MOBILE

FACILITATING INTRA EU LABOUR MOBILITY OF THIRD COUNTRY NATIONALS IN THE EU

NEWSLETTER #4

Let us give social dialogue a chance to play a significant role in fair labor mobility!



The European Commission

recently adopted the Fair Labor Mobility Package; an initiative aimed at reducing administrative burdens and strengthening the enforcement of European Union laws. The package addresses persistent barriers to mobility identified by the Commission, which include complex administrative procedures, difficulties in cross-border social security checks, uneven application of EU legislation and lengthy processes for the recognition of professional qualifications. The most significant novelties are the introduction of the European Social Security Card (ESSPASS), which will allow citizens to apply for and receive social security documents entirely online, including the European Health Insurance Card and the portable A1 document for posted workers.

The package also addresses the transferability of skills, providing digital, standardized qualifications, verifiable through the EU digital identity wallet and eextending the mandate of the European Labor Authority (ELA) to strengthen operational capacity and more effectively support Member States in the implementation of EU labor mobility legislation and the coordination of social security systems.

The issue of facilitating labor mobility, especially third-country nationals, was discussed at the two-day EU level social dialogue sessions within the project Mobile - Facilitating Intra-EU Labor Mobility of Third-Country Nationals in the EU.

The effects of the Mobility Package will be seen only after full implementation, but some issues have been identified - such as the issue of employment intermediaries and their future status given the high dependence of SMEs on such intermediary agencies, (74% SMEs face skills shortages, and 30% cite regulatory barriers as a key challenge); standardization and protection of the rights of workers in the care sector, especially in conditions where the engagement of employees implies living in a family and 24-hour availability.

Cross-border recognition

of skills is important but will the deployment and concentration of educated and skilled workforce in certain regions and countries create some new inequality, especially between the so-called periphery and the center of the EU, where certain regions will remain deprived of the entire range of skills, which would also affect their competitiveness? One of the key issues within the MOBILE project is how much social dialogue and social partners can contribute to the equal treatment of workers, respect for the law and the channeling of mobility into regular flows. A demanding task is being set before the social partners, which requires an equilibrium - creating something that is feasible for employers and protective for workers. The fact is that workforce mobility must have an adequate place in the social dialogue both at the national and European level.

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Regarding posting and labor standards, it is necessary to insist on compliance with the items from Article 3 of the Directive concerning the posting of workers in the framework of the provision of services - such as maximum work period and minimum rest periods, remuneration, health and safety at work, conditions of employment of workers, etc.

Constant exchange of information, cooperation, and familiarization with good practices are important. The shortcomings identified by the social dialogue, through the insufficient capacities of the social partners, regulatory obstacles, could be bridged by cooperation, coordination and the successful operation of cooperation networks, such as the network of trade union advisors within Fermobility, which have already given good results.

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