

PROTECTING AND INFORMING YOUNG EUROPEAN WORKERS

**THE EUROPEAN LABOUR AUTHORITY
CAN AND MUST TAKE ACTION!**





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INTRODUCTION

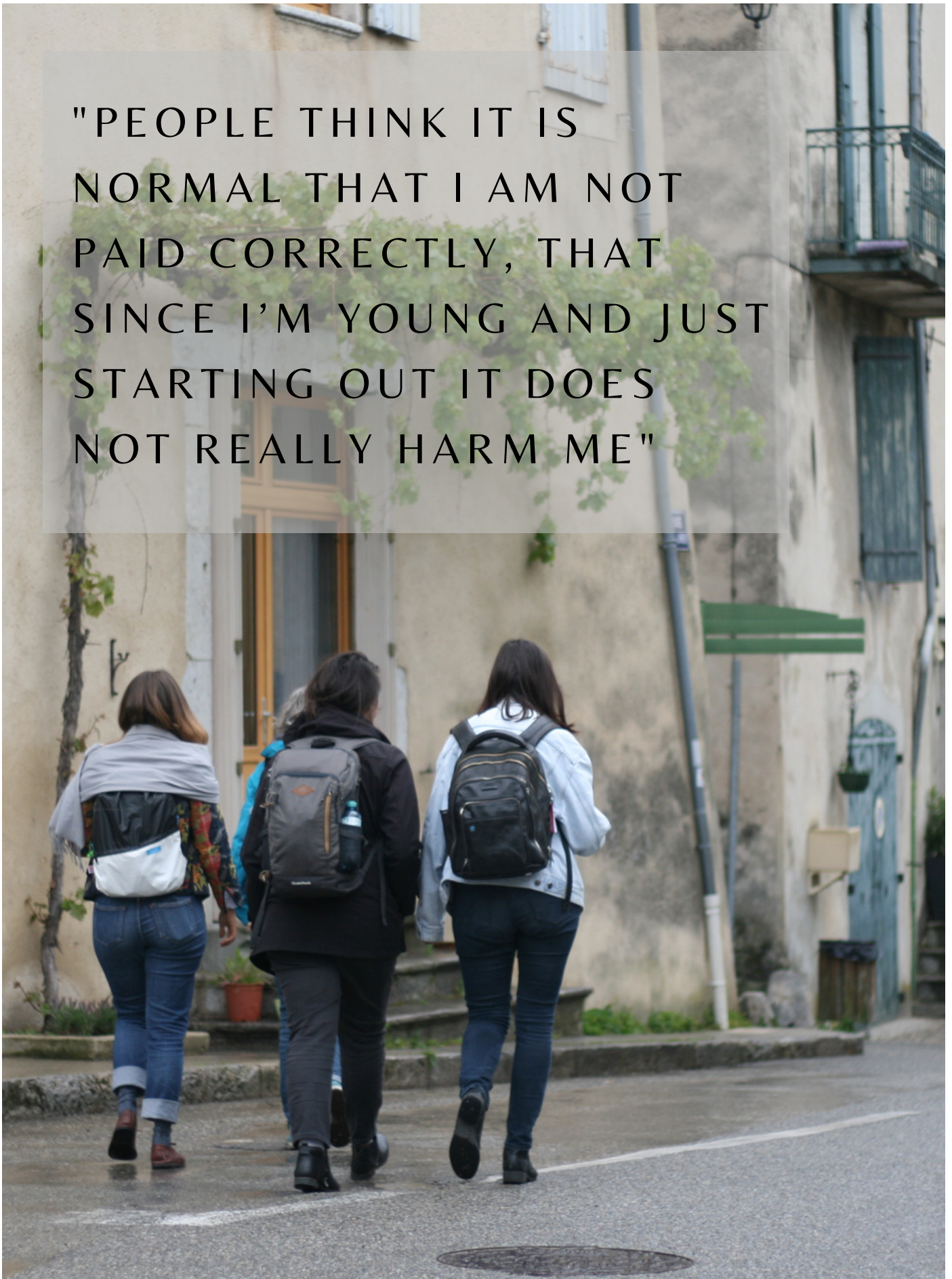
Surveys and interviews conducted by European Alternatives confirm that the European Union is good at promoting mobility of young people, but poor at ensuring their rights are protected once they start work in another country. Young people who move to work have specific vulnerabilities which need to be taken into account by the European Union, ensuring that these young workers are well informed and equipped to access and defend their rights, preventing young mobile workers falling through the gaps of complex social security coordination between countries, and preventing exploitative employers taking advantage of the vulnerability and isolation of mobile young workers.

The Covid-19 pandemic and the ensuing restrictions and recession all exacerbate the risks to the rights of young mobile workers in Europe. Young people are being hit the hardest by the economic recession,

and those who move country for work have specific vulnerabilities. These vulnerabilities exist for all mobile young workers in Europe, and those from third countries often have even less protection: an increasingly fragile, depressed and precarious labour market means the lowering of rights for one group of young people puts downward pressure on the rights of others. The European Union has a responsibility for addressing this situation which crosses borders, and seeing the reinforcing of rights for young mobile workers as a key part of its overall strategy for economic relaunch.

As a new institution with the mandate to reinforce the protection of workers, the European Labour Authority should adopt specific and targeted measures for mobile young workers in Europe as part of its work program from 2021 onwards.

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NORMAL THAT I AM NOT
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KEY RECOMMENDATIONS

1

Young mobile workers need better information, specifically tailored for them, to know their rights, and claim their rights at work

This information should be:

- all in one place
- in every European language
- provide practical information that can easily be found and saved on rights young people have at work.
- provide practical advice and contacts for how to claim rights if young workers have a problem

European Labour Authority should mount a communications campaign to ensure young mobile workers know their rights. This could be a joint campaign with the ERASMUS+ program.

2

The European Labour Authority and Platform against Undeclared work should mount a specific communications campaign targeted at young mobile workers about what ought to be declared by employers and what to do if they have problems

3

Youth is a vulnerable stage of life, and this creates specific risks for young mobile workers.

The European Labour Authority should conduct a youth-targeted approach to risk assessment to address this. These include:

- risks arising from social isolation.
- risks arising from dependencies on a partner.
- lack of knowledge, experience, and confidence.
- lack of resources to fall back on.
- storing up problems for later in life.

4

EURES and the Your first EURES job service should provide information and trainings to employers in the specific difficulties young workers might encounter when moving, and ensure young workers who take up job positions in another country are able to get quality advice from the service on their rights when they start working at the job, during its duration and when they leave

5

Difficulties mobile young people face defending their rights at work and create problems with their access to other European citizenship rights: the Commission should adopt a joined-up approach across DG Justice, DG Employment, DG EAC and the European Labour Authority

6

Lack of respect of rights of young mobile European workers and young mobile non-European workers reinforce each other: the ELA should adopt a targeted approach to ensuring the respect of rights of all young workers who cross borders in Europe

THE EU RUNS ON YOUNG PEOPLE MOVING

The European Union has since its inception promoted young people moving country for work. It does this through dedicated EU programs which promote and fund mobility, including the ERASMUS program, and the My First EURES Job scheme, but more fundamentally by developing and maintaining a space of free movement and a single market which young people are most likely to move in.

There is no surprise that young people are more likely to move than older parts of the population, for a wide variety of reasons which range from economic to personal. Following the 2008 financial crisis and high rates of youth unemployment in many European countries, even more young people moved in the EU to find work they could not find at home. During the Covid-19 pandemic, many young people who had



According to Eurostat, in 2006 the median age of people moving to another country in the European Union was under 35 years old. In 2017 20-29 year olds were the most likely to move from Bulgaria, Germany, Lithuania, Romania and the UK, and 30-39 year olds the most likely to move from Spain, Italy and Poland. Young people who move in Europe work in nearly every sector of the economy, and are often fulfilling 'essential' social roles in care, agriculture and food production, delivery and logistics: important jobs all of which have been highlighted during the Covid-19 pandemic, but which often suffer from lower pay, less secure working contracts, and less safe working conditions, and all of these risks are greater for non-national employees. Young people who move country in Europe bring skills and labour in the country they move to, often send remittances back to countries they moved from, and through the rest of their career will bring their experience of moving to another country to future jobs, wherever they are.

moved for work to another country found themselves in a difficult position because of travel restrictions, having to make choices about whether to stay close to their work or move back closer to their family for care reasons. As European countries again enter severe recession following the pandemic, young people will be asking themselves what risks they are taking if they move to work in another country, and looking for even greater reassurance. Mobility makes the single market work, and so as part of the relaunch of the European Union economy, giving these assurances to young people should be a priority.

European policy makers have long acknowledged that youth is a period of life marked by transitions and specific vulnerabilities, requiring a dedicated policy approach, and that young people are often disproportionately affected by economic shocks compared with other age groups: as was the case following the financial crash, and as is again the case

in the historic recessions in the context of pandemic. The EU has therefore adopted a diversity of policy programs promoting youth employment, education, and empowerment in recent years. However, there is evidence that these policy initiatives are not currently adequately meeting an important need: assuring the rights of young people who move to work in the European Union. Whilst a substantial body of legislation exists to ensure fair mobility, a dedicated and targeted approach to young mobile workers is required to take account of the specific challenges and risks that they face.



A VULNERABLE STAGE OF LIFE: YOUTH SPECIFIC RISKS

Young workers who move country have specific vulnerabilities which are not sector-specific, nor functions of levels of education, but are rather characteristic of a stage of life and are likely to affect all young people who move countries for work to some degree. Conversations and surveys of young mobile workers throughout Europe conducted by European Alternatives have revealed the following risks.



- **Further from friends and family:** For some young people, moving country to work might coincide with leaving the family home. For almost all of them it will involve moving further from family and friends, at a stage of life where they might need support. Social isolation can make it harder for young people to know what to expect at work, what their rights are, and who to ask for help or guidance.
- **First relationships:** Some young people who move may be doing so to be with a partner, perhaps living with them for the first time. In some circumstances, this can create dependencies: for example, depending on a partner's social security access whilst waiting for a national administration to issue a social security number/card, depending on the partner for accommodation and proof of residency, even depending on a partner's bank account. These vulnerabilities can particularly affect young females moving and starting work, and were particularly acute during the lockdowns in the Covid-19 pandemic.
- **Less experience with the world of work:** young people have less experience with the world of work than older workers, and so have less clear expectations of what rights they should have. Even if European countries are quite similar in the rights that workers have, having spent less time working in a home country before moving, young people have less comparable experience than older workers. They are therefore more vulnerable to exploitation by employers who profit from their uncertainty and lack of information. Young people may also simply not claim their rights to the fullest extent because they do not know about them.

- **More precarious:** young people in general are more likely to be in precarious working conditions, be paid less, and have less savings to fall back on. Young people who have moved country may be less familiar with working contracts, and may feel forced to remain in exploitative working conditions to maintain their residency status, to secure access to social security or for other reasons linked to their rights which make them feel trapped.
- **Storing up problems for later:** young people may be less likely to need social security, healthcare and are less likely to think about their pensions than older people. This can have the result that problems go unnoticed until much later on: social security payments that have not been made properly by an employer, unclear tax situations between countries, or national administrations not correctly transferring entitlements.
- **More mobile:** young people who move for work are more likely to move onto another country later in their career than older people who move. This can compound administrative problems if things have not been done properly in the first country, and also make it more difficult to claim rights from previous employers. What is more, young people are more able to move in general than older workers, and this can mean that instead of dealing with a problem, moving is easier: for example, continuing to return to a home country for healthcare, rather than establishing access to healthcare in the country of residence.



THE ROLE OF THE EUROPEAN LABOUR AUTHORITY

The European Labour Authority has the mandate to contribute to ensuring fair labour mobility across the Union and assist Member states and the Commission in the coordination of social security systems within the Union. In many of the tasks defined for the authority in order to meet this objective, there is an overwhelming case that young mobile workers should be prioritised and benefit from a specific and targeted approach.

ACCESS TO INFORMATION

"I am unsure of my rights to social security in this country"

"I do not know exactly which documents my employer ought to give me"

"I do not know who to go to if I have a problem at work".

Such comments coming from workers who have moved to another country are common. In the case of young workers, the problems this lack of information and knowledge combine with other vulnerabilities to create specific risks. Examples include:

- exploitative employers refusing to give payslips, contracts or other employment documentation to young employees coming from another country, relying on lack of working experience and confidence of these young people.
- young workers in another European country putting themselves at risk rather than dealing with bureaucratic problems: examples included employees who returned to their home country for medical care only for their condition to worsen during the travel
- young workers not having their social security contributions correctly paid by employers in one country, only discovering this problem later on in another country they have moved on to, and facing difficulties to correct the situation
- young workers not having accurate information concerning parental leave or sick leave in the country they are working in, and therefore not benefitting fully from these rights

Information concerning the rights of workers in another European country is scattered across different European websites, is often out of date for some countries, and is not presented in a format that is easy to use for younger audiences.

A centralised and comprehensive website should be produced by the ELA which has a youth specific section, with answers to common problems faced by younger workers, and accurate information about who to contact for assistance both for more information or for help in defending and accessing rights. **The website should also have a section for employers dedicated to employing young mobile European workers**, with information sensitising employers to the specific problems these workers may have.



THE EURES JOB SERVICE

The EURES job service will be run by the European Labour Authority. The EURES Job service and specifically the Your First EURES job service targeted at young people should:

- provide information and trainings to employers using the service about the specific difficulties young workers might encounter when moving.
- ensure young people using the service are well informed of their rights at each stage of applying for a job, being interviewed, accepting a job, moving and starting work, and leaving a job, and that they know who to ask if they experience problems.

Resources developed by the EURES job service could be made widely available for other job services, and serve as benchmark best practice for job agencies.

Risk analysis and risk assessment

In addition to being at a greater risk of exploitation because of their lack of experience, information and confidence, young mobile European workers are faced either with kinds of risks specific to them as young workers, or more highly exposed to risks which face all mobile workers. These should be analysed and assessed in a targeted way. This pamphlet has already discussed youth specific risks above. In summary these include:

- risks arising from entering the labour market for the first time.
- risks arising from pregnancy and having young children.
- risks arising from social isolation.
- risks arising from dependency on recent or short term partners who are nationals of the country of residence.
- risks arising from low resources and savings.
- risks arising from circular migration and moving on to new countries.
- risks regarding social security access and its coordination.
- risks from very high mobility- risks arising from 'scarring' from bad working experiences throughout the rest of a career.

The European Labour Authority should gather further information about the specific kinds of risks young mobile workers face, and conduct risk analysis and risk assessment specifically concerning young mobile workers.

Gathering information about risks should be part of more comprehensive data gathering about how many young people in which sectors are moving country in Europe: currently there is insufficient information from the European Labour Force Survey and Eurofound to ensure responsible oversight of the place of young people in the European workforce.

The European Labour Authority should seek to train national labour inspectorates in how to identify and address these risks, and support member states with capacity building to ensure effective application and enforcement of relevant Union law to address them. The ELA could collect best practices of national administrations but also of trade unions and other third sector organisations in addressing these risks.



THE EUROPEAN PLATFORM TACKLING UNDECLARED WORK

'People think it is normal that I am not paid correctly, that since I'm young and just starting out it doesn't really harm me'

'I don't feel confident in challenging my employer because I'm not really sure what he should be declaring'

In many conversations with young people who have moved to work in another European country, it is clear that they suffer from either doing entirely undeclared work in the informal economy, or only partly declared work. In addition, many have the impression that society as a whole around them normalises this undeclared work on the basis that since they are young workers they are not losing out by not having social security contributions paid, for example, that they are lucky to have a job and the price to pay is not having it correctly declared. This can combine with the idea that young mobile workers will only be in the country for a short time, or will benefit from social security from their home country, and so it is unproblematic that their work is undeclared.

The European Platform Tackling Undeclared work, working with the ELA, should run communication campaigns targeting young people so they know what their employers should be declaring, but also society at large to combat the idea that not declaring young workers, particularly young mobile workers, is acceptable by pointing out all the problems this causes both for young workers, and for standards and fair competition more generally.

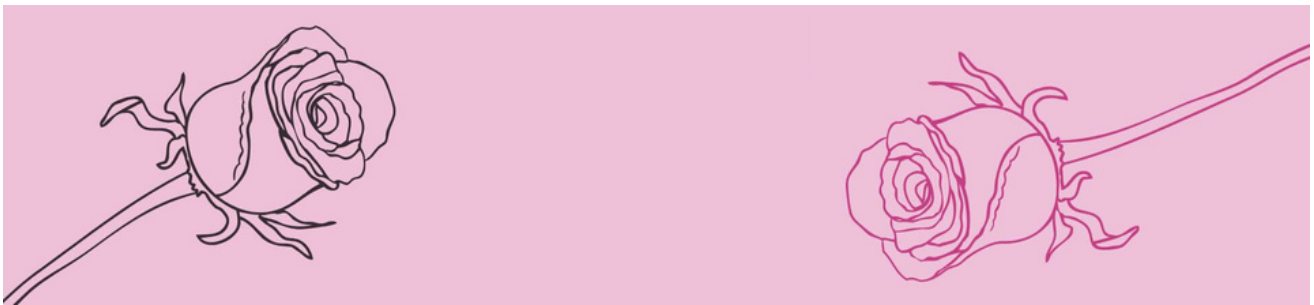
COHERENT ACTION OF THE EUROPEAN UNION IN PROTECTING YOUNG WORKERS

The ELA has the mission of facilitating cooperation and exchange of information between member states to ensure the consistent, efficient and effective action of Union law. When it comes to young mobile workers, it is clear from interviews and surveys that difficulties of mobile Europeans to access or claim their rights can put workers in even more difficult situations.

'I am afraid to challenge my employer because I do not know if I'll be able to stay in the country'

'I really need a permanent contract, so I cannot risk to lose my job'

'I need my employer to give me the payslips so I can rent an apartment, now is not the time to complain...'



Such statements are common when speaking to young workers who have moved country. In many countries of the European Union, there are administrative hurdles to have full access to those rights granted by European citizenship, and overcoming these hurdles requires time, and in many cases the collaboration of an employer. In some countries of the European Union, legislation and administrative practice have actively made it more difficult to claim permanent residency, to claim social security or unemployment benefits. Each of these factors can make young mobile Europeans more dependent on their employer and at worse lead to situations of active exploitation. The European Union should act in a coherent way between the different parts of the Commission and in coordination with the member states to empower young mobile workers to claim their rights, starting from the presupposition that they are in a vulnerable and weak position. This should start by ensuring that young mobile workers are able to claim their fundamental rights independently

of their employers, so as not to be put in a situation of dependency.

As a start, the European Labour Authority and the Erasmus program could run a joint communication campaign on the rights of young people starting work, and the Erasmus program and European Education Area could both prioritise ensuring young people are prepared for the workplace not only in terms of skills, but also in terms of knowledge of rights and capacities to claim them. More profound reform could involve securing the residency rights of all young people who move, whether European or non European in nationality, independently of working status. Trade Unions, Civil Society organisations, academics and the Fundamental Rights Agency of the European Union have long argued that securing residency rights independently of work is the only sure way to empower an individual to challenge exploitative working conditions.



INVOLVING YOUNG WORKERS IN IMPROVING THEIR OWN RIGHTS AND CONDITIONS

Noone is likely to know better the problems that young mobile workers are facing than young mobile workers themselves. Yet there are no dedicated platforms for these workers at European level, and no dedicated forms of dialogue with the European institutions. Furthermore, very few statistics and studies specifically about this group exist, and those that do likely miss out many young people in informal employment, temporary employment or in self-employment, all of whom are particularly at risk.

The European Labour Authority should address both of these problems: set up specific forums of dialogue

with young mobile workers by inviting relevant trade unions and youth-led civil society organisations to send representatives, and by commissioning new research from the EU's research and statistical bodies. The annual Labour Mobility Reports can only build on the statistics of the European Labour Force Survey and the Eurostat population statistics, both of which likely miss out substantial numbers of mobile young workers, and so improvement of this source material is a priority in order then to have specific focus in an annual report on the situation of young mobile workers.

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Workers Without Borders advocates for the European Union institutions to do more to protect the rights of workers who move. In particular, it calls on the newly established European Labour Authority to take initiative in to protect the rights of young workers and people in precarious forms of employment.

Check more info on our project:
<https://euroalter.com/project/workers-without-borders/>

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