less trust in the authorities, doubt of the state's commitment to human rights, equality and the rule of law, among many other challenges. Authors Kate Pickett and Richard Wilkinson elaborated on the costs of inequality in their book "The Spirit Level: Why Greater Equality Makes Societies Stronger" (2009). In this publication, they draw on the causality of numerous factors, such as links between limited social mobility and unequal opportunities and tendencies to recycle deprivation, i.e. intergenerational poverty, lower educational performance, greater mental health issues, drug use, obesity, teen pregnancies, violence, imprisonment, conflicting community life and social relations, resulting in a generally dysfunctional society. Relying on the statistical evidence presented in this book and the observations of its members, ENAR acknowledges and confirms the risks of unequal treatment for the wider EU society.

We also acknowledge that such restrictive practices may not always be intentional; after all, the current EU legislative system pertaining to third country nationals is incredibly fragmented. Sergio Carrera of the Centre for European Policy Studies confirms this by questioning, "Who would have thought there would be so many directives dealing with third country nationals? There are different laws and standards for various different migrant groups. There is a lack

<sup>2</sup> For more information, see: <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=1853&furtherNews=yes>.

# EU labour market needs

of comprehensiveness, which needs to be addressed and tackled, considering the many stakeholders affected”.<sup>3</sup>

This publication hopes to contribute some knowledge regarding where Europe is today in terms of labour migration, equal opportunities and offering attractive employment options for third country nationals while still maintaining Europe’s values, i.e. respecting the principle of non-discrimination and its commitment to protecting and ensuring human rights. What are the challenges ahead for employers, Member States and the European institutions in this regard?

## Objectives and methodology

The integration of migrants and ethnic and religious minorities within their respective majority communities is determined to a large extent by their opportunities to actively participate in gainful employment. Realising equality and diversity continues to be one of the key challenges facing labour markets within the EU Member States.

The ENAR equal@work initiative (previously known as the Ad Hoc Expert Group on Promoting Equality in Employment) is a pioneering initiative, that was launched in 2009 with the aim of bringing together businesses committed to diversity and inclusion, anti-racist civil society organisations, trade union representatives, public employers, EU institutions and other relevant stakeholders in order to find solutions to ensure the full participation of ethnic and religious minorities and migrants in the labour market. These stakeholders share best practices and concrete solutions on issues such as monitoring equality processes, implementing fair hiring and recruitment practices, working with trade unions to implement employment agreement contracts, encouraging mentorship programmes, fostering a culture of on-the-job training courses, as well as setting up complaints contact points in cases of discrimination (independent of the HR department) within the company. This initiative is a way for employers to deepen their understanding of cultural diversity and anti-discrimination within their organisation and thus address some of the obstacles ethnic minorities and migrants face in the labour market.

<sup>3</sup> Quoted during the CEPS conference on “Labour Migration and Mobility in the European Union - Assessing Attractiveness and Labour Market Needs” which took place on 7 May 2013. For more information, see: <http://www.ceps.eu/event/labour-migration-and-mobility-european-union-assessing-attractiveness-and-labour-market-needs>.

The objectives of the 4th European equal@work expert meeting were to:

- Review how EU employment and equality legislation impacts third country nationals, employers, trade union representatives, migrants and policy makers in achieving full equality in accessing the labour market;
- Identify legislative obstacles for third country nationals’ access to employment, as well as solutions for addressing these obstacles;
- “De-mystify” the debate on migration by looking into practices of third country nationals’ labour market insertion;
- Realise the potential of the different alternative tools available and ensure that these respond to the real needs of third country nationals and employers in Europe; and
- Make recommendations to the EU and employers on reducing the inconsistencies and legally-imposed forms of structural discrimination found in hiring third country nationals already residing in Europe.

The meeting consisted of a fishbowl debate and interactive multi-stakeholder sessions. This report thus highlights the main results from these different sessions. Good practices and recommendations along the themes of the workshops are presented. The report then concludes with a series of practical, targeted recommendations for different stakeholders to improve the hiring practices of third country nationals already residing in the EU that emerged from the expert meeting.

## ENAR’s position and focus

Despite the advantages of migrants contributing to all aspects of European society, structural barriers and economically driven migration policies are often known to limit the opportunities of migrants to fully participate in society or to have their talents recognised and valued – without clear rational reasons why such barriers have been set up in the first place. Recognising the contributions of migrants and enabling their equal participation in the labour market is thus of crucial importance. While ENAR does not necessarily want to contribute to ongoing discussions that examine migration under the lens of economics and refer to categories of human beings as “solutions for the much needed economic recovery” – after all we hold true to human rights-based arguments, we also recognise that our human rights arguments are easy targets for populist groups and most of the political spectrum.

As Europe is experiencing challenges with an ageing population and declining birth rates, migrants have increasingly been perceived in many circles to be part of the solution to Europe's economic and demographic challenges. In line with our objectives in the equal@work initiative, we aim to put forward the business case for diversity arguments that highlight the economic advantages for businesses to adopt cultural diversity and non-discrimination principles and to foster social inclusion. Diversity has a positive cost-benefit ratio in addition to contributing to social inclusion and equality.

An examination of daily life and exceptional achievements of third country nationals in employment speak to the contribution they are making daily, both directly and indirectly. They are achieving high standards, introducing creativity and innovative approaches in work routines and conflict mediation, opening up paths to new clients and consumers, devising alternative marketing and sales strategies, and increasing the economic growth of companies and organisations that promote their full participation in the work force. Not only are they benefiting, but their colleagues, employers, business partners and wider society are benefiting from this. After all, third country nationals also create opportunities for participation and expression of their wide-ranging talents.

Third country nationals contribute to European society and economy in multiple ways.

- For instance, their bi- and multilingualism enables them to maintain contacts abroad and to rely on existing links to broaden global markets. They contribute significantly, directly and indirectly, to GDP and the trade of European countries.
- In general, third country nationals are more likely to be of working age and thus working and paying taxes, both as workers and as consumers. As tax payers in Europe, they are direct contributors to Member States' welfare programmes. In France, a study shows that migrants are a good deal for the state. Accounting for migrants' contributions and also state payments, the research found a positive balance with migrants contributing €12 billion annually. Specifically, calculations show that migrants contribute €3.4 billion in income tax; €3.3 billion in wealth tax; €18.4 billion in consumer related taxes, and €2.6 billion in other local taxes. Their contribution to the repayment of the social debt (CRDS) and social contribution (CSG) is estimated at €6.2 billion.

- In Germany, the contribution of the Turkish community alone to the domestic economy is estimated at €35 billion annually. In Ireland, it is estimated that migrants contribute €3.7 billion to the economy through taxes and pay related social insurance, work permit fees, immigration registration fees, higher education fees and personal consumption.
- In Spain, it is found that migrants contribute more, particularly in the areas of education, pensions and health. While migrants represent approximately 12.5% of the population, they account for only 5.6% of the service users.
- Many third country nationals play a particular role in care work, a sector which is critically important to ensure high levels of labour market participation in the EU. In the UK, for instance, migrant workers account for 19% of care workers and 35% of nurses employed in long-term care. In Italy, between 2005 and 2007, the number of immigrant workers entering Italy with a contract for employment in family assistance and domestic work amounted to 259,473, representing about a quarter of all regularly employed migrant workers.
- The increase in the diversity of language and experiences in European culture further helps in remaining a key global economic force in tune with the changes of a globalised economy.
- Clearly, third country nationals boost productivity in Europe. When they spend their wages, they increase the overall demand for goods and services, which in turn boosts the demand for workers to produce them. The OECD argues that a foreign-born self-employed person who owns a small or medium firm creates between 1.4 and 2.1 additional jobs. In France, research provides evidence of the contribution that migrants make to the local economy through their spending: they pay about €18.4 billion to the state through their personal consumption and expenditure. The purchasing power of migrants in Austria has been estimated to be around €20 billion.<sup>4</sup>

Until the EU, its Member States and employers recognise and validate the diversity of migrants', particularly third country nationals', participation and contributions, we will not be able to benefit from their many contributions – to their immediate families and communities, to the growth of the organisations employing them, and of course to the broader economy and society as well.

<sup>4</sup> These figures are all taken from ENAR's publication: "Hidden Talents, Wasted Talents? The real cost of neglecting the positive contribution of migrants and ethnic minorities". For further examples of the contributions of migrants to European society, see: [http://cms.horus.be/files/99935/MediaArchive/publications/20068\\_Publication\\_HiddenTalents\\_web.pdf](http://cms.horus.be/files/99935/MediaArchive/publications/20068_Publication_HiddenTalents_web.pdf).

# PART 1

## Legislative landscape of EU policies affecting third country national workers

This section provides an overview of EU legislation and policies related to employment and migration and how they affect third country workers, as well as an analysis of the positive and negative impact of these policies on third country nationals' access to the labour market.



## Legislative landscape of EU policies affecting third country national workers

**Ionut Sasu**, Policy Officer in the Unit for Social Protection and Social Inclusion of the Directorate General for Employment, Social Affairs and Inclusion at the European Commission, began by highlighting current challenges regarding migration in Europe and stressing that social inclusion policies are very topical due to the prolonged financial crisis, severe social situation and record levels of unemployment. According to Eurostat estimates, 26.588 million men and women in the EU27, of whom 19.375 million were in the euro area, were unemployed in April 2013. Compared with March 2013, the number of persons unemployed increased by 104,000 in the EU27 and by 95,000 in the euro area. Consequently, compared with April 2012, unemployment rose by 1.673 million in the EU27 and by 1.644 million in the euro area.<sup>5</sup> Among these, migrants are disproportionately affected, as they suffer the most from the financial crisis and austerity measures. Many do not have the chance to fulfil their goals and benefit from equal opportunities as a result of the economic and moral crisis. Ionut Sasu implied that the moral crisis is evident by the spread of hate and anti-immigrant sentiment resulting from scapegoating and blaming tactics for the current financial decline. The following challenges regarding EU migration and the European Union as a whole were identified:

- There is only fragile economic recovery with poor projections for the year 2013, with weak labour market conditions for Member States' residents and migrants.
- There are persistent discrepancies in terms of employment and unemployment rates between EU regions and within Member States.
- There is a decrease in the size of the working-age EU population (15-64 year olds). According to current trends, this will decrease by 59 million by 2050, with an ageing population of 30% over 65 years of age by 2060.
- Unaccompanied minors and the external dimension of migration signify specific challenges for EU migration policies.
- Due to demographic and socio-economic developments, it is important to underline that Europe not only has vacancies for higher-skill level jobs, but also for lower-skill level positions. Moreover, Europe needs a high number of migrants in the care sector. Currently, the ageing popu-

lation places a burden of care primarily on women. The arrival of new migrants could raise the employment level of women across the EU.

- With time, the EU demand for migrant workers will increase. The potential of intra-EU labour mobility is currently being insufficiently tapped into.
- There is a need to develop EU human resources and promote labour mobility between Member States, but this is primarily a Member State competence.
- There is a need to remove remaining barriers to occupational and geographical mobility.

In reviewing EU policies that aim to promote the social inclusion of migrants, Ionut Sasu referred to the annual growth survey 2012. It encourages tackling unemployment and the social consequences of the crisis by focusing on those disproportionately hit by the crisis. It shows the increase in precarious work conditions, often leading to in-work poverty (and evidence of the "working poor"), impoverished households, an increase in child poverty, social exclusion, as well as low standards in healthcare and homelessness.

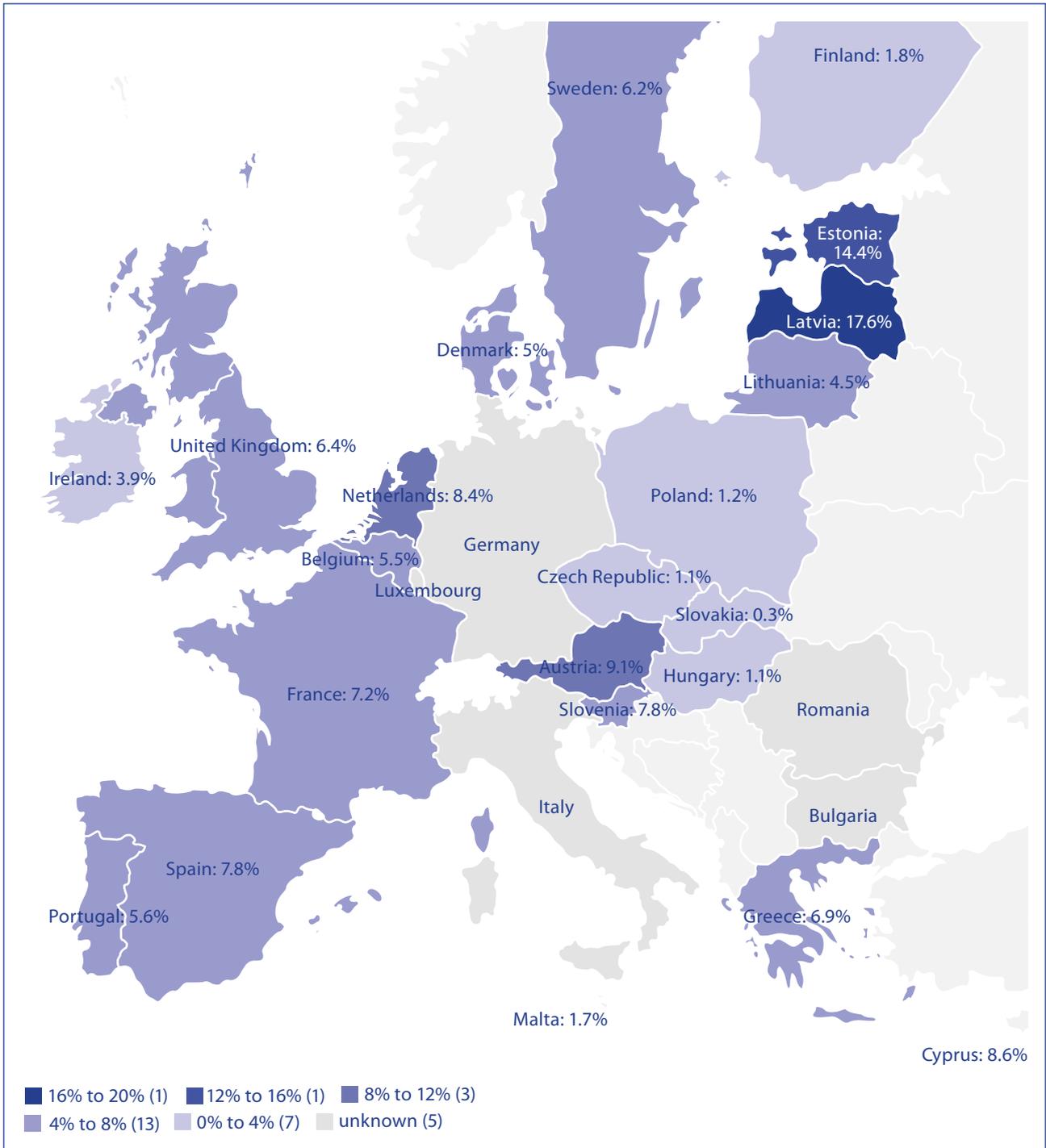
Ionut Sasu explained that the number of third country migrants differs substantially from one Member State to another. Shares are relatively high in Latvia, Estonia, Cyprus, Austria and the Netherlands and rather low in the Czech Republic, Finland, Hungary, Malta, Poland and especially Slovakia. In recent years, migration to countries in Southern Europe has accelerated, becoming as important as migration to the more "traditional" immigration countries, such as France, Germany and the United Kingdom. Member States are characterised by a diversity of past and recent immigration histories and include longstanding destination countries, new destination countries, new gateway or transit countries and emigration countries. At the same time, third country migrants to the EU display a wide heterogeneity as regards region of origin, cultural background, education and skill level, socio-economic and age characteristics, family status, etc. and have varying reasons for migrating to the EU.

Prior to the crisis in 2007, there were 3 million people based on net migration and intra-EU inflows; 10 million people were residents in another Member State than that of their

<sup>5</sup> For more information, see: [http://europa.eu/rapid/press-release\\_STAT-13-82\\_en.htm](http://europa.eu/rapid/press-release_STAT-13-82_en.htm).

# Legislative landscape of EU policies

## Third country migrants in Europe



Source: *Employment in Europe 2008*, European Commission; based on OECD (2006), UN (2006), EU Labour Force Survey ad hoc modules (2005) and national statistics.

origin; 18.5 million composed migrants from third countries (making up 3.8% of European population). Three years after the crisis, in 2011, there were 0.9 million people based on net migration and intra-EU inflows and 2.5 million third country nationals who received first residence permits: 32.5% of permits were issued for remunerated activities; 30.2% for family reasons; 20.6% for purposes of study; and 17% for various other reasons (protection-related, residence without the right to work, etc.). In 2011, there were 20.5 million third country nationals in the EU, making up 4.1% of the total EU population. Among these, 47% were non-EU born migrants from high Human Development Index (HDI) countries; 46% were from medium HDI countries; 7% were from low HDI countries, and 12.8 million composed mobile EU citizens, making up 2.5% of the total EU population.<sup>6</sup>

Ionut Sasu explained that Member States differ in their definition of “third country migrants”, evident in their use and analyses of statistics. The make-up of third country migrants differs in the Member States based on their: 1) reasons for migrating to the EU; 2) numbers; 3) socio-economic and age characteristics; 4) cultural background; 5) education and skill level; and 6) family status. In several countries the concept of “third country migrants” is not relevant or not used in statistics. In Portugal, the volume of immigrants is calculated on the basis of nationality. This is the national approach to immigration and the statistical basis that informs national debates about immigration both in academia and policy making circles. Statistics in Denmark do not distinguish between “native-born”, “other EU-born” and “non-EU-born” but instead between “immigrants from western and non-western countries”. The same is true for the Netherlands, with many statistics focusing on people with an immigrant background (western or non-western, also born in the Netherlands with at least one foreign-born parent). In Austria and Italy, the emphasis is on nationality or country of citizenship, as labour market data do not include the place of birth. The concept of foreign-born is inappropriate for any analysis on the immigrant stock in Poland too, as most foreign-

born people are older people who moved to Poland from former Polish lands annexed by the Soviet Union as a result of agreements on post-war boundaries. For comparable statistics we therefore prefer to use the data provided in the report “Employment in Europe” (2008).<sup>7</sup> The data presented in the country reports reflect this data with low percentages of third country migrants for the new Member States (e.g. just 1.2% in Bulgaria and 1.8% in Poland, with the exception of Estonia, which has a very low migration level, but large numbers of Russian-born) and high percentages in selected north-western Member States, such as Austria, the Netherlands and Sweden.

There is also great diversity between European countries relating to the region of origin of third country migrants. Obviously, in the European countries with a colonial past, these former colonial ties to a large degree impact the composition of the migrant groups. In Portugal the largest proportion of foreign-born are from Cape-Verde, Angola, Guinea-Bissau, Mozambique and São Tomé e Príncipe. In the Netherlands substantial numbers of third country migrants are from Suriname and the Netherlands Antilles, while in France large numbers come from Morocco, Algeria and Tunisia. Another common factor explaining the origin of third country migrant groups in some European countries is linked to histories of guest workers. In countries such as Germany, Austria and the Netherlands, this resulted in large numbers of third country migrants from, for example, Turkey and Morocco. This “guest worker history” has resulted in the emergence of another vulnerable group in terms of labour market integration, namely, second and third generations of migrants, or migrant youth.

At EU and Member State levels, there are broadly equal numbers of male and female third country migrants. Women are slightly overrepresented in migrant populations from Eastern Europe, Central and South America and East Asia and men are in the migrant populations from the Near and Middle East. In the EU, third country migrants of working age are on average younger than those who are EU-born, with the age distribution being relatively more skewed to the younger adult ages.

<sup>6</sup> These figures come from a publication issued by Eurostat, the statistical office of the European Union entitled “Migrants in Europe: A statistical portrait of the first and second generation” (2011). This publication looks at a broad range of characteristics of migrants aged 25 to 54 living in the European Union and EFTA countries. It looks separately at foreign-born persons, foreign citizens and second generation migrants. It covers the socio-economic situation of migrants including labour market status, income distribution and poverty.

<sup>7</sup> For more information, see: <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=415>.

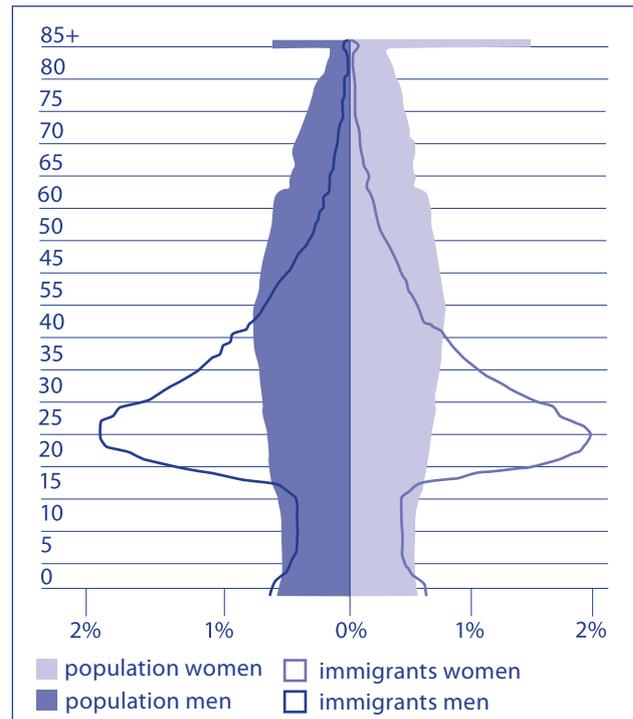
# Legislative landscape of EU policies

This difference is even more pronounced for recent third country migrants, among whom two thirds of the adult population is younger than 35.

Ionut Sasu surmised that the EU tends to attract mainly lower-skilled third country migrants. Third country working age migrants are more concentrated in the lower levels of the skill distribution, while the EU-born are concentrated more in the medium levels. However, there also many statistics and research reports that prove that a high percentage of third country nationals in the EU are actually higher qualified by comparison to the majority population.<sup>8</sup> Numerous researchers suggest that Europe attracts both very low-skilled as well as very high-skilled migrants. Recognition of high-skilled migrants, however, is less pronounced partly because these high-skilled third country nationals struggle in having their qualifications recognised and are consequently downgraded, facing job mismatches, or they are so highly-skilled that their symbolic status as a third country national migrant somehow dissolves. Through their economic success, however, they are often able to shed this status.

In the new Member States, the shares of people with higher education are greater among non-EU born than among EU-born. Thus, in these Member States in particular, immigration acts as an important source for meeting demands for high-skilled labour (partly being a solution for the higher educated work force migrating to the EU15). In contrast, in many of the older Member States the share of tertiary educated people among non-EU migrants is well below that of the EU-born, indicating a contrasting demand for migrant labour that is relatively less-well educated than the resident EU population. As a consequence, the overall share of high-skilled third country migrants in the EU remains low.

## Age structure

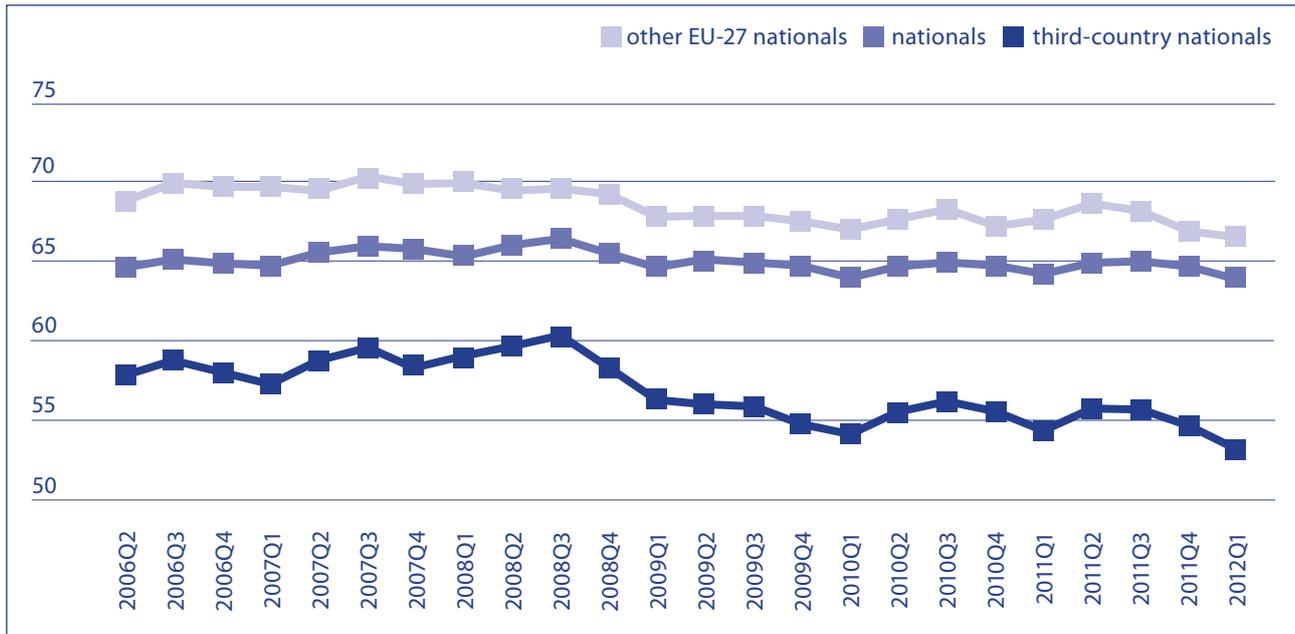


EU-27 Immigration data excluding BE, EL, CY, RO and UK.  
Source: Eurostat

The median age of migrants is 26 years old. 80% of non-EU citizens belong to the working age population vs. 67.4% for the total EU population. There are marginally more men than woman.

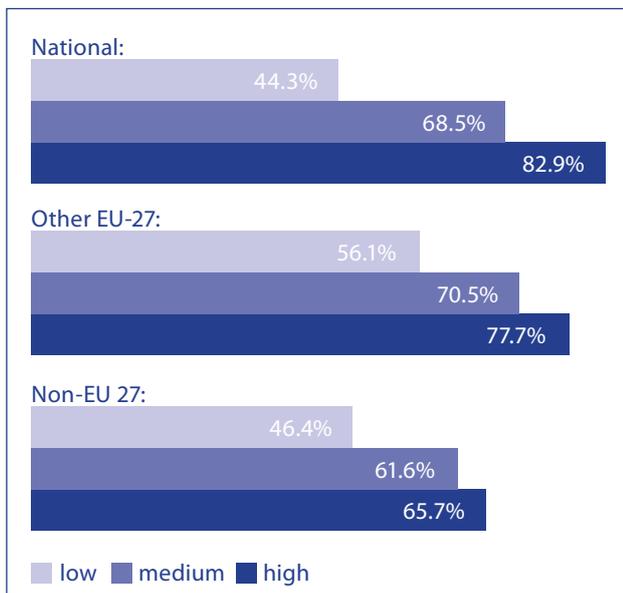
<sup>8</sup> See, for instance, "The Age of Migration. International Population Movements in the Modern World" (2003) by Stephen Castles, Mark J. Miller and Giuseppe Ammendola, "The Face of Global Mobility" (2006) by Peter Smith and Adrain Favell, reports from the Migration Policy Institute (<http://www.migrationpolicy.org/>) and the European Migration Network (<http://www.emnbelgium.be/nl/keywords/highly-skilled-workers>) and many more.

### EU27: Employment rates by nationality group



In terms of EU migration and the socio-economic situation, the employment rate of third country nationals is 12 and 9 percentage points, respectively, below the corresponding figures of the national workers and mobile EU workers. It appears that a gap already existed before the economic downturn but has further increased since then.

### EU27: Employment rates by nationality group and educational attainment level, 2011

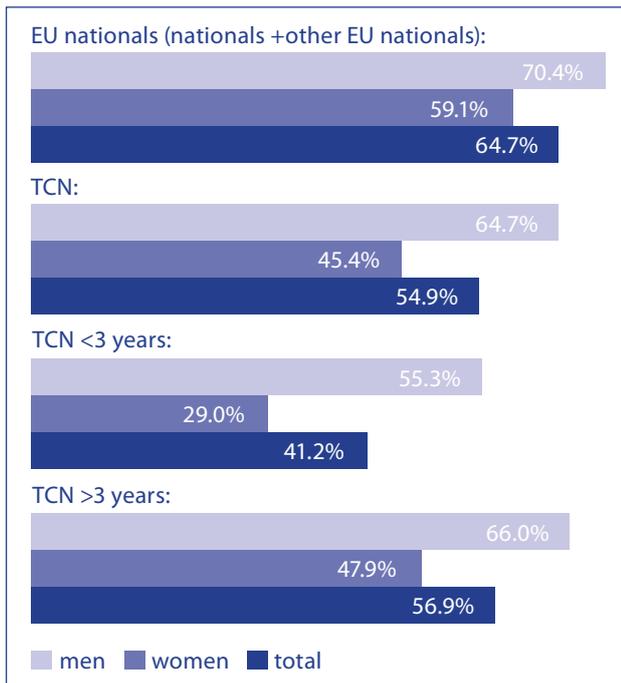


Differences in employment rates by education level are consistently important both within and between the three categories of workers. Gaps range between 38.6 percentage points between high and low-educated nationals, 21.6 percentage points for the workers from other EU Member States and 19.3 percentage points for third country nationals.

The relatively smaller gap observed between the higher and lower educated migrants is mainly due to the fact that many highly educated migrants are working in low skill jobs. In 2010, 46.2% of highly-educated migrants were overqualified for their jobs. These gaps are due to a variety of other causes: the higher vulnerability of migrant workers, difficulties in obtaining the recognition of their qualifications and a range of discriminatory practices regarding access to highly qualified jobs.

# Legislative landscape of EU policies

## EU27: Employment rates by gender, nationality group and length of residence, 2011



When comparing recently arrived migrants with those already settled for a number of years, differences in employment rates are evident. An important gender dimension is observed as well. Employment rates for migrant women settled for less than three years in the country of destination are as low as 29% while migrant women with more than three years of stay attain an employment rate of 47.9%, a progression of 18.9 percentage points. It is also worth mentioning that long established male workers considerably reduce the employment rate gap with their national third country counterparts.

In terms of EU migration and skills needs, labour migration can help to relieve labour market shortages in specific areas, especially those where jobs are increasingly avoided by native-born.<sup>9</sup> There are growing needs in the services sector, especially in households, hotels and restaurants, in

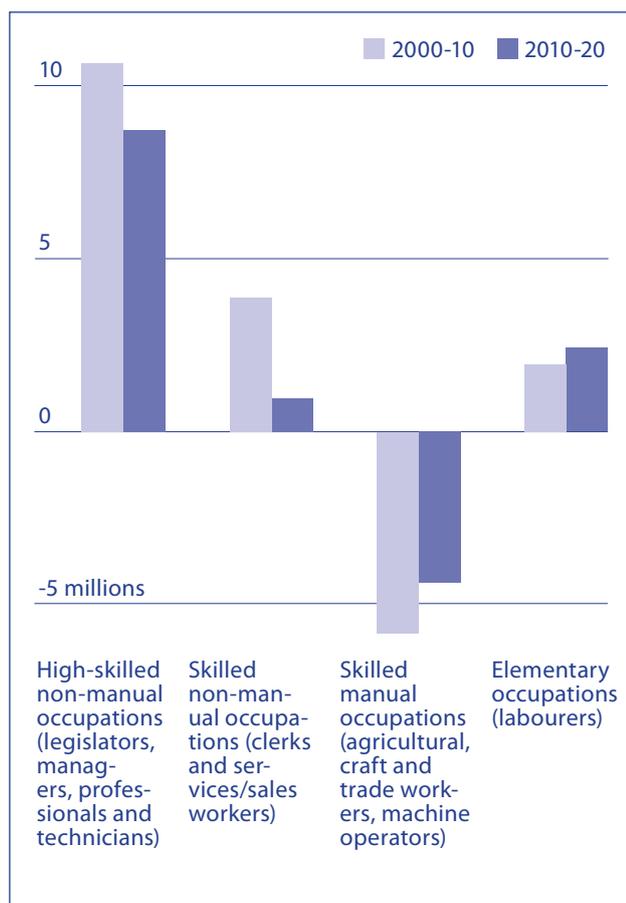
construction and in sectors characterised by strong seasonality such as agriculture, although it has to be noted that the impact of the economic downturn on some of these sectors reduces these growing needs. Employment expectations for construction and services sectors are rather pessimistic. Nevertheless, in these sectors, there may be some jobs that few native-born would be interested in, even at a reasonable wage. These sectors are highly dependent on the labour supply of third country migrants.

Labour migration can also contribute to entrepreneurship, diversity and innovation. Highly skilled third country migrants bring innovative abilities that expand the production capabilities of the economy, which are especially relevant to resolve the economic crisis Europe is facing.

Moreover, labour market efficiency may also increase with immigration, since third country migrants are very responsive to regional differences in economic opportunities and have greater occupational mobility compared to the native-born. Regional mobility and job mobility are higher for recent non-EU migrants than for the native-born. This might contribute to balancing labour market supply and demand across Europe in a more flexible way. Increasingly, European Union leaders are heard emphasising that immigrant labour also adds considerable flexibility to labour markets because newly arrived third country migrants tend to have lower reservation wages, are more willing to accept precarious employment, and have higher potential occupational and geographical mobility. While this neo-liberal approach is not the message ENAR strives to promote, it remains true that European countries greatly benefit from immigrant workers, while systematically failing to acknowledge this and to take appropriate measures that would offer migrants a dignified legal and social framework at the level of their actual contribution to European societies and economies. Finally, there is little evidence that immigration leads to higher unemployment among the native-born. The skills of third country migrants are usually complementary to those of native-born workers.

<sup>9</sup> When speaking of "native-born" in this report, we refer to second and third generations, who are not migrants as they were born in the destination country of their parents and grandparents, but are still referred to as such in indicators on migrant integration. Once settled, the expectations of these so-called "migrants" tend to align with those of the majority population. This may be one explanation for their unwillingness to apply for "unwanted" jobs in a similar fashion as "natives", i.e. the mainstream majority population.

**EU27: Net employment change by broad occupational groups, 2010-2020**



In order to attain the Europe 2020 objective of 75% employment rate by 2020, any future employment growth would heavily depend on the annual balance between the declining domestic workforce and net migratory inflows. Calculations based on Eurostat baseline demographic scenario indicate an average annual shrinking of employment by 0.4%. Compensating for this decline will require substantially increased net migratory inflows (beyond 4 million annually at 75% employment rate) or a sustained increase in productivity levels from the past average level of 1.2% to 2.5%.

Europe needs to encourage migration. Migrants tend to be younger, they are of working age, and contribute to employ-

ment and growth. As they are primarily young and healthy, they do not require much in public expenditure. Consequently, third country nationals contribute more to growth and cost less than EU nationals. Yet, the question begs to be asked what third country nationals actually get in return? Beyond the many obstacles they face, what positive outcomes are they able to reap from their industriousness and resilience? This question deserves greater attention in the future, particularly as the EU attempts to position itself as a more attractive destination for migrants in general and third country nationals in particular.

Most EU Member States are now experiencing migratory phenomena – regular and irregular – and are, resultantly, confronted with numerous integration challenges. As a result, the European Commission has issued a number of communications to assist Member States in their responses to new migration movements.

1. Communication on Migration (COM(2011)248/3)<sup>10</sup> issued on 4.05.2011:

- Sets recent and future EU and Member State policy proposals in a framework to manage asylum, migration and mobility of third country nationals
- Establishes a framework for regular migration and integration into host societies
- Develops EU measures on regular immigration and entry and residence conditions for:
  - Highly qualified workers subject to the EU Blue Card Directive
  - Students and researchers
  - Family reunification
  - Long-term residents

2. Communication on the Global Approach to Migration and Mobility (COM(2011) 743final)<sup>11</sup> issued on 18.11.2011. This sets the overarching framework for EU external migration policy, complementary to EU foreign policy and development cooperation to:

- Organise and facilitate regular migration and mobility

<sup>10</sup> For more information, see: [http://ec.europa.eu/home-affairs/news/intro/docs/1\\_EN\\_ACT\\_part1\\_v10.pdf](http://ec.europa.eu/home-affairs/news/intro/docs/1_EN_ACT_part1_v10.pdf).  
<sup>11</sup> For more information, see: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0743:FIN:EN:PDF>.

# Legislative landscape of EU policies

- Prevent and reduce irregular migration and trafficking in human beings
- Promote international protection and asylum
- Maximise the development impact of migration and mobility

3. Communication on the 3rd Annual Report on Immigration and Asylum<sup>12</sup> issued in May 2012. This presents a forward-looking analysis of EU policies on immigration and international protection adopted in 2011.

The EU Immigration Portal, launched in November 2011, also provides hands-on information for foreign nationals interested in moving to the EU. This site provides specific practical information about procedures in all 27 EU Member States for each category of migrants, in particular regarding future directives and amendments, as well as conditions of entry and residence for seasonal workers and intra-corporate transferees.

In a second presentation, **Laura Gornicioiu**, Policy Officer in the Unit Immigration and Integration of the Directorate General for Home Affairs at the European Commission, explained that the integration of legal third country nationals living and working in the EU has gained increasing importance on the European agenda in recent years. Although this is a very young policy area (originating with the Treaty of Amsterdam), the EU legal framework aims to contribute in easing access for legal migrants to the labour market. This, Laura Gornicioiu explained, is manifested in a number of legal instruments:

- Directive 2003/109/EC on long-term residence
- Directive 2005/71/EC on a specific procedure for admitting third country nationals for the purposes of scientific research
- Directive 2009/50/EC on the conditions of entry and residence of third country nationals for the purposes of highly qualified employment. This Directive ("EU Blue Card") was to be transposed by June 2011
- Directive 2011/98/EU on a single application procedure for a single permit for third country nationals to reside and work in EU Member States

- Proposal of 13 July 2010 for a Directive on the conditions of entry and residence of third country nationals for the purposes of seasonal employment
- Proposal of 13 July 2010 for a Directive defining conditions of entry and residence of third country nationals in the framework of an intra-corporate transfer<sup>13</sup>

Laura Gornicioiu emphasised that EU migration policy aims to establish a framework for legal migration, fully taking into account the importance of integration into host societies. EU measures on legal immigration cover the conditions of entry and residence for certain categories of immigrants. The so-called Single Permit Directive was adopted to create a set of rights for non-EU workers legally residing in an EU Member State and the Long-Term Residence Directive, for instance, sought to create a single status for non-EU nationals who have been lawfully resident in an EU country for at least five years, thus establishing a legal basis for equal treatment in all EU countries.

According to **Professor Herwig Verschueren** of the University of Antwerp,<sup>14</sup> however, third country nationals moving within the EU do not have a right to free movement within the EU as workers or as persons in general without experiencing major obstacles and inequalities. Despite the vast consensus that intra-EU mobility is needed and is perceived to be a rather positive solution to countering the financial crisis, many structural barriers remain.

Rules under the Blue Card Directive, for instance, are not clear, neither for migrants nor for Member States, as different interpretations of the legislation and practices are applied from one state to another with contradictions in implementation and recognition of associated rights. Clarity and uniformity in the application of rules is clearly needed, but is currently not taking place. Further, some Member States like Sweden do not see the added value of the EU Blue Card because it is already receiving skilled migrants who come regardless of the Blue Card. This may be one reason why some Member States are hesitant to rely on the EU Blue Card, because it seems to add another layer

<sup>12</sup> For more information, see: [http://ec.europa.eu/home-affairs/doc\\_centre/immigration/docs/COM%202012%20250%20final%201\\_EN\\_ACT\\_part1\\_v5.pdf](http://ec.europa.eu/home-affairs/doc_centre/immigration/docs/COM%202012%20250%20final%201_EN_ACT_part1_v5.pdf).

<sup>13</sup> As this a very sensitive area, it is not easy to reach agreement on these two proposals, which are still being negotiated in Council at the time of drafting this report.

<sup>14</sup> Quoted during the CEPS conference on "Labour Migration and Mobility in the European Union - Assessing Attractiveness and Labour Market Needs" which took place on 7 May 2013. For more information, see: <http://www.ceps.eu/event/labour-migration-and-mobility-european-union-assessing-attractiveness-and-labour-market-needs>.

of administrative complexity. As a consequence, this Directive is not being transposed and implemented consistently throughout the EU and is further considered by some as being rather weak. Business Europe is hoping to collect some data and figures in 2013 on the number of cards that have been issued and to evaluate the transposition of the Directive.

There are modest attempts to create some rights to movement within the EU for third country nationals, evident by the Researchers Directive and the EU Blue Card Directive, both of which target highly qualified workers. Yet, when stakeholders speak about high and low skilled migrants the assumption about what is meant with skills is often vague and not known consistently. We presume that Member States know the supply and demands and skill assessments. But what is this actually based on? From ENAR's perspective, it would appear that the concept of skills itself has become politicised, varying according to the migrants concerned, their country of origin and which country is assessing the labour market needs. This might explain a comment made by **Thomas Huddleston**, Policy Analyst at the Migration Policy Group, who noticed that NGOs tend to overlook highly skilled migrants in their advocacy work.<sup>15</sup> Certainly, more attention needs to be directed to concepts of skills in order to balance the inequalities and bureaucracy linked to different statuses and inconsistent transposition of policies.

**Anna Ludwinek**, Research Manager in the Living Conditions and Quality of Life Unit of Eurofound,<sup>16</sup> noted that there has recently been much discussion at EU level revolving around highly skilled migrants and youth unemployment. The gap is bigger among the second generation than the first generation and generally, third country nationals have lower employment rates than natives. **Thomas Huddleston** recalled that the "last-in, first-out principle" usually applies. If natives are doing better, so will migrants. If the financial situation is poor and things go badly, migrants suffer disproportionately.

Yet, **Anna Ludwinek** noted that during the Platform Against Poverty meeting, migrants were not even men-

tioned, despite the high rates of poverty among migrant communities.<sup>17</sup> This alludes to challenges in viewing the wider picture and creating viable solutions systematically, and keeping migrants in focus. Far too often migrants are viewed as problems and challenges, but are not seen as part of the solution. **Thomas Huddleston** questioned whether migrants are benefiting as much as everyone else. He also asked what kind of labour market Europe needs and what our vision of society is. He stressed the need to examine the reason why so many migration actors are not getting involved in these discussions revolving around solutions and strategies particular to highly skilled migrants.

From the migrant perspective, **Thomas Huddleston** suggested the need to focus on the gap between EU nationals and third country nationals, for instance with regard to the recognition of previous qualifications attained abroad. He also noted that migrant women with children are less active in the labour market than EU national women with the same number of children. Because of this, migrant families suffer more. He emphasised the need to develop a more inclusive and flexible labour market (fostering part-time employment, for instance). More effort is also needed to address education and training, since these are key tools to solving unemployment issues.

At the same time, the EU is discussing European Commission proposals for further Directives on the conditions of entry and residence for seasonal workers and intra-corporate transferees. The fact that they are still being negotiated alludes to the complexity of migration legislation and highlights the lowest common denominator with which Member States are willing to comply. The aim is to simplify migration procedures and give migrants clear employment-related rights. ENAR underlines that stronger protections linked to the EU Charter on Fundamental Rights are necessary. In addition, the Seasonal Workers Directive needs to comply with the principle of equal treatment regarding working conditions, social rights and access to legal redress of seasonal workers. The multiplication of ascribed statuses applicable to migrant workers in the EU should not hinder the enforcement of labour rights. The Directive must respect the "equal status for equal work" principle.

<sup>15</sup> For more information, see: <http://www.migpolgroup.com/about.php>.

<sup>16</sup> For more information, see: <http://www.eurofound.europa.eu/>.

<sup>17</sup> For more information, see <http://ec.europa.eu/social/main.jsp?catId=961&langId=en>.

**Thomas Huddleston** further explained that anti-discrimination law is not harmonised among the EU Member States. Countries with strong anti-discrimination laws tend to have a public that believe discrimination is a problem. This succeeds in raising awareness but, he emphasised, we need more strategic litigation and support for equality bodies. The European Commission should take more visible actions, as there is a strong need for greater coordination of national integration policies. This could entail:

- Monitoring the impact of National Reform Programmes regarding the labour market integration of immigrants;
- Encouraging Member States to develop labour market integration policies; and
- Monitoring the application of the Directives concerning discrimination of third country nationals in employment.

**Anna Ludwinek** acknowledged that there continues to be a lack of an integrated, coherent approach to EU migration policies, as a result of the different legislation in the EU Member States. She identified four problems with the current framework:

- Problem 1: most policies are defined politically by the majority and are embedded in anti-immigrant sentiments;
- Problem 2: integration processes are slow and long-term. But political processes are limited by short-term cycles due to the cyclical election processes. This does not allow enough time for policies to develop.
- Problem 3: the current climate of anti-immigrant sentiments translates at the political level where policies are developed and implemented. This also affects evaluation and assessments of policy implementation.
- Problem 4: employers and trade unions are not sufficiently engaged at the policy level, so key stakeholders remain outside of important discussions and decisions.

She further encouraged that European and national level stakeholders take into account the views of employers and trade union representatives when striving to meet the EU 2020 strategy's headline target of getting 75% of people aged 20-64 into employment. This also evoked another challenge, i.e. in bringing together businesses, trade union representatives, policy makers and anti-discrimination activists

to counter discrimination in the field of employment during times of austerity, when funding is limited. Countering discrimination in employment is hardly on the political agenda, so funding options for projects are limited. This is particularly problematic considering Anna Ludwinek's observation that policies usually represent anti-migration sentiments. She further criticised the fact that NGOs and other local stakeholders are not engaged in the policy making process, which is a shortcoming, especially considering the European Union's great potential for dialogue. She encouraged that EU institutions cooperate with social partners at local level (and foster active citizenship) since integration is primarily implemented at the local level.

In concluding, **Ionut Sasu** of the European Commission suggested some future strategies. First, he stressed that a new forward-looking EU migration policy needs to be based on solidarity and responsibility. This should include: the substantive involvement of employment and social policies both at EU and Member State levels, completion of a meaningful admission regime for economic migrants, and improved efforts to value the potential of third country nationals in satisfying labour market needs and promoting employment growth. He encouraged the European Commission to mobilise its tools to foster the free movement of citizens and services, financial instruments and legislative powers.



*Andreas Hieronymus - ENAR, Pascal Hildebert - Strategest, Ionut Sasu - European Commission and Laura Gornicioiu - European Commission*

# PART 2

## Discrepancies in common EU migration policy and realities on the ground

This section provides, first, the account of a third country national who attempts to access the Belgian labour market, but is limited as a result of difficulties in having her previous skills and qualifications recognised. This is followed by a summary of the fishbowl debate and workshop discussions, which include perspectives from employers and trade union representatives. This section highlights the challenges encountered on the ground by employers and migrants in the labour market insertion of third country nationals already residing in the EU, but also best practice examples and solutions for improvement.



## Personal testimony of a third country national

### 2.1 Personal testimony of a third country national

In order to bring in the truly personal dimension to these discussions, a woman provides her perspective on how migration policies in Europe have been affecting her during her career path. The following is her narrative.

“I appreciate this opportunity to discuss my professional experience in Belgium, as well the occasion to contribute to your meeting. My testimony covers the last five years during which I have tried to work as an urban planner and architect in Belgium and have encountered many obstacles.

Before arriving in Belgium for family reasons, I had studied and practiced Architecture and Urban Planning in Brazil and complemented this experience with a Master’s Degree in Urban Planning in Spain. As you know, in Belgium, like in most developed countries (including Brazil), only qualified persons with an appropriate degree may legally practice architecture. Some countries, such as France and Canada, have signed bilateral agreements to allow professionals to practice architecture in both countries. In Belgium, a professional like me must first go through a lengthy process to get his/her degree officially recognised before being allowed to practice architecture. Without going into too much detail I will describe the main challenges I have faced during my past job searches and work experiences and express my point of view with regard to them.

#### Principal challenges:

- To find a job and work in Brussels, not even a highly qualified job, my principal challenge was the requirement of “bilingualism” in French/Dutch. Most job offers ask for “bilingualism” as one of the mandatory qualifications and disregard the fact that I speak four languages including French.
- In most of the job offers I could find in my area, equivalent degrees and experience were mandatory.
- Some offers, especially in urban planning, also required experience with Belgium’s regional codes.
- In light of these three real barriers, I accepted work as a designer, not requiring many technical qualifications in architecture or urban planning, with the intention of progressing at a later stage. In fact, this professional evolu-

tion never happened. But after some time, the situation and this limitation started to impact on something I consider very important of a good professional – namely, my self-confidence.

#### Cause of challenges:

- I understand and respect the fact that when we choose a country as our country it is normal to have a minimum of knowledge of its languages, culture, etc. However, “bilingualism” is not even common among all Belgian professionals. In this way, I regard this requirement as discriminatory since it excludes a candidate from the beginning of his/her application.
- The requirement to attain equivalence of previous degrees in Belgium is not a simple procedure, like exchanging a foreign driver’s license for a Belgian driver’s license. The equivalence of degree includes the translation of all degree documents, including a detailed class programme and Master’s thesis. I understand this requirement to be a protection for the local professionals, but also a bureaucracy that impedes the free movement of professionals around the world, regardless of the reason for this movement.
- As you know, Belgium has three regions, resulting in three regional urban codes. The requirement of having experience with regional codes in urban planning was always an obstacle for me to start a career in Belgium. Even if I studied in another European country I would not be able to work in this sector because I do not have the minimal experience with the three different regional codes. Moreover, my past experiences were not considered or valued at all. Once again, only a locally graduated professional could access the best job offers and I can only express the reluctance on the part of recruiters to give foreigners an opportunity.

#### Main issues when hiring migrants:

- To be a professional who is perfectly bilingual in French/Dutch, a person must have lived in Belgium most of his/her life, and therefore cannot be a foreigner. I think knowledge of one of the national languages and English as a second language would suffice as a minimum

## 2.2 Fishbowl debate: Challenges encountered by employers and migrants

requirement that if changed, could help to open up the labour market to many highly qualified non-EU professionals. I base my opinion on my personal experiences after I realised that in real life, one of the national languages is always more used than others depending on what side of the so-called linguistic border one is on.

- While free professional movement around the world works well in some professions, it is more limited with architecture and urban planning or other protected professions. In reality, the technical basis and working methods are very similar in all countries where I have had the opportunity to live. In my view agreements like those between France and Canada are a good example of possibilities that help in the recruitment of highly qualified professionals from abroad. But in my case, a foreign candidate's lack of knowledge of sufficient references and the parallel lack of confidence by the recruiter results in foreign candidates not being offered (enough) jobs. At best, the recruiter can give a job to a migrant, but only one with a low level of responsibility with limited opportunities for growth. In some cases, companies want to invest in a professional over time and in this way a migrant can be seen as an insecure investment as employers are concerned that he/she might leave the country and his/her job any time.
- From my life experience I can affirm that anyone can learn everything he/she wants, he/she just needs to make a personal effort, provided he/she is given an opportunity. Almost all candidates have deficits, but they also have vast potential. Recruiters must analyse the professional experience, considering the technical skills, but also recognising the potential and talents of the candidates.

To conclude, I consider my difficulties finding a good job and continuing my career as an architect and urban planner in Belgium as an opportunity to re-analyse all my experiences and choices. I found most of the doors closed to me here and for a long time I had the feeling that I would never be qualified enough to deserve a job, even if using my skills and doing my best. Those obstacles made me stronger and motivated me to take a step forward to change my way. The way out was to take a risk and to be independent, keeping all my qualifications but changing my area of business."

Not only do third country nationals face many obstacles in accessing the labour market, but employers also struggle in hiring them. **Mélanie Meharez**, Project Officer at AFIP (Association pour Favoriser l'Intégration Professionnelle) in France, explained the work of AFIP, which encourages professionals in their labour market integration. AFIP focuses on young ethnic minorities and migrants, incorporating 60% French minorities and 40% foreigners from Africa, Asia and Eastern Europe. AFIP differentiates itself from many programmes, as it concentrates its efforts on higher-skilled migrants, where many other programmes work with low-skilled migrants.

AFIP also cooperates on a close basis with employers. It provides mentors for candidates within organisations, as this is deemed influential for easing integration. One of the main obstacles is that third country nationals struggle in having their previous experience and degrees valued and recognised. Usually, previous experiences from abroad are not taken into account, are not taken seriously and often considered only as an internship.

**Bruce Roch**, Corporate Social Responsibility Manager of Adecco Group in France, explained that Adecco Group offers fall into the broad categories of temporary staffing, permanent placement, career transition and talent development, as well as outsourcing and consulting. Adecco Group only focuses on professional skills. Nationality, race and religion of professionals do not matter. Adecco Group tends to provide temporary placement for low-skilled workers. 90% of its applicants work in low-skill positions. 9.4% of the third country national professionals are considered to be over-qualified. Temporary work is often a first path for migrants to access employment, but 30-40% transfer into long-term work contracts. Adecco Group faces problems when it comes to establishing first contracts, as they have to deal with much bureaucracy imposed by national authorities.

Employee applicants need a bank account, social security insurance number and address. Without these, they cannot be employed. Adecco Group's task is to facilitate this process, requiring that it knows how to support its workers with a migrant background. Both low-skilled and high-skilled applicants face the same requirements. But low-skilled third coun-

## Fishbowl debate

try nationals often do not have the necessary information. Another operational issue regards language proficiency. In France, French language is required, making language inclusion an emerging request, especially due to difficulties for migrants to get jobs if they have an accent. Of all the obstacles, though, establishing the first contract causes the most problems for all categories of applicants.

**Wilf Sullivan**, Race Equality Officer at the Trades Union Congress (TUC) in the UK, provided a UK perspective and historical overview of migration there. He emphasised that the focus in the UK is not on third country nationals but on UK citizens with a migrant background. They face discrimination and due to the recession, the political discourse has been laced in very anti-immigrant sentiment. If UK politicians could, they would be all too happy to stop free mobility. But the reality from a trade union perspective is that the UK does need non-EU migrants, regardless of population changes. From the UK perspective, EU policies do not have a lot of impact on the ground. Some migrants know their rights and are respected. But many low-skilled migrants face particular challenges and obstacles. Businesses often do not worry about their workers' rights, employing them under precarious contracts. Consequently, many migrants have realised that it is better for them to be self-employed as a way of entering the labour market system, since hiring a third country national often entails more bureaucracy for employers and workers.

The enforcement of existing laws proves to be a major problem for trade unions. It is also difficult to organise people

with precarious working conditions, which alludes to the important role of migrant rights organisations. Migrants who have status problems often fail to raise the issues themselves because of the risk of raising too much attention to themselves. Another reason for not claiming rights is linked to the "time is money concept". Low paid cleaners in precarious positions, for instance, spend all their time working and so have little time or opportunity to demand protection and information about their rights.

**Annica Ryngbeck**, Fundamental Rights and Equality Policy Officer at the Social Platform, identified a number of tensions she has observed regarding migration policies and employment in the EU:

- Accessing the labour market vs. hiring migrants
- High qualification vs. low qualification
- Wanted vs. unwanted migrants
- Recognition of qualifications relative to formal vs. non-formal trades

She noted that in order to access employment, an individual needs to have access to basic rights – housing/accommodation, education, health/child care, social services, etc. She encouraged that these issues be tackled in a holistic manner. Discrimination needs to be addressed through equality policies, including multiple forms of discrimination preventing access to the labour market. She stressed that who is being excluded needs to be made more explicit, followed by the implementation of appropriate targeted policies. She explained that discrimination is linked to specific groups of



*Rachid Bensahnoune, L'Oréal and Antoine Mauri, Le Groupe La Poste*

people that are constituted by others as “strangers”. This impacts both regular and irregular migrants. She made reference to the Racial Equality Directive (RED) and the need to raise awareness of rights among those most vulnerable to discrimination and exclusion and to improve the implementation of existing legislation. She criticised the fact that nationality is not a ground protected in the RED.

The issue of mobility and social security schemes of migrant workers has been gaining wider attention at the EU level. According to research conducted by **Professor Herwig Verschueren** of the University of Antwerp,<sup>18</sup> third country migrants face grave structural problems when it comes to enjoying equal treatment relative to acquiring social security rights applicable under EU law. There are many legal loopholes that affect third country nationals, making it impossible for them to take up social benefits due to limited entitlements. Discussions highlighted the fact that there are still many problems with this and much work still to be done to ensure that equal treatment for social security apply to third country nationals.

This fragmentation in policies and realities on the ground, however, is evident in more areas than just social security. The needs of business and employers’ voices are not being taken into account in the development of EU policy on labour migration. Migration policies are justified with political, not economic rationale. Because policy making has become a politicised process in which employers do not see themselves, a space needs to be created allowing for social partners and employers to bring in feedback. **Rachid Bensahnone**, Human Resources Director in charge of Corporate/Worldwide Diversity at L’Oréal, provided an example in France. Due to the obstacles third country nationals face in accessing the labour market, many have turned to entrepreneurship, are running their own businesses and employing French citizens, only to be forced to leave the country as a result of inconsistencies and policy gaps. This results in structural discrimination and huge losses.

<sup>18</sup> Quoted during the CEPS conference on “Labour Migration and Mobility in the European Union - Assessing Attractiveness and Labour Market Needs” which took place on 7 May 2013. For more information, see: <http://www.ceps.eu/event/labour-migration-and-mobility-european-union-assessing-attractiveness-and-labour-market-needs>.

## 2.3 Workshops: Challenges, best practices and recommendations from employers and migrants

In line with the goals of the equal@work initiative, ENAR often relies on smaller group workshops as a methodology for fostering multi-stakeholder dialogues among the participants. During the 4th equal@work meeting, this tradition continued, resulting in two workshops that enabled a platform for participants to reflect current challenges specific to the recruitment of third country nationals in Europe, to provide best practice examples, and to identify recommendations for change.

### 2.3.1 Workshop 1

**Shannon Pfohman**, ENAR Deputy Director of Policy, highlighted some of the structural obstacles hindering third country nationals already residing in Europe from accessing the labour market. She explained that with any market, there is a supply side (migrants), and a demand side (employers and social partners and indirectly, state policy makers). The behaviours of the demand side actors largely influence immigrants’ possibilities for accessing the labour market and enjoying equality in the workplace. For instance, if employers request more highly skilled migrants, policies are set up to ease their labour market access. On the other hand, if policy makers decide they do not want migrants, regulations are put into place to restrict entry and access to the labour market. Such policies, unfortunately, contribute to structural discrimination.

When it comes to migrants already residing in Europe, a number of other barriers exist that prevent them from enjoying equal access to the labour market, including preferential hiring practices for EU citizens over third country nationals, lower wages, lower-skilled jobs and glass ceiling effects. They also face barriers in the recognition of their previous qualifications, with institutions failing to acknowledge their soft skills (bi- or multilingualism, intercultural competence, flexibility, etc.) and differentiating recognition processes based on countries. For instance, degrees from countries like the US, Australia or New Zealand tend to be more easily recognised in Europe and quicker than for degrees from African or South American countries.

Moreover, the inability to have previous skills and qualifications attained outside of Europe recognised often results

## Workshops

in unemployment and feelings of disempowerment, downward economic mobility, frustration and a lower self-esteem. Without this necessary formal recognition, migrants are typically prevented from working in their fields of expertise or from earning a salaried position comparable to their qualifications, commonly referred to as “brain waste”. Beyond this, many have to redo certain courses and trainings or take the entire educational programme over again in order to gain “recognition” in the country in which the individual resides. Beyond this, many policies inevitably contribute to fostering negative societal attitudes about third country nationals.

**Shannon Pfohman** suggested that one way to tackle these challenges is for employers to engage in diversity management policies, while also being strongly committed to preventing discrimination in their employment structures. Diversity management, if properly implemented and leveraged at every level within a business, can improve effectiveness and cost-efficiency, guarantee a broader customer and client base, and improve the work environment as well as communication between colleagues, clients and other organisations. Moreover, diversity management, combined with non-discrimination policies, contributes to promoting equality in the workplace and beyond.<sup>19</sup>

Outside companies, there are many other good practice examples as well: job insertion programmes, individualised needs-based assessments, the introduction of diversity charters, diversity labels and a variety of other national-level initiatives.

**Mélanie Meharez** of AFIP raised the following issues based on the experiences of AFIP in mentorship projects and on conclusions from the study “Blacklisted degrees” (2012) by Alessio Motta and Guillaume Montagu:



### AFIP and L’Oréal cooperative employment project

L’Oréal employees choose applicants to participate in recruitment interview simulations.

Eighty candidates representing minority communities are invited to the professional divisions of L’Oréal for this purpose. There, they carry out job interview simulations with L’Oréal employees, who give feedback on their interviewing skills. As a result of the interview simulations, candidates are able to improve their styles, approaches and reasoning to interview questions based on advice they received and a description of pros and cons regarding their interview skills. This initiative is not just beneficial to the minority candidates: the employees also gain in helping and building solidarity, which inspires them to become mentors to new employees with a migrant or minority background.

This project is extremely important since one of the problems attributed to third country nationals’ inability to be recruited into certain types of high-skilled jobs is attributed to their lack of self-confidence. This impacts their ability to answer difficult questions, for instance, when there are gaps in the CV due to extended periods of inactivity and/or unemployment. These types of questions are difficult to explain during job interviews, which, if unprepared, may have a negative outcome on the hiring process. For those candidates without ready answers to difficult questions, the interview simulation helps them better understand what employers expect to hear.

The interview simulation project extends in a second step into a mentorship project when large, profitable companies, such as L’Oréal, take on mentees enrolled in universities or already graduated. They in turn provide information about employment possibilities for young graduates.

<sup>19</sup> L’Oréal, for instance, provides one-day diversity trainings to employers. They encourage a training/workshop format, as it tends to be a useful way for exchanging attitudes and lessons. Participants become aware of the issues at stake and are motivated to implement and continue collecting good practices. After the training, the participants have to carry out research for a month to explore the situation in the company. From this, they are able to obtain an illustration of the diversity situation on the ground in their company, which is useful for measuring progress.

- Third country national candidates tend to be less demanding. Many are just thankful to be offered a position, which is why they are usually overqualified for the positions they are offered and agree to take.
- Most of the candidates come from public universities (as opposed to elite, prestigious private schools), so the education path is often used as a pretext for not hiring a minority candidate. Migrants are often marginalised because of their school track record, not because of their personal performance, thus external structures (and prejudice) influence their likelihood to succeed more readily than their internal strengths or deficits.
- In France, white French nationals graduating from a prestigious school find a permanent job more easily than black people graduating from a prestigious school. Some jobs are black-listed depending on the status of the university (public versus elite schools). This has become an “acceptable” criterion of discrimination; an employer can legally discriminate because of the school status. Non-white people coming from a public university in France usually find a job that does not correspond with their actual skill-sets.
- Hypothesis of reproduction: if a recruiter and an applicant come from the same socio-economic and educational background, the applicant will acquire a job more easily.
- Non-white male candidates are offered jobs more readily than female candidates, but in most of these situations, the males are overqualified for the positions offered.
- There are different ways of addressing the most common challenges linked to the hiring of economic migrants from third countries. We need to develop and implement more strategies with stakeholders’ participation to overcome structural obstacles linked to the hiring of economic migrants from third countries.

**Bruce Roch** of Adecco Group reminded that diversity programmes are not supposed to be linked to moral issues, instances of prejudice and negative public discourses. In many cases, the aim of leveraging diversity in a company is to make the business more efficient, i.e. applying the business case for diversity. In some countries, diversity is deemed a value attribute. Some companies seriously think of diversity problems, while others treat diversity as an asset for

improving publicity. Some use diversity to market their products, such as United Colours of Benetton, which rely on visual images of ethnically diverse models wearing Benetton clothing. Companies often only try to find technical solutions, resulting in a failure of the company to leverage and mainstream diversity in all areas of the organisation.

Considering the structural barriers in many EU countries negatively influencing the recruitment of minorities and migrants in the workplace, another good practice revolves around the application of diversity hiring practices as well as positive duties. Additional actions in career development are necessary. For instance, policy makers in the field of migration could learn from positive duties related to gender equity and/or gender mainstreaming initiatives, i.e. implementing quotas for women to be in top positions. Because the career evolution for a man is usually faster than for a woman, further actions or positive duties are necessary to achieve equality in outcome. Of course, this depends on the country and business in focus, as there are many variances in gender equality outcomes. In a similar fashion, positive duties relative to minorities have also been applied (or need to be) to compensate for and fill the related discrepancy.



A project by Adecco Group in France fights illiteracy in local communities. The aim is to teach single migrant mothers French so they can fill out and sign official documents. Adecco Group has helped them find better contracts as well, enabling first contracts in cleaning, factories, restaurants, rather than temporary contracts through job agencies. L’Oréal also offers French lessons on site for their cleaning staff. Some employees go an extra step and act as tutors. This sort of solidarity assists in breaking down barriers, because they work together towards a common goal.

**Stéphanie Oueda**, Project Manager Diversities International at L’Oréal, introduced two models for recruiting highly-skilled migrants. In some companies, international mobility directors hire foreigners from all over the world and then dispatch them to other company branches in various countries.

## Workshops

A lot of administrative work is needed to achieve this, but the results prove it is worth the effort. The companies cover the cost of bringing in the foreign workers and integrating them within the company. There is no risk, because the recruitment and insertion mechanism has been professionalised. L'Oréal hires according to the local laws, which entails a lot more administrative work and costs more, but grants stronger protections and rights to the new employee. L'Oréal works with specialised migration lawyers for this purpose to ensure that neither the employee nor the company are at risk. Naturally, if national legislation would be less restrictive and enable the recruitment of foreigners more easily, there would be less administration, fewer costs and more mobility and diversity, thus greater innovation and creativity. But there are various administrative layers applied to different categories of foreigners and migrant labourers. In Sweden, for instance, incoming immigrants need to learn the national language. With support from Sweden's welfare system, an education centre offers the language courses necessary for individual assessment and the faster the candidate learns Swedish and moves through the system, the more money is allotted to the language instructor institute.



**University campus ambassadors from alumni associations allow students or alumni to share information and experiences about different companies during organised career days. Mentors then accompany employees in companies and help them to integrate and learn the company norms and codes. Many of these companies recognise the need to hire a diverse workforce consisting of third country nationals, despite many bureaucratic complications attributed to their legal status. In France, for instance, many employers struggle to find French citizens to work in certain jobs.**

It is important to foster competent contact points within each organisation for victims of discrimination in the case that discriminatory practices occur. ENAR also encourages the establishment of equality bodies within companies to receive and process complaints related to discrimination or mobbing practices. Typically, worker council representatives

should be sought out as partners in developing strategies to leverage equality within their businesses. **Stéphanie Oueda** explained that L'Oréal's Department of Ethics is accessible via internet and telephone in 35 languages worldwide. There is a contact person for responding to complaints who is independent of the human resources department and thus not involved in recruitment or career advancement of employees. She further emphasised the need for ethics to coincide with human resources processes. The Confederation of Christian Trade Unions in Belgium also has a special office that provides information on legal issues to migrants, and a "person of confidence" has to be designated in every organisation and company in Belgium (according to law). This person is then trained as a prevention adviser.

### 2.3.2 Workshop 2

**Antoine Mauri**, in charge of the social dimension of CSR at Le Groupe La Poste, highlighted that working together with associations can help in improving the situation of third country nationals as well as business opportunities (diversity industry). Moreover, respect for individuality within the culture of a company can increase the image of the company externally.

One challenge for Le Groupe La Poste is working with refugees. In France, everyone who applies for asylum is obliged to receive social benefits, but without papers and a temporary certificate, they are unable to identify themselves. One solution has been trust partners, i.e. a trusted person of the organisation/company accompanies the refugee to the authorities to obtain the necessary official identification documents and certificates. Having someone from the company with the refugee makes the process easier.

In addition, a lot of refugees do not understand how machines work at Le Groupe La Poste due to language deficits. Antoine Mauri reminded of the importance to help them learn the language, in this case French, in order to operate the machines. He further stressed that companies should work with associations and identify clear aims for collaboration, i.e. determine what is to be achieved within a certain period. He also advised that there be some kind of control

mechanism and monitoring system. He warned against the association becoming dependent on the company collaborating with them.

It is interesting to understand why Le Groupe La Poste adapted their services. They were able to obtain public money as a result, which was used mostly for the post office, but part of it was used to foster diversity and inclusion. Another reason Le Groupe La Poste adapted their services was to increase efficiency. By realigning the objectives with diversity management, they sought to provide better services to their customers. As a result, 100 post offices in France now offer translators, who facilitate assistance on specific days every week. They also conduct surveys with associations to determine which languages are most needed.

In terms of transferring this good practice and framing it at the EU level, the following recommendations were drawn. First, Le Groupe La Poste encouraged other associations to help people in vulnerable situations to carry out similar practices at the European level. Associations with similar aims should work together. It is also important that every migrant speaks and reads the language and feels strong and confident about his/her skills. Empowerment activities are needed. At the same time, acknowledgement and transfer of intercultural competencies are needed. Finally, funding must be ensured to support the inclusion and integration of migrants, especially related to language competencies.

**Marco Cilento**, Adviser on migration at the European Trade Union Confederation (ETUC), asked whether public employees have a special status in France, i.e. in regard to recruitment procedures, retirement and pensions. Are third country nationals, for instance, even allowed to work for state-run postal services?

**Antoine Mauri** explained that when he started to work at Le Groupe La Poste, the premise was that everybody had to be French as it was a state-run institution. But today, less than 50% of the employees are still hired by the state. The others are hired internally, which means many third country nationals are able to apply for employment. But this is a big problem because the wider public is unaware that third country

nationals can apply and be hired to work for the French postal services. Thus, awareness raising efforts are needed as a way of increasing the cultural diversity of the applicants. It is important to consider the business opportunities associated with using diversity to do better business. He also stressed that Le Groupe La Poste and other employers need to pay decent and fair salaries and apply other strategies to attract greater diversity among job applicants.



#### **Mentorship project for young people in Norway**

In Norway, asking applicants to speak fluent Norwegian is one way for the employer to put barriers up for migrant applicants. Having a foreign sounding name also makes it harder to get a job interview. There is also a big discrepancy in unemployment rates in Norway between native and migrant populations (a 6 to 14% difference).

The Norwegian Antiracist Centre's mentorship project involves 25 mentors speaking over 30 languages altogether. The age limit is 26 years old, but interested individuals up to age 28 are still welcome. The project focuses on minorities, but everybody is welcome, including "native" Norwegians, highlighting its inclusionary nature. The aim is to provide short and intense courses three nights a week where participants meet others with similar experiences and commonalities. Many lack social networks and this aims to compensate a bit for this. Despite the fact that there is higher unemployment among immigrant youth, 70% of the youth going through this project get a job.

The project is free of charge and operates on a voluntary basis. It relies on Facebook as an advertising tool with low or no costs. The youth rely on this to network amongst themselves. Participants write applications in languages they understand themselves. Individual tutoring is available as are entrepreneurship courses. Courses are not very long and are taught by young people. The focus is generally placed on low and unskilled labour sectors.

## Workshops

**Mary Ryan** of the English Language Support Teacher's Association in Ireland presented a good practice on "pathways to parental involvement", providing information on education paths for parents. This voluntary organisation has produced and disseminated a package with everything to do in order to live in Ireland, including a focus on migrants' and parents' rights within education. She recommended that all stakeholders contribute to making the skills of third country nationals visible. Empowerment activities are useful for this, as is working together with associations and multiple stakeholders. She also encouraged that migrants themselves become more aware of their own skills. More importantly, she reminded that achieving equality of conditions leads to achieving equal opportunities. She further emphasised the need for studies to match available jobs.

A discussion ensued about the preferential treatment of hiring EU citizens over third country nationals, a clearly discriminatory practice. **Laura Gornicioiu** of the European Commission confirmed evidence of discrimination on the grounds of nationality. **Wilf Sullivan** of the Trades Union Congress pointed out that the UK does not need to follow the "regulation" to first hire EU citizens and then third country nationals. But there is no evidence of benefits or an increase in labour market gaps as a result.

**Andreas Hieronymus**, ENAR Representative of the northern region, stressed the tension between politics and economics. He suggested that Germany has gained due to Greece's poverty. A huge low-paid labour force has migrated from Greece to Germany, which results in advantages and helps in recovering from the initial financial crisis. Now as a result, there is a work force of highly qualified taxi drivers in Hamburg.

**Anna Ludwinek** of Eurofound said these policies are framed by politicians and voted upon. But third country nationals do not get the opportunity to vote. Migrants need to be enabled to vote.

When it comes to intra-EU mobility versus social dumping, **Emma Broughton** of the IFRI (Institut Francais des Relations Internationales) reminded that migration policies should be justified by economic reasoning. Current migration policy is

not satisfying the needs of companies nor meeting current economic needs or "in sync" with the political reasoning. So the question is how to change this? How can we create a space to voice the needs of the employers?

**Bruce Roch** of Adecco Group raised one bad practice, namely, the failure of the EU to help companies with diversity level certification. In addition, companies often have difficulties waiting for confirmation to hire third country nationals. In France, it takes up to two months to reach a decision. Practically, it can take much longer. From the business perspective, this is too long.

Because it is more complicated to employ foreigners due to administrative obstacles, **Mélanie Meharez** of AFIP admitted that many employers ask the nationality of candidates to avoid wasting time and money. They ignore that it is illegal to ask this question. In reality, employers need to be trained on legislation as well as informed of diversity best practices. Human resources managers should be aware of the recruitment diversity certification. Moreover, the EU needs to help to shorten and ease this lengthy and bureaucratic process.

It was also encouraged that the EU assists in devising a Common EU Diversity Charter (a linking tool for the EU and Member States) rather than different charters in different countries.

**Marco Cilento** of the European Trade Union Confederation reminded that there are linking tools for the EU and Member States, namely, the European Charter of Human rights, the two equality directives,<sup>20</sup> Corporate Social Responsibility policies,<sup>21</sup> the European Charter for Researchers. He questioned what else the EU needs to prove its interests and whether stakeholders really need all these labels, e.g. for green buildings, diversity, fair policies, etc.? He argued that some labels are only used by companies for publicity purposes and are a waste of time.

<sup>20</sup> This is in reference to the Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, and the Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.

<sup>21</sup> For more information, see: [http://ec.europa.eu/enterprise/policies/sustainable-business/corporate-social-responsibility/index\\_en.htm](http://ec.europa.eu/enterprise/policies/sustainable-business/corporate-social-responsibility/index_en.htm).

Instead he encouraged a greater emphasis on the rationality of the labour market. We need to talk more about needs and talents, not only skills. We only know that we need immigrants, but do not know how to facilitate it. By introducing legal obstacles, we foster irregular immigration rather than legal chances. Migrants need to be treated equally because they are contributing to Europe's growth. In this regard, granting voting rights to third country nationals would be an important tool for stimulating policies. Acquiring citizen-

ship also facilitates labour market integration. Yet citizenship rights currently require incorporation into the labour market as a precondition.

**Rachid Bensahnoune** of L'Oréal spoke of the competitive diversity carried out by organisations and companies. He encouraged European companies to take the lead. A lot of skills are lost when an applicant gets a job but not a work permit.

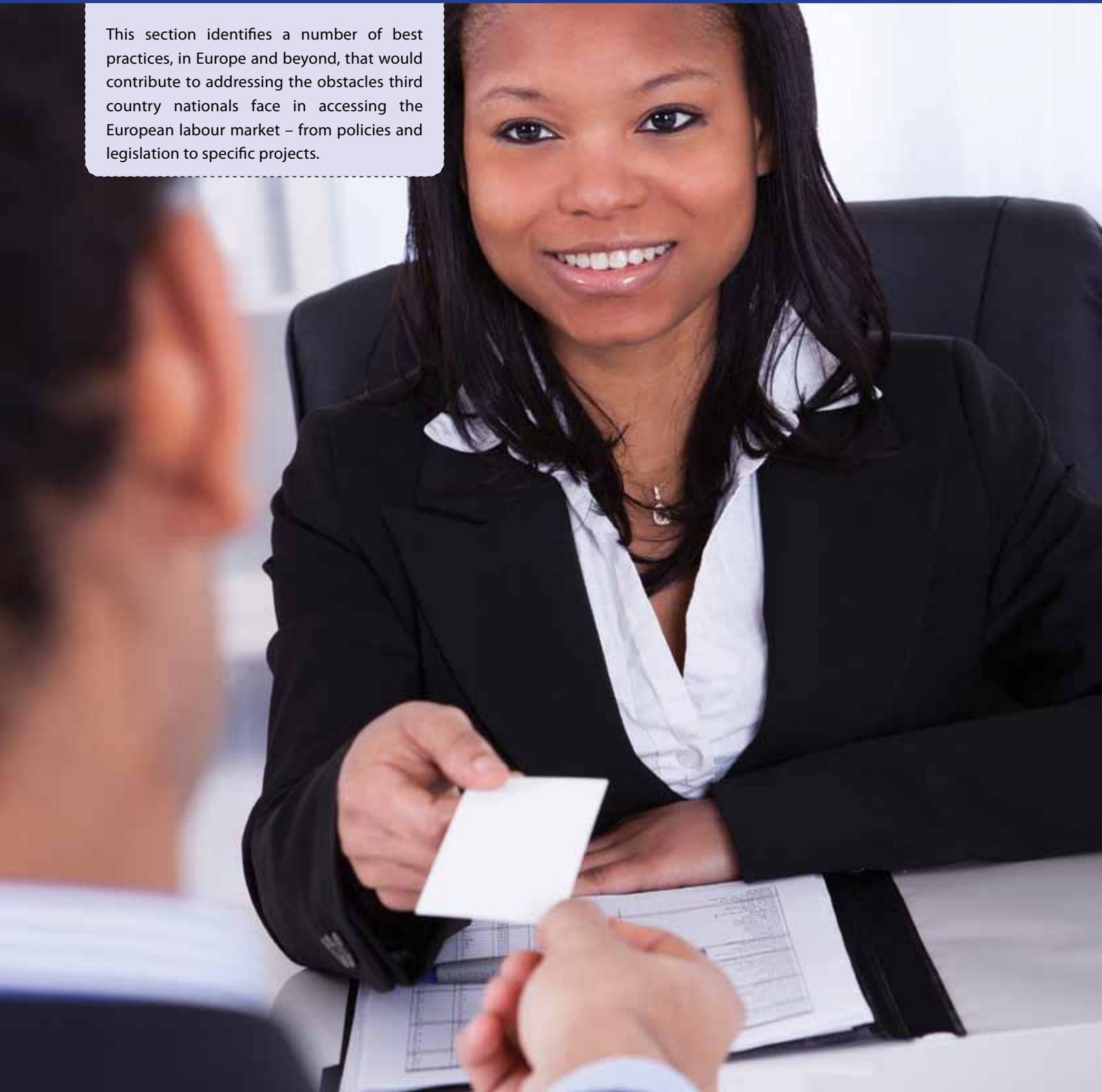


*Workshop participants*

# PART 3

## Good practices in fostering the professional incorporation of migrants

This section identifies a number of best practices, in Europe and beyond, that would contribute to addressing the obstacles third country nationals face in accessing the European labour market – from policies and legislation to specific projects.



## Good practices in fostering the professional incorporation of migrants

ENAR promotes equal opportunity measures for third country nationals – already residing in Europe – to enjoy access to the labour market. In our advocacy work with national authorities, for instance, we have defined indicators that seek to promote diversity and equality in the area of employment. By formulating and encouraging equal opportunity employment strategies, we aim to support state policy makers in implementing best practice strategies to promote the labour market incorporation of migrants in Europe.

Because an important indicator for labour market incorporation is the recognition of previous qualifications and degrees that migrants obtained from abroad, we say it is important to establish a standardised proceeding to recognise both formal and informal qualifications for regulated and unregulated jobs. In cooperation with national ministries, it would be important to develop and implement a process that can be used for recognising previous qualifications from third country nationals within the next five years. Currently, some federal governments are in the process of creating new legislation to support the recognition of formal degrees and qualifications in regimented sectors, but further strides must also be made to establish instruments to recognise qualifications in the un-regimented sectors. Here, we propose criteria for recognising both the “hard” and “soft” skills of migrants.

This approach serves to empower the recognition of migrants’ “soft skills” as opposed to just their “hard skills”. When ascertaining the previous skills and qualifications of migrants, common standards apply mainly to assessing the “hard skills” (i.e. degrees, training certificates, documents, etc.) of a migrant. As a consequence, too often, the “soft skills” (i.e. intercultural competence, bi- or multilingualism, informal work experience, voluntary work experience, life experience, etc.) are not considered. As such, many migrants are left to feel worthless, unable to contribute because their skills were not deemed worthy even of notice. This, in turn, results in deterioration of motivation and confidence.

Beyond encouraging the proliferation of second language training while on-the-job, we also encourage concerted efforts by state policy makers to continue making strides in fostering native language learning initiatives. For example, we praise

early start programmes and the involvement of parents in language learning, but also encourage greater esteem for the languages migrants already speak. For instance, many children with a migrant background are raised in Europe speaking the language spoken in their parents’ country of origin as well as that of the receiving society. Many exclusionary practices result, however, in teachers and others discouraging them from speaking their parents’ native language (or their first language), as pressure is exerted upon them to “integrate” and to learn the host society language. Studies show, however, that children are typically like “sponges” when it comes to language acquisition. It is clearly possible for them to learn both (and even more) languages if surrounded by them. Why then are children from third countries so often discouraged from speaking their first language, especially if doing so bolsters their self-confidence and identity?

The further promotion of ethnic entrepreneurs is also important. Successful ethnic entrepreneurs, opinion leaders, role models and networks are increasingly reaching out to certain target groups, serving as translators, mediators and mentors to help facilitate members within the same ethnic group into the labour market. Likewise, migrant organisations play a vital role in fostering immigrant incorporation, by opening doors, disseminating key opinions and information on labour market programmes, among others. Within migrant groups a wealth of support and information exchange commonly takes place. Migrant organisations especially provide assistance to the many migrants who continue to struggle with the structures in place in different EU Member States.

Another important strategy revolves around establishing instruments to monitor equality processes and to encourage the proactive integration of migrants in businesses and government organisations. In order to move towards this goal, ENAR established a steering group on equality data collection to support ENAR in mapping out the most common obstacles to data collection, building bridges between existing initiatives and laying out advocacy opportunities. ENAR aims in the coming years to identify contradictions and obstacles raised to prevent the collection of sensitive data, while the long-term goal is to advocate for EU institutions to adopt a common EU framework for the collection and analysis of reliable comparable data disaggregated

## Good practices

by racial or ethnic origin for the purpose of combating discrimination, in accordance with data protection safeguards.<sup>22</sup>

It is also important to raise awareness of the significance of equality legislation in efforts by businesses and government organisations to leverage the legal framework within their institutions. To assist this process, ENAR, with the support of the ENAR Foundation, cooperates with companies and provides consulting and advice relevant to, for example, leveraging diversity management, facilitating seminars on national and EU anti-discrimination legislation, monitoring equality processes, implementing fair hiring and recruitment practices, and instilling employment agreement contracts as well as equality bodies within the businesses. These activities are essential to address some of the main obstacles migrants and minorities in Europe face regarding labour market incorporation. ENAR works with business partners to help them recognise and combat direct and indirect discrimination among their employees, managers, and within their institutional structures.

In addition to providing information on equality legislation and potential sanctions, we also provide advice on how to carry out fair recruitment procedures. In discouraging the use of photos and promoting anonymous CVs instead, particularly relating to age, gender or place of birth, we hope to remove indications that may lead to preferential treatment relative to specific ethnic backgrounds, age or mother tongue. Additionally, we provide advice on job advertisements, reminding of the need to formulate postings in neutral tones, referring only to the work and requirements relevant to the position advertised. We also assist in carrying out selection interviews, being conscious of biases and the influence they have on communication and impressions.

An important activity to this effect is the implementation of an anonymous application process, which has been carried out in a number of Member States. The Anti-Discrimination Office of the German Federation, for instance, launched such a pilot project, expecting that the number of migrants invited to job interviews would increase thanks to a standardised structure removing specific characteristics from

the application. While this proved effective in getting more migrants and minorities through the front door for an initial interview, it did not necessarily guarantee they would be hired despite their equally high skills level and expertise. **Bruce Roch** explained that Adecco Group used anonymous job applications as well, sending anonymous applications to clients to avoid discrimination. Unfortunately, he admitted it doesn't solve the problem because employers then conduct an interview with applicants and decide as they wish regardless. Moreover, candidates can be hired this way, but sometimes they later suffer within the company as a result of the negative atmosphere and stereotypes in the company. In addition, many applicants prefer that job interviewers know their characteristics in advance, so they can avoid any misunderstandings or false hopes.

Because human capital is commonly used as a standard model for labour market incorporation, various attributes and skills, such as education, language competence, age, length of residence and health are identified to explain why migrants have certain types of jobs and earnings. In addition to human capital, however, migrants tend to also rely on resources accumulated through personal social networks. But here, a distinction must be made since many third country nationals are connected to migrant associations and related migrant networks in Europe and abroad. But they often lack social networks connected to the majority community, which is important for helping them attain social mobility in mainstream structures and institutions. Diaspora networks aid in directing newly-arrived migrants to specific worksites and employers, as well as in assisting with legal status, translations, finding housing, among other things. Employers also benefit from well-established transnational networks in terms of finding ethnic-based working crews. As such, it is important to confront impending challenges regarding the professional incorporation of migrants by encouraging their participation in networking activities.

An example of good practice is the Newjobs programme, which was established in the realm of an FP7 social sciences project and gathers 30 partners throughout the EU, taking into account socio-ecological transitions and holistic trends in employment. In terms of policy orientation, it is geared toward the EU 2020 strategy, green ecology, sustainability and socio-economic

<sup>22</sup> The data collection project 2013 is supported by the Joseph Rowntree Charitable Trust, the Open Society Foundations and the European Commission - PROGRESS programme. For more information, contact ENAR Policy Officer, Claire Fernandez: [claire@enar-eu.org](mailto:claire@enar-eu.org).

renewal. It seeks innovative solutions to target women, Roma, the elderly and migrants.<sup>23</sup>

In December 2012, the European Commission also officially launched the EU Skills Panorama, a website presenting quantitative and qualitative information on short- and medium-term skills needs, skills supply and skills mismatches, known as the European Job Mobility Portal (EURES). This website aims to collect and structure labour market information – making it public for all – and to interpret and compare this information to make it more user-friendly.<sup>24</sup> Meanwhile, there is also the European Youth Portal, which is similar but targets youth and is part of the Youth Employment Package.<sup>25</sup> While these are good initiatives, they are geared more towards EU citizens and thus are not ideally suited for third country nationals.

**Thomas Huddleston** of the Migration Policy Group also raised attention to EQUAL projects, which is an initiative focusing on supporting innovative, transnational projects to tackle discrimination and disadvantages in the labour market. EQUAL projects have been created to generate and test new ideas with the aim of finding new ways of fighting all forms of discrimination and inequality within and beyond the labour market. The European Social Fund (ESF) also has the potential to provide financial support and to ease opportunities for migrant workers.

A lot can be learned from good practices in Canada as well, according to **Rachid Bensahnoune** of L'Oréal. He suggested Europe would do well to learn from Canada's "Welcome pack", its selection system and its citizenship law. In Canada, a migrant can automatically get citizenship after three years or after just two years if he/she works in the same workplace. As regards its selection system, recruitment officers are placed all over the world searching for talents. Moreover, Canada's motto is "Migrants – our clients". Canada is clearly more attractive to migrants, which is vital in the growing competitive global economy.

European stakeholders meanwhile must recognise that people anywhere in the world can choose where they want to migrate. A survey was recently conducted in Canada, assessing who comes to Canada to work as opposed to other countries. Many came

to Canada not because the wages were higher, the companies more global, or that it's easier to start a career path in Canada. Instead many went to Canada because they did not want to go to Europe.<sup>26</sup> These people chose not to go to Europe because of the prevalence of racism and xenophobia. They knew they wouldn't be welcome in Europe. If this is the image the EU is transmitting, this needs to be considered more closely by the EU and national governments if they seek to attract these skills and talents in order to remain competitive as a leading global economy.

The Canadian survey highlights the need to protect fundamental rights and non-discrimination on any grounds. In the EU, equal treatment needs to be guaranteed as it is not happening now. But today we cannot guarantee pension rights, recognition of qualifications and access to the health system and social services to third country nationals in the EU, making clear that the EU is not that attractive to new migrants.

Without access to any labour market integration measures, training or study grants, migrants face great difficulty in overcoming language and professional barriers. The status of third country national workers is insecure. Rigid administrative criteria prohibit migrants from retaining work permits if they are fired or seek to change employers or job sectors. Restrictive policies on immigration, education and employment have a direct economic and social cost to the individual, the community and broader society. They are harming considerably prospects of quick recovery from the current economic crisis. Indeed, ethnic minorities and migrants compose a huge pool of talents, creativity and resilience that could contribute to putting European economies back on track. This needs to be acknowledged and tackled, so that third country nationals and minorities can participate fully in society. Special attention must also be directed to women in particular. Since women's talents are more likely to be hidden or never to be realised, a gender dimension is also necessary, beneficial to research and other initiatives in order to promote and foster the participation of migrant women. If we are to develop a socially cohesive and intercultural society, it is critical that Europeans validate the substantial and diverse contributions third country nationals, both men and women, are making to the society, the economy, as well as to the particular businesses and organisations that employ them.

<sup>23</sup> For more information, see: [www.newjobs.eu](http://www.newjobs.eu).

<sup>24</sup> For more information, see: <https://ec.europa.eu/eures/home.jsp?lang=en&langChanged=true>.

<sup>25</sup> For more information, see: [http://europa.eu/youth/index.cfm?l\\_id=en](http://europa.eu/youth/index.cfm?l_id=en).

<sup>26</sup> For another good practice on Canada, see: <http://www.hireimmigrants.ca/>.

# PART 4

## Ways forward towards improving policies and practice

This final section provides a future-oriented reflection for strategies to move forward towards more inclusive recruitment practices, allowing third country national equal opportunities.



## Ways forward towards improving policies and practice

Three panellists identified priorities for improving the recruitment practices of third country nationals.

First, **Jozef De Witte**, Chair of EQUINET, cautioned of the prevalence of negative images about migrants. Despite the European Commission's communication emphasising that "Europe needs migrants", he worries that policy makers do not want to recognise migrants on equal terms as natives, especially in terms of accessing certain rights. He described seven policy areas worthy of greater attention:

1. Procedures: third country nationals are in vulnerable positions and facing vast procedural problems.
2. Qualifications: third country nationals are overqualified for their jobs. Companies often do not want immigrant employees to represent the company.
3. Discrimination: based on age and ethnic origin, leading to multiple discrimination and a high number of harassment cases.
4. Underreporting of discrimination remains a problem.
5. Data collection: with the view to follow progress in third country nationals' integration, it would be useful to monitor the balance between applicants and employees. Third country nationals remain in vulnerable positions because they do not have power. This needs to be monitored as "if you're not counted, you don't count".
6. Language proficiency: in local labour markets knowledge of the national language is required for employees, which is an issue for migrants. Language courses are not enough. The easiest way to learn a language is to use it every day. Employers should give third country nationals the chance to work in order to speak and practice the language daily.
7. Funding: governments should consider different funding options to support language inclusion, integration and full participation.

**Marco Cilento** of the European Trade Union Confederation pointed out that EU legislation is fragmented and the outcome depends on each particular situation. He suggested that migration policies be more comprehensive. Employers present good experiences of third country nationals' integration in the workplace (language training, communication, network channels). Unfortunately, outside of the workplace they face many obstacles (various permits, public services). Various stakeholders assist them (by helping them to deal with public administration). We

should promote third country nationals' active involvement in trade union activities (in meetings, election of representatives, etc.). They have to realise that this is the platform to cope with precarious conditions and address these issues. Trade unions have developed complex approaches as a way to open channels for communication among various stakeholders (employers, employees, social partners). Employers are showing increased interest in recruiting migrants. If the goal is to increase labour mobility, we need to provide possibilities for free movement. Policy makers usually pay attention only to highly-skilled long-term migrants. Recruiting seasonal migrants looks like a minor issue, however, a considerable number of seasonal workers come to the EU every year. He also emphasised that social inclusion and equality policies applied in Europe, which are affecting third country nationals residing in Europe, have the potential of attracting – or deterring – labour migrants from choosing Europe as a place of destination or settlement. This is particularly important as Europe struggles to become an attractive source of destination for labour migrants, competing with other nations known to be more welcoming.

**Shannon Pfohman**, ENAR Deputy Director of Policy, added that the distinctions in conceptualising various types of migrants often have a negative focus when referring to third country nationals in Europe, while EU migrants are spoken of more neutrally. And strangely, expatriates – who often compose both third country nationals and EU citizens living in third countries – are commonly spoken of very positively. Tourists as well enjoy the positive stereotypes and advantages associated with expectations of their spending money in the country they are visiting. Yet, non-EU nationals composing all these groups are in contrast described negatively. This is telling of the political and historical developments over time, linked to nations' understanding of the "other". It also shows how quickly memories can be erased.

She also underlined the need for courageous political leadership, with leaders who understand the value of migration and are willing to speak out on this. The EU institutions need to lead the way. One way is to come back to the EU Charter of Fundamental Rights when Member States are not implementing rules coherently and rights are being jeopardised. Another way would be to encourage Member States to promote a more inclusive understanding of citizenship. It needs to be made easier for everyone to participate in EU society.

## Ways forward towards improving policies and practice

She mentioned another issue at stake that revolves around the lack of data, but not in regard to equality data, but rather data relative to labour market needs. There is only scattered data regarding job vacancies, labour market gaps, which specific skills are needed and in which sectors, and what is truly understood with “skills”. Policy makers are uncertain of what companies need. Can companies identify their long-term approach for skills-needs as their needs change in relation to competition? Moreover, what strategies are planned to address the labour shortages? What steps must be taken to develop immigration policies that are in tune with economic and social realities and support integration, especially at the local level?

In closing, she acknowledged that EU migration policies mark a new area for EU policy makers, thus possibly explaining the lack of a coherent approach. At present, policies have conflicting objectives across different pieces of legislation and the focus on fundamental rights is far too often neglected. There is a need for common and effective migration policies that are transparent for both migrants themselves as well as employers. The European Employment Strategy provides a framework (the open method of coordination) for Member States to share information, discuss and coordinate their employment policies. The Employment Package 2012<sup>27</sup> calls on Member States to remove legal and practical barriers to labour mobility, improve the portability of pensions and the tax treatment of cross-border workers, and allow for the export of unemployment benefits for job seekers in another country (for a period of up to six months). An open method of coordination, with common standards of EU law, would contribute to monitoring what Member States are doing (or not) and for assessing whether existing laws are being applied and in which manner. Social partners should be involved in this monitoring process. Of course, Member States have to be willing to be evaluated for an open method of coordination to function effectively. Migration and mobility are intrinsic to global trends and linked with the movement of capital, goods, commodities and people. Thus, together with multiple stakeholders, we need to find ways to regulate these flows responsibly and based in fundamental rights.

**Michael Privot**, ENAR’s Director, concluded the meeting by stressing the importance of collecting further data of the realities on the ground and in the different Member States regarding migration, mobility, employment and equality. He reaffirmed the

need to measure (in)equalities, their relation to policies and structural discrimination, and to monitor progress over time. For this, it is imperative that efficient data collection systems, allowing for comparable and reliable data, be set up systematically throughout the EU. This is not only vital for businesses but also for the wider society.

He stressed the importance of monitoring the situation of migrants and ethnic minorities to effectively ensure that public policies and voluntary initiatives improve their socio-economic situation. Collecting equality data disaggregated on the grounds of ethnicity, belief, gender, age, disability, etc. for the purpose of combating racism and xenophobia is essential in order to develop sound policies and to ensure that they are implemented effectively. When developing policies devised to promote equality, one must be able to measure the level of discrimination faced, which groups are affected, and in which areas. In order for this to be evaluated, there must be sufficient information available. For companies that wish to or that are under an obligation to implement an equality plan, they must have the means and instruments available to measure which potentially discriminated groups are represented in the workforce. For this, comparable and reliable data must be collected that is compatible with and fully respects the rights of individuals according to data protection laws.<sup>28</sup>

He also reminded of the importance of equal@work expert groups in illustrating the value of a multiple stakeholder partnership for achieving strides in reaching our collective goal of increasing the number of ethnic minorities and migrants in the labour market, in well remunerated and quality jobs, commensurate with their skills and knowledge. ENAR believes the future success of Europe is contingent on increased immigration movements and as such, further efforts will be needed to incorporate the diversity of Europe’s residents and future residents in the labour market. But this needs to be done based on the principle of equality and the protection of fundamental rights for all. Lastly, he reminded of the importance of investing now in non-discrimination policies and incorporating and valuing cultural diversity, as this contributes to equality and more cohesive societies.

<sup>27</sup> For more information, see: <http://ec.europa.eu/social/main.jsp?catId=1039&langId=en>.

<sup>28</sup> The 1995 Personal Data Directive (Directive 95/46/EC of the European Parliament and the Council) prohibits the processing of data revealing a person’s racial or ethnic origin (Article 8(1)), but allows for several exceptions. These include amongst others:  
- where the person gives their explicit consent (except where the Member State’s laws do not allow this exception)  
- where it is necessary for the purpose of carrying out obligations and specific rights in the field of employment law  
- where it is needed for the establishment, exercise or defence of legal claims (Article 8(2)).

# KEY RECOMMENDATIONS

## Recommendations to EU and Member State governments

1. The EU and Member States must counter structural discrimination and preferential hiring practices that place third country nationals at a disadvantage in labour market recruitment processes by:
  - ending the EU preferential hiring policy based on citizenship, and
  - ceasing to impose rigid entry rights and work permits.
2. The EU and Member States must require by law that companies and public administrations develop qualitative and in-depth diversity policies, thereby enhancing options for comparing national labour market situations and needs. This will further avoid distorted competition between employers engaging in diversity policies and those who are not.
3. EU institutions must require that each Member State collect disaggregated data based on national targets that aim to foster the participation of ethnic minorities in the labour market.
4. EU institutions must require that each Member State report on the progress of each specific minority group in matters of labour market integration and monitor progress annually. The European Commission should deliver an “annual trend report” reflecting the comparable indicators on social cohesion that have been agreed upon and put forth as targets. This should include an EU-wide monitoring of the situation of newcomers, long-term residents, naturalised migrants, the children of migrants and broken down by equality grounds (i.e. ethnic/racial, religion/belief, gender, age, sexual orientation and disability), so as to measure progress in social inclusion policies over time. The Open Method of Coordination should be applied to this end.
5. European institutions and Member State governments must improve and facilitate the recognition of qualifications and work experiences attained abroad including, among others, the recognition of soft skills (bi- and multilingualism, as well as individual assessments). They need to further ease proceedings following the recognition of foreign qualifications in one Member State to enable a less bureaucratic and costly procedure for the recognition of qualifications in a different Member State.
6. The EU and Member State governments must include equality conditions in public procurement and supplier policy rules, considering its leverage in improving practices on race equality, and ensure that they include migrants and third country nationals in their scope.
7. European institutions and Member State governments must raise attention among the wider public and employers about the EU Immigration Portal, which provides EU and national guidelines, procedural steps and lists the required documentation third country nationals need for working in the EU. Governments need to elaborate on this online information by providing relevant information for third country nationals already residing in the EU to work either in the country of EU residence or in another EU country, including relevant information about pension schemes, unemployment benefits, workers’ rights and job postings. This information should be made available in multiple languages.
8. European institutions, in collaboration with Member States, need to increase the mobility of workers by allowing for temporary visas and by facilitating the re-application process of those already in the system. This would effectively increase worker mobility by guaranteeing legal certainty and increasing EU internal mobility.
9. European institutions must simplify the lengthy and bureaucratic process regarding “recruitment diversity certification” and raise awareness of this among

# KEY RECOMMENDATIONS

recruiters and the human resources personnel of businesses and organisations.

10. European institutions, in collaboration with Member States, must use existing tools such as the LIME Assessment Framework for assessing the economic impact of migration and integration policies. The LIME Assessment Framework has the potential to put migration and integration firmly on national and EU agendas as it demonstrates the importance of sound migration policies and the need for comprehensive efforts to increase labour market and educational outcomes for migrants.

11. European institutions, in collaboration with Member States, must evaluate the transposition of the EU Blue Card Directive and follow this up with European Commission guidelines. Infringement proceedings should be initiated by the European Commission in a timely manner should the Member States not comply with the requirements of the Directive.

## Recommendations to public and private employers

1. To attract third country nationals not yet in the workforce, it is important to post job postings where they are most likely to see them. Maintaining ties to migrant-run organisations and networks, educational institutions, anti-racist organisations and federal employment agencies is useful for reaching this target audience in case job vacancies remain open for lack of suitable candidates.
2. Implement on-the-job trainings, as they have shown progressive results in promoting the skills and qualifications of employees, including those with a migrant background. Ensure that the makeup of the participants constitute a mix of third country nationals and native Europeans, since this combination tends to increase

integration, as it raises the esteem for the degree or certificate being sought and further offers a platform for exchange between individuals with and without a migration background (facilitation of on-the-job integration).

3. Foster a “training culture” within the company to promote on-the-job training. Apply both a short- and long-term strategy with trainings targeting unskilled and semi-skilled migrant workers. This results in long-term benefits for the company, since when a company invests in the skills and knowledge development of its employees – and migrants and third country nationals in particular – it generally leads to improving their competencies and knowledge, fostering their self-esteem and increasing loyalty to the company. This further results in the retention and growth of the employee, which is important for all employees, but particularly for third country nationals due to bureaucratic challenges linked with their work permits and resident rights.
4. Enhance the recognition of the value of the skills of third country nationals and migrants in the company and carry out empowerment activities to help the individual become more conscious of his/her own skills.
5. Provide well-remunerated salaries to migrants, on the same level as native majority employees, ensuring that all their experiences, expertise and not formally recognised diplomas are valued on the same level as those of native majority employees.

## Recommendations to trade union representatives and employers’ organisations

1. Trade unions should ensure that their structures offer spaces for migrant workers, regular or not, as well as relevant support and representation similar to what is provided to native majority trade union members.

# KEY RECOMMENDATIONS

2. Trade unions and employers' organisations should ensure that employees, particularly migrants and third country nationals, are aware of existing EU and national guidelines, procedural steps, hiring requirements, as well as their rights and options for seeking legal redress. This can be achieved through information trainings for human resources managers and trade union representatives sitting on work councils or equality and diversity committees.
3. Employers' organisations should disseminate pedagogical leaflets/tools targeting human resources departments to raise awareness about migrants' rights and associated laws in place to protect them.
3. Empower and raise the self-confidence of third country nationals as a means by which to foster labour market incorporation. Learn from existing strategies that have been applied to empower migrants, such as host society language training, on-the-job vocational trainings, recognition of native language competencies, etc.
4. Support mentoring projects as a tool for breaking down stereotypes, as for instance 80% of jobs in Brussels are only advertised by means of social networks. Mentoring projects help in connecting third country nationals to access such social networks. The use of campus ambassadors further supports the development of such networks.

## Recommendations to all stakeholders

1. Develop and maintain recruitment outreach mechanisms for job positions among various networks and alliances composed of diverse communities.
2. Promote the involvement of individuals with a migrant background, in particular third country nationals, in vocational job trainings and further education qualification courses. These play a larger role in motivating migrants to pursue higher qualifications and skills.
5. Researchers should maintain a focus on the various categories of migrants and their specific needs (high-skilled/low-skilled) to better understand and document the realities they are facing in the different Member States, in terms of the legislative framework, accessing employment, vocational training and further qualifications, as well as regarding their experiences with discrimination and structural barriers preventing their full participation.
6. Employers, trade unions and NGOs must collect best practices in employing migrants as well as carry out grassroots projects that promote social inclusion and highlight the practical tools they have developed. They should further set up a digital format to display these practices and tools.

# ANNEX 1

## List of participants

<b>SURNAME</b>	<b>NAME</b>	<b>ORGANISATION</b>	<b>COUNTRY</b>
Ms Adam	Ilke	Vrije Universiteit Brussel	Belgium
Mr Bensahnoune	Rachid	L'Oréal	France
Ms Broughton	Emma	Institut Français des Relations Internationales (IFRI)	France
Mr Cilento	Marco	European Trade Union Confederation (ETUC)	Belgium
Ms Dauphin	Stéphanie	University of Liège	Belgium
Mr De Witte	Jozef	European Network of Equality Bodies (EQUINET)	Belgium
Mr Elfgen	Jannes	German Federal Employment Agency	Germany
Mr Ezzahiri	Aumar	Association des Juristes Arabo-Musulmans d'Europe (AJAME)	France
Ms Fangman	Floor	L'Oréal	France
Ms Gornicioiu	Laura	European Commission - Directorate General Home Affairs	Belgium
Mr Hieronymus	Andreas	Institut für Migrations- und Rassismusforschung (iMiR)	Germany
Mr Hildebert	Pascal	Strategest	Belgium
Mr Huddleston	Thomas	Migration Policy Group	Belgium
Ms Kadysheva	Olga	Finance University of the Russian Federation	Russia
Ms Ludwinek	Anna	Eurofound	Ireland
Mr Ljungquist	Thomas	European Commission - Directorate General Justice	Belgium
Mr Mauri	Antoine	Le Groupe La Poste	France
Ms McCarron	Emma	ENAR	Belgium
Ms Meharez	Mélanie	Association pour Favoriser l'Intégration Professionnelle (AFIP)	France
Ms Ouali	Nouria	Université Libre Bruxelles - Research Centre METICES	Belgium
Ms Oueda	Stéphanie	L'Oréal	France
Ms Pascoet	Julie	ENAR	Belgium
Ms Partapuoli	Kari Helene	Antirasistisk Senter	Norway
Ms Pfohman	Shannon	ENAR	Belgium
Mr Privot	Michael	ENAR	Belgium
Mr Roch	Bruce	Adecco Group	France
Ms Ryan	Mary	English Language Support Teacher's Association	Ireland
Ms Ryngbeck	Annica	Social Platform	Belgium
Mr Sasu	Ionut	European Commission - Directorate General Employment	Belgium
Ms Schütze	Carolin	ENAR	Belgium
Ms Staselyte	Jolita	ENAR	Belgium
Ms Suffee	Zakeera	Independent Research Student	Belgium
Mr Sullivan	Wilf	Trades Union Congress	United Kingdom
Mr Taran	Patrick	Global Migration Policy Associates	Switzerland
Ms Tchadjeu	Fanny	ENAR	Belgium
Ms Wahlgren	Juliana	ENAR	Belgium
Mr Wolters	Hans	Organisation Development Support	Belgium

# ANNEX 2

## Meeting programme

8:30 - 9:00

Registration of participants and welcome coffee

9:00 - 9:10

Opening of the Equal@work European meeting

Mr. Andreas Hieronymus, ENAR Representative of the Northern region

9:10 - 9:20

Presentation of the Migration and Diversity Research Cluster of the Institute for European Studies

Ms. Ilke Adam, Post-doctoral Researcher and Lecturer

9:20 - 11:20

Part 1: The legislative landscape: EU policies

■ Presentation of EU policies related to employment and migration

Ms. Laura Gomicoiu, Policy Officer, Unit Immigration and Integration, Directorate General Home-Affairs, European Commission

Mr. Ionut Sasu, Policy Officer, Unit Social Protection & Social Inclusion Strategy, Directorate General Employment, Social Affairs and Inclusion, European Commission

■ Assessment of EU policies as they support the hiring of migrants in Europe

Mr. Thomas Huddleston, Policy Analyst, Migration Policy Group

■ Assessment of EU policies as they hinder the hiring of migrants in Europe

Ms. Anna Ludwinek, Research Manager in the Living Conditions and Quality of Life Unit, Eurofound

Coffee

11:40 - 13:00

Part 2: Challenges encountered by employers and migrants

■ Fishbowl discussion:

Ms. Mélanie Meharez, Project Officer, Association pour Favoriser l'Intégration Professionnelle (AFIP), France

Mr. Wlly Sullivan, Race Equality Officer, Trades Union Congress, United Kingdom

Mr. Bruce Roch, Corporate Social Responsibility Manager, Adecco Group, France

Ms. Annica Ryngebeck, Policy Officer, Fundamental Rights and Equality, Social Platform

Lunch

14:00 - 16:00 Part 3: Best practices and recommendations from employers and migrants

Break-off groups that will explore:

- Different ways of addressing the most common challenges linked to the hiring of economic migrants from third countries
- Strategies for stakeholders' participation in overcoming obstacles linked to the hiring of economic migrants from third countries
- Methodologies for transferable practices and tools
- Recommendations

Coffee

16:30 - 17:45

Part 4: The way forward towards improving policies and practices

■ Panel discussion with:

Mr. Jozef De Witte, Chair of the European Network of Equality Bodies (Equinet)

Mr. Marco Cilento, Adviser on migrant workers and migration, European Trade Union Confederation (ETUC)

Ms. Shannon Pfohman, Deputy Director - Policy, ENAR

Mr. Patrick Taran, President, Global Migration Policy Associates

17:45 - 18:00

Closing of the Equal@work European meeting

Mr. Michaël Privat, Director, ENAR

Moderator for the day: Pascal Hildebert, Consultant, Strategest

## european network against racism aisbl



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The European Network Against Racism (ENAR) stands up against racism and discrimination and advocates for equality, solidarity and well-being for all in Europe. We connect local and national anti-racist NGOs throughout Europe and act as an interface between our member organisations and the European institutions. We voice the concerns of ethnic and religious minorities in European and national policy debates.

Visit ENAR's website: [www.enar-eu.org](http://www.enar-eu.org)



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