

# SEASONAL AND MIGRANT WORKERS IN AGRI-FOOD VALUE CHAINS

## Policy briefing



### Introduction

SafeHabitus is a Horizon Europe-funded research project that seeks to enhance the working conditions of farmers and farm workers by improving farm safety and farmer health. In addition to undertaking research, project activities involve the organisation of a series of policy discussions. The second policy discussion was organised on 10 April 2024 in the form of a SafeHabitus Policy Seminar. It brought together EU policymakers, policy stakeholders and researchers to support the development of this policy brief which contains recommendations for improving the working conditions of migrant workers. Policymakers, practitioners, and researchers shared their knowledge and experience during the seminar, developing a shared understanding of the challenges and identifying potential actions and solutions for improving migrant workers' conditions. Research, data and practical first-hand experiences were presented during the seminar and provided an evidence base upon which to discuss a number of key issues. The following aspects were covered: decent wage and income, the gender gap in wages, pension and benefits, housing and living conditions, intermediation services, higher exposure to OSH issues – and long-term health effects, working hours, leave, healthcare access and long-term burden on healthcare systems and general decent work and rights challenges.

### Migrant workers in agriculture

There is limited data available on migrant workers in EU agriculture, their socio-demographic characteristics, including their country of origin and conditions of employment, and the comparability of such data is challenging.

In 2020, an estimated 8.7 million people were employed in EU agriculture, but the total agricultural labour force was significantly higher, at 17 million people, due to widespread informal assistance, primarily in the form of family workers, on farms (Eurostat, 2023c). Among this workforce, approximately 2.4 million were seasonal agricultural workers, including 2 million EU citizens and 420,000 non-EU citizens (EESC, 2023).

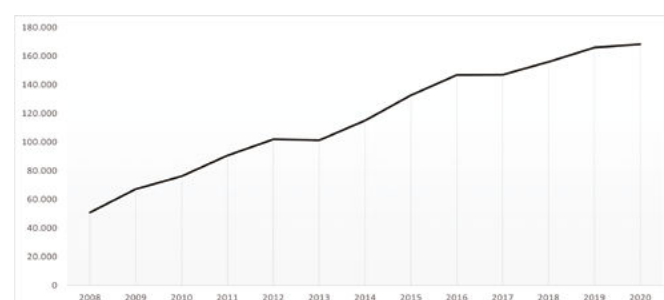
While seasonal agricultural workers are employed across the EU, particularly high numbers work in Italy, Spain, Germany, France, Bulgaria, the Netherlands, Poland, Greece, Hungary, and Portugal (EESC, 2023). Italy, Spain, Germany, and France employ the largest number of migrant workers in agriculture, most of them in seasonal roles. These countries, particularly Spain and Italy, account for 45% of total fresh vegetable production in the EU (Eurostat, Table 1) indicating where there is a need for a large amount of seasonal manual labour. However, due to inconsistent official reporting, cross-country comparisons remain difficult. In some smaller EU countries, migrant workers also constitute a significant share of the agricultural workforce. This number of such workers is influenced by national/local factors such as labour availability, crop types, level of technology to support planting and harvesting.

**Table 1. Top 5 EU producers of fresh vegetables (including melons and strawberries)** (Source: Eurostat [apro\_cpnh1] (2023))

2022	Harvested production (Unit: 1000 tones)	% over total
Spain	14.194,43	24
Italy	12.449,49	21
France	6.003,23	10
Poland	5.521,10	9
Netherlands	4.869,13	8
TOTAL EU-27	60.114,91	100

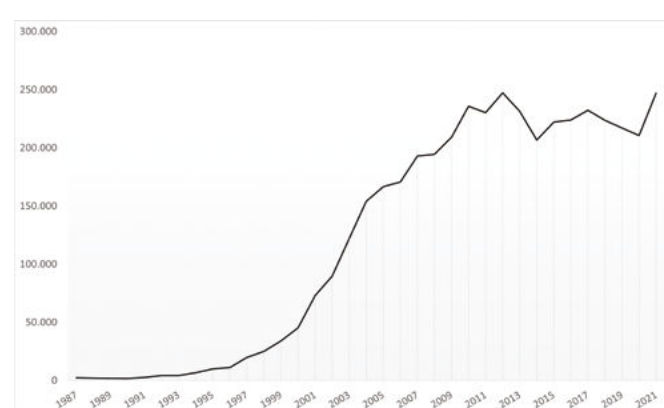
**Case example Italy: Total number of foreign employees in agriculture, forestry and fisheries between 2011 and 2020**

Source: Dataset Occupati, ISTAT (2022)



**Case example Spain: Number of active workers of foreign origin in the agricultural sector from 1989 to 2021 (annual average)**

Source: Spanish Working population survey, INE (2022)



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**Version 1.0 - 1st April 2025.**

Migrant workers access EU agricultural jobs through three main channels:

- **Autonomous intra-EU migration:** Many Western European countries rely on migrant workers from EU member states, particularly Romania, Bulgaria, and, to a lesser extent, Poland. Since these workers are EU citizens, they do not require prior organisation by employers or destination states (Molinero-Gerbeau, López-Sala, and Serban, 2021).
- **National temporary migration schemes:** Some countries issue temporary work permits to non-EU workers through state-led or employer-led programmes. Examples include Moroccan female workers in Spain (Reigada, 2022) and Thai posted workers in Sweden and Finland (Axelsson and Hedberg, 2018). Similar schemes exist in France, Germany, the Netherlands, and Poland (Siegmann, Quaedvlieg, and Williams, 2022; Fiałkowska and Matuszczyk, 2021).
- **Irregular migration:** Workers from third countries who enter the EU without legal status also play a significant role in agricultural labour markets. In Italy, between one-quarter and one-third of agricultural workers are estimated to be in irregular employment (Anderlini, 2022; Palumbo, 2022). Many of these workers originate from North Africa and Sub-Saharan Africa.

## Key conclusions from the Policy Seminar

Migrant and seasonal workers in agriculture may be vulnerable to poor working conditions due to several factors. Given the relatively small margins associated with food production, incomes are generally low; the temporary or seasonal nature of the work means that there may be relatively little job security; and, occupational health and safety challenges are common. Language barriers and limited access to social protections can exacerbate the challenges faced by workers. Gaps in enforcement of labour laws and the complex nature of migration and employment regulations can leave workers unprotected. Having said this, it is important to stress that being a migrant worker does not automatically mean that the person is exploited or vulnerable. A number of contributors at the event highlighted the economic benefits that workers derive compared to similar employment in their home/origin countries.

There was general agreement that the main challenge for improving working conditions of migrant workers in the sector is the lack of a coherent and consistent policy framework. Currently, the framework within which migrant workers in agriculture are regulated is complex and consists of measures developed and implemented by a range of national and EU institutions including those responsible for employment, agriculture, home affairs and justice. In many instances, legislation or regulations have been developed independent of each other or with little consideration of how they interact at the level of the worker, employer or sector.

Further undermining the development of robust policies that support improvements in working conditions is the general absence of reliable data regarding the number of workers within the sector, their experiences and the identification of critical issues. The temporary or seasonal nature of employment, combined with the rural or remote location of farms means it is difficult to conduct surveys or censuses of employment or research.

There was broad agreement amongst participants in the seminar that there is a need to ensure that policy and regulations are applied consistently across the EU and within the sector. It is particularly

important to ensure that those employers who are complying with the rules and regulations are not faced with competition from employers, either in their own country or another member state, who gain an unfair advantage through non-compliance. This speaks to the need for the consistent enforcement of employment, social, and migration legislation. It also highlights the importance of EU level structures, particularly the sectoral social dialogue, that provide a platform for employers and trade unions to engage with EU policy makers and identify areas for policy action or improvement.

## Key policy recommendations

### 1. Improving awareness of social security supports

Outreach campaigns were highlighted on several occasions as essential in informing migrant workers about their rights in the EU. The European Labour Authority (ELA), trade unions and NGOs all engage in such campaigns, which play a key role in reaching often isolated communities of migrants. This would also provide an opportunity to integrate the activities of the European Platform on Undeclared Work more systematically into the agricultural sector. If run on a regular basis, EU agricultural employers would be able to count on advice on good practices for managing the rights of seasonal workers.

#### Recommendation:

- Extend the scope and frequency of the “Rights4AllSeasons”<sup>1</sup> campaign to be a bi-annual campaign with a specific focus on agriculture on a similar level and scale to the successful EU-OSHA healthy workplaces campaigns.
- Ensure seasonal workers have access to social security, including pensions, healthcare, and unemployment benefits across EU Member States.
- Integrate the activities of the European Platform on Undeclared Work<sup>2</sup> more systematically into the agricultural sector.
- Provide funding for language courses, workplace translation services, and cultural mediation programmes to support migrant workers’ integration and access to information.

**Responsible body:** European Social Fund Plus (ESF+), European Commission (DG EMPL), European Commission and European Labour Authority (ELA), National Authorities.

### 2. Strengthen occupational health and safety governance frameworks in agriculture

There was general recognition of the importance of ensuring the agricultural sector maintains and enhances its attractiveness relative to other sectors. Reinforcing a previous agreement, the European social partners in agriculture were in agreement on the need for Member States to ratify ILO Convention C184 on safety and health in agriculture. This convention would either reinforce or support any existing legal provisions for all agricultural workers (including migrant workers) and, if adopted by all Member States, would de facto serve as an informal European Directive on OSH and working conditions in agriculture. A similar approach has been successfully taken up by the EU Council of Ministers and EU Social Partners in the fisheries sector.

#### Recommendation:

- Member States to ratify ILO Convention C184 on work in agriculture.

**Responsible body:** National Authorities.

1 <https://www.ela.europa.eu/en/campaigns/rights-all-seasons>

2 <https://www.ela.europa.eu/en/tackling-undeclared-work#:~:text=The%20European%20platform%20tackling%20undeclared,depth%20analysis%20on%20relevant%20issues>

### 3. Strengthen labour inspections and enforcement

The ILO recommends that there is a minimum of one Labour Inspector to 10,000 workers. ILO Conventions C81 on Labour Inspection and C129 on Labour Inspection in Agriculture (the latter ratified by 20 EU Member States) would provide a strong legal basis for coordinated action, particularly working with the EU Senior Labour Inspectors Committee (SLIC) of DG EMPL.

#### Recommendations:

- Increase funding and staffing for national labour inspectorates to conduct inspections in agricultural workplaces in line with international standards and cover workers in a comparable way to other high-risk sectors such as construction.
- Introduce EU-wide minimum inspection guidelines in agriculture in order to ensure a level playing field across the EU.
- SLIC to organise a sector-specific inspection campaign for agriculture (similar to the one carried out in the 1990s and a comparable one in construction in 2003) and to provide specific focus on agriculture as a high-risk sector within wider holistic campaigns (such as was the case for the SLIC accidents campaign 2023/4 in Ireland).

**Responsible body:** EU SLIC Committee of DG EMPL, European Labour Authority (ELA) in cooperation with national labour inspectorates.

### 4. Support the implementation of the CAP Social Conditionality Regulation

Many NGOs, Trade Unions and even DG AGRI have been evaluating possible areas to which to extend social conditionality in order to ensure comprehensive coverage for the key social challenges faced by migrant workers in agriculture and to cover all of the sectors employing a large number of seasonal workers, such as to the horticulture sector. However, in view of the broad recognition that the Social Conditionality regulation presents a series of challenges to national authorities, specifically the need for greater co-ordination between employment and occupational health and safety regulators and paying agencies, there is a need to allow time for this approach to be implemented and evaluated.

#### Recommendations:

- Establish incentives and support services to farmers to build the capacity of farmers to improve adherence to minimum labour standards and social protection of farmworkers (e.g. OSH training for advisors in CAP).
- Provide specific incentives in the CAP National Action Plans to support OSH and social measures for those key sectors, such as horticulture, not covered by social conditionality and employing a large number of seasonal workers, following the example of the Spanish CAP sectoral plan for horticulture.
- The European sectoral social dialogue for Agriculture to continue discussions on the implementation of CAP social conditionality, as the sectoral dialogue is an important tool for improving working conditions in all areas along the agri-food value chain, as it strengthens collaboration between employers and employees at EU level and promotes a culture of partnership and mutual understanding.

**Responsible body:** European Commission (DG AGRI), in coordination with national CAP-paying agencies, DG EMPL (Sectoral social dialogue committee).

### 5. Develop fair recruitment practices for seasonal and migrant workers in agriculture

In addition to calling for improvements in the EU Temporary Agency Directive to protect temporary workers, the Trade Unions also called for an EU Directive on Labour Intermediaries and Fair Working Conditions across subcontracting chains in order to regulate labour intermediaries and reduce abusive subcontracting practices. Article 12 of the EU posted workers Directive contains a clause for imposing liability between intermediaries and the agri-food employer, which could already apply to posted workers in the agricultural sector.

#### Recommendations:

- Develop an EU framework to coordinate the recruitment, protection, and return of seasonal agricultural workers, ensuring fair mobility and consistent labour rights enforcement across Member States.
- Provide a list of concrete measures (in the form of a report) to address the challenges identified in the above EU framework.
- Strengthen data-sharing mechanisms between Member States to track and prevent undeclared work.
- Develop targeted programmes to transition workers from informal to formal employment.

**Responsible body:** European Commission (DG HOME & DG EMPL in collaboration with Member States) and the EU Sectoral Social Dialogue in Agriculture, with support of the European Labour Authority (ELA), specifically the European Platform tackling Undeclared Work (EU-UDW).

### 6. Improve access to decent housing

#### Recommendations:

- Establish EU-wide guidelines on housing standards for seasonal workers,<sup>3</sup> ensuring access to sanitation, heating/cooling, and adequate space.
- Provide financial support to farmers for compliance through EU social and regional funds.

**Responsible body:** European Commission (DG EMPL, DG REGIO & DG AGRI) in collaboration with national authorities.

### 7. Promote market certification and labelling to support fair working conditions in the EU

The findings of the recent EU-OSHA (2024) study on using ethical trade schemes to improve occupational safety and health (OSH) in the EU agri-food sector should be assessed for their applicability to broader labour standards. However, concerns about enforcement gaps and excessive administrative and reporting burdens on farmers should be considered.

#### Recommendations:

- Evaluate the potential of ethical trade and supply chain labelling schemes (e.g., Global GAP, ETI, SA8000) to enhance working conditions in EU agriculture, particularly for migrant workers.
- To further explore this, we recommend that SafeHabitus examine this issue in detail during its planned Policy Seminar on "Implementation of CSR Market Enabling Conditions" in 2025/6.

**Responsible body:** European Commission (DG EMPL & DG AGRI), EU-OSHA, SafeHabitus.

<sup>3</sup> French employers FNSEA have already established a National guide for its members.





## Next steps and the way forward

The seminar heard from a wide range of experts, social partners and civil society members on this often-sensitive topic, particularly between employers and trade unions/NGOs.

The authors of this Policy Brief are of the opinion that many policy options exist for improving the working conditions of migrant and seasonal workers in the sector and that this Brief contains a number of practical policy suggestions.

However, in order for there to be progress on any of the above

policy proposals, there would be a need for the process to be led by a **strong and balanced sectoral social dialogue**<sup>4</sup> between employers and workers in the agriculture sector. Taking into account the present policy environment in the agriculture sector, the question remains however if there is enough political will between the parties concerned to move forward and act upon these proposals to improve the working conditions of migrant and seasonal workers in agriculture. We urge all parties concerned to continue working together to meet the challenge of improving working conditions for all, enhance the attractiveness and competitiveness of the sector, and strengthen food security in Europe.

4 <https://ec.europa.eu/social/main.jsp?catId=480&langId=en&intPageId=1824>

“The working conditions of seasonal workers are a serious challenge for European agriculture. The EESC NAT Section commissioned a study which supports our concerns with figures clearly indicating that we need to act and build a robust policy framework to protect workers in the field of farming.

However, it is not only a question of protecting workers. We must also look after farmers because farmers place themselves in vulnerable situations. The example of working time is clear. As trade unionists, we have negotiated eight-hour working days with employers who themselves are working much more, 12 to 14 hours. And we all know that after eight hours in the workplace, the risks begin to increase as people begin to pay less attention while at the same time they are working with machines, animals, dangerous substances and other risks.

But the time for talking is now over. We have gathered sufficient knowledge. We now need to move to action and a set of clear recommendations for improving this situation.”

Peter Schmidt,  
President of the EESC NAT Section  
Group II Workers Member

“The agri-food sector is particularly exposed to poor working conditions and the discrimination of seasonal workers often goes undocumented. Informal work is widespread and informal workers are invisible. These workers are also more exposed to unhealthy and unsafe working conditions. There is also a problem with illegal labour intermediaries. In general, the legislative framework for decent labour contracts exists but the problem is that it is often violated.

Inspections are one of the weak elements in terms of policy implementation at the national level. In Italy, the social partners recently supported the presentation of a case before the ILO Committee of Application of Standards in Geneva, regarding the violation of two ILO Conventions, Conventions 81 and 129 on inspections in the agricultural sector. The Committee of Experts reported on persistent violation of inspections in Italy calling upon the Italian state to take action to comply with its legal obligations in applying these standards.

It is important to redesign inspection systems at the local level, applying new instruments and practices, such as the supervisory mechanism of the ILO. This will also raise awareness on these labour violations at the international level. We need to push our governments to take action with the full involvement of the social partners.”

Cinzia del Rio  
President of EESC SOC Section  
Group II Workers Member

The full list of references and annexes are available on <https://www.safehabitus.eu/pd-migrant-workers-annex/>