

December 23, 2022



Building the future of work together

Making Smart Moves – How labour mobility & legal migration can make a positive contribution to European labour markets

by Menno Bart, Michael Freytag

Tag: #labourmarket #mobility #futureofwork

Free movement of workers, work mobility and legal migration, have always been a prominent topic in political debates. They now feature as an important instrument to address skills and labour shortages. Based on EU sources published in 2021, there are 17.9 million EU movers, of which 9.9 million are Active Movers (including employed, self-employed and jobseekers). Mobile workers come mostly from Romania, Poland, Italy, Portugal and Bulgaria.

From a business perspective, there is a clear need for “making smart moves”, i.e. for targeted and well-managed economic and legal migration, to address labour shortages in Europe. All economic sectors and professions - from the highly skilled tech employees to the services sectors and lower skilled jobs, are affected. The coupling of such shortages and the untapped potential of labour mobility, combined with unemployment rates that are too high - especially for young people - represent one of the most pressing challenges that Europe is facing today.

Labour mobility, both intra-EU and from third countries, is an important component for well-functioning labour markets. The private employment services industry sees substantial opportunities linked to labour mobility and to legal and economic migration, if compliance and enforcement of existing European and national rules are ensured. In our recently developed [strategic vision on work mobility and legal migration](#), we encourage such well-managed and targeted policies and we call for a policy focus on better enforcement.

In the case of intra-EU work mobility, we call for using and unlocking the contribution of free movement of workers and favour a policy approach that links mobility of workers with a focus on compliance and enforcement of rules and regulations on labour mobility. Cases of non-compliance are not only detrimental to the protection of workers, but they also distort the level-playing field and create unfair competition. At the same time, work mobility needs to be based on

appropriate regulation and unjustified restrictions on the provision of agency work services should be reviewed and removed. These include: conditions to provide services, too strict maximum length of assignments and restrictions on hiring third country nationals as agency workers. We strongly believe that social partners at European and national level should be associated and involved in intra-EU work mobility policies.

With regard to legal migration, we broadly welcome the policy framework proposed by the European Commission, including the single permit directive, the long-term residence directive and the recently proposed EU talent pool for people fleeing the Russian war of aggression against Ukraine. These tools should be designed in a way that meets the needs of companies and workers and complements rather than replaces initiatives already taken by the private sector.

On economic migration policies, the World Employment Confederation-Europe is favouring demand driven policies that are meeting the needs of companies while at the same time offering opportunities associated with the European and international mobility of workers. We support labour migration based on an appropriate and non-discriminatory legal framework. Similar to the situation for intra-EU work mobility, unjustified restrictions related to legal migration have been imposed on the agency work industry and must be lifted.

A targeted and demand driven legal migration policy can provide an important contribution to reducing persistent labour and skills shortages in the EU. However, as a representative of the European Commission's DG Home Affairs stressed during an event we recently organised on the topic, it is important for Europe to work in partnership with third countries to avoid 'brain drain' as people leave their country to find new opportunities here. Policies can't be one-sided.

At the same time, legal migration and mobility policies must include a focus on compliance with and enforcement of existing European and national law. This includes the need for social protection for all workers and the effective coordination of social protection schemes. During our event, CEEMET, the European employers' organisation representing the interests of the Metal, Engineering & Technology-based industries, underlined that it is also important that implementation at national level is neither 'gold-plating' European policies (i.e. imposing higher level of requirements) nor plagued by slow and burdensome administrative procedures that do not match the pace of business needs. CEEMET stressed that labour shortages are becoming critical, pushing companies to refuse orders and therefore negatively affecting Europe's competitiveness.


The agency work industry can be a strategic partner in this respect, acting as a pathway for appropriately regulated mobility. The sector has taken a series of initiatives across Europe contributing to well-managed work mobility and legal migration. In the Netherlands, the agency work industry is providing access to housing for mobile and migrant workers. In France, it is taking joint action with authorities to ensure compliance by fighting undeclared and illegal work. At European level, the World Employment Confederation-Europe is actively involved in the European Labour Authority, providing insights and advice on well-organised mobility, fostering enforcement of EU rules and thereby promoting the essential value of work mobility. Social dialogue, both at European and national level, is also playing a central role in advancing social innovation in our sector and we will continue to put a strong focus on our joint work with UNI-Europa, notably to ensure the correct enforcement of existing rules.

Involvement of the private sector as a key element to make migration policies more sustainable is also flagged by the International Centre for Migration Policy Development, an intergovernmental initiative to help governments with their migration policies. Overall, all stakeholders involved in this debate agree that stronger cooperation is central to "making smart

moves” and ensuring that work mobility and legal migration contribute to more inclusive and better functioning labour markets in Europe. But ultimately, what we might need above all is a positive perception of migration. One of opportunity, for workers, companies and societies.


Menno Bart

Member of the Executive Committee of the World Employment Confederation-Europe

 [@mennobart](#)

Michael Freytag

World Employment Confederation-Europe Public Affairs Manager

 [@MichaelFreytag](#)