



# “Future of the Workplace” project

Providing high quality, modern and sustainable jobs within local and regional government

**Theme n°5**

Migration and mobility within local and regional government

## **Background**

The concerns of migrants<sup>1</sup> are important to local and regional government. Many of those using the services provided by local and regional government were not born in the countries in which they currently live, or at least their parents were not born there, and in many countries a significant proportion of those employed in local and regional government also fall into this category.

The significance of the issue has been recognised by local and regional government employers and unions at both national and European level. This is indicated by the work of the CLIP project (Cities for Local Integration Policies for Migrants), which was officially launched in September 2006 with the support of CEMR. The report, *Equality and diversity in jobs and services: City policies for migrants in Europe*<sup>2</sup>, which was published by Eurofound as part of the CLIP project in 2008, documents the actions that many cities have taken.

EPSU too has given a high priority to the relationship between migrants and public services, producing a report based on a survey of its affiliates in national, local and regional government in 2010<sup>3</sup>, and undertaking another major research project on migration in the Mediterranean area (see box).<sup>4</sup>

Both the CLIP and the EPSU projects cover a range of topics, including the provision of housing and other services in the case of CLIP, and migration policy and union involvement in the case of EPSU. However, this document concentrates on the employment of migrants within local and regional government.

## **The national context**

The national context for employers' and unions' action in relation to the employment of migrants in local and regional government is provided by the numbers of migrants and those of migrant origin living and working in individual EU member states. The Eurostat statistics on population and employment are available online.

Those population figures, which in most cases date from 2011, show the number and percentage of usual residents who were born abroad, although the figures may not fully reflect the actual position because of undocumented

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<sup>1</sup> This wording is used in this report to refer to recent migrants and their descendants. However, it is important to recognise that the language used to refer to this group varies across Europe and has changed over time. Foreigners, migrants and those with migrant heritage, immigrants and ethnic minorities are all terms which are used. Indeed it is not just that the language varies, the way of thinking that is reflected in the language is not shared across Europe. For example, the UK approach of classification by ethnicity, with white, Asian, Black, mixed and Chinese groups, is rejected by many in France.

<sup>2</sup> <http://www.eurofound.europa.eu/publications/htmlfiles/ef0871.htm>

<sup>3</sup> *Unions in national, regional and local government facing the challenges of migration: a survey of EPSU affiliates*, <http://www.epsu.org/a/6468>

<sup>4</sup> See *I Servizi Pubblici incontrano i Migranti*, the first report from this project, published in January 2011, <http://www.fpcgil.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/16430>

migrants not included in the statistics. The Eurostat figures show very substantial variation ranging from 32.5% of foreign-born residents in Luxembourg to 0.8% in Romania. However, 11 of the 27 EU states for which recent statistics are available have between 10% and 15% of their population born abroad. This includes the major economies of Western Europe, which have long attracted migrants (Germany, the UK, France and the Netherlands), which all have a foreign-born population accounting for between 12% and 11% of the total, as well as Spain, Ireland, Greece and Slovenia, where inward migration has been more recent.

In general most of the states of Central and Eastern Europe have lower levels of foreign-born residents – Hungary, the Czech Republic, Poland, Slovakia and Romania, all have less than 5% of their populations born abroad, in some cases much less. However, the Baltic states of Estonia and Latvia, with substantial Russian populations, and Slovenia, which has accommodated migrants from the other countries of former Yugoslavia, are exceptions.

Only in a few countries is the proportion of migrant or migrant origin workers very different to the proportion of migrants in the population as a whole. These exceptions include three countries, Malta, Denmark and Sweden, where the proportion of migrants and those of migrant origin employed is much lower than the proportion of migrants in the population – particularly noticeable in Sweden where, on the Eurostat figures, 14.7% of the population was born abroad, but migrants and those of migrant origin make up only 3.1% of all those employed. However, these figures on employment are contradicted by Swedish national figures that show that 16.1% of all employees in Sweden were of foreign origin in 2008-09.<sup>5</sup>

The states where the proportion of migrant residents and workers is very different also include two countries, Luxembourg and Ireland, where the proportion of foreigners/migrants employed is higher than the proportion living in the country. In Luxembourg, this is the result of the large number of foreign workers who cross the border every day, while in Ireland, it presumably reflects the large number of young people without dependents working there (or at least who were working there in 2008).<sup>6</sup>

Finally in looking at the context for action to ensure that migrants have equal treatment in employment in local and regional government, it is important to recognise that they are not distributed evenly within individual member states. Migrants are typically more likely to be found in more economically successful regions and communities, offering a better chance of employment and advancement.

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<sup>5</sup> Living Conditions Surveys, employees aged 16-64 by type of employment, national background, sex, period and observations, SCB

<sup>6</sup> The Eurostat figures date from 2008, so do not show the impact of the financial crisis. This is likely to have been significant, with individuals leaving countries where they feel they have poor economic prospects. It is likely, for example, that the proportion of migrant and migrant origin workers has fallen both in Ireland, where it was 17.2% in 2008, and in Spain, where it was 15.9%.

## ***Migrant employment in local and regional government***

A basic starting point for equal treatment of migrants in local and regional government is that they should have fair access to the employment it provides. However, despite the Racial Equality Directive<sup>7</sup>, which prohibits discrimination on the grounds of race or ethnic origin, this appears not to be the case. There are no European wide figures for migrant employment in local and regional government, and it also appears that very few states have national statistics on this issue. Two that do are the UK (England and Wales) and Sweden, although it is important to recognise that the varied definitions used to define migrants, in contrast, say, to statistics on sex or age, makes comparisons difficult.

In England and Wales, figures produced by the Local Government Association (LGA), based on its own survey, show that 8.2% of the local government workforce were from Black, Asian and Minority Ethnic backgrounds in 2010/11, with Black and Black British employees accounting for 3.2% and Asian and Asian British accounting for 3.0%.<sup>8</sup> The same report goes on to compare the employment levels in local government of those with a Black, Asian and Minority Ethnic background with the figures in other parts of the economy. Using Labour Force Survey (LFS) data, it finds that employment levels are lower in local government. While 6.5% of local government employees have a Black, Asian and Minority Ethnic background (the LFS figures are lower than the LGA figures), the figure is 9.4% for the economy as a whole, with 8.8% in the public sector as a whole and 9.7% in the private sector.

The same tendency can be observed in Sweden. Figures from 2007 show that those of foreign origin employed in municipalities made up 14.0% of all employees, including 5.1% born outside Europe and 2.9% born in another Nordic country. In Swedish counties and regions in the same year, employees with a non-Swedish background accounted for 13.9% of the total, with 4.2% born outside Europe and 3.4% in another Nordic country.<sup>9</sup> As in the UK, these figures are slightly lower than the figures from the national statistical office for the Swedish economy as a whole. They show that 16.1% of all employees in Sweden were of foreign origin in 2008-09.<sup>10</sup>

The CLIP project also examined the extent to which migrants were employed in local government. It attempted to compare the percentage of migrants employed by the cities it studied with the percentage migrant population. In fact, it was possible to find information on migrant numbers in both the population and the local authority workforce in only 14 of the 25 cities and in all cases the proportion of migrants working for the city was lower than the proportion of migrants living in it.

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<sup>7</sup> Council Directive 2000/43/EC

<sup>8</sup> Local Government Demographics, Local Government Association Analysis and Research, 2010

<sup>9</sup> Anställda i kommuner med utländsk bakgrund 2007 and Anställda i landsting och regioner med utländsk bakgrund 2007, Sveriges Kommuner och Landsting (SKL)

<sup>10</sup> Living Conditions Surveys, employees aged 16-64 by type of employment, national background, sex, period and observations, SCB

In the German city of Frankfurt, for example, 38% of the population are estimated to have a migration background, but this is true of only 13% of those employed by the city; in Breda in the Netherlands, 20% of the population have a migration background, but this applies to only 5% of those working for the city; in Terassa in Spain, 12% of the population are foreigners, but only 2% of those working for the city authorities; and in Wolverhampton in the UK, 22% of the population belong to an ethnic minority, but only 14% of the council's employees. The full picture is set out in Table 2 in the Annex.

### ***Barriers to recruitment and fair treatment***

The CLIP report suggests a number of factors that explain the lower levels of migrant employment and act as barriers to recruiting a diverse workforce. These are:

- labour market conditions and public sector cutbacks – where, in some cases, work in the municipality may not be seen as attractive or well-paid, while in others attempts to build a more diverse workforce may be blocked by a need to reduce or freeze recruitment and cut staff;
- formal requirements – the CLIP report points out that “certain jobs in the local administration are only open to citizens and European Economic Area (EEA) nationals... This is the case in cities in Germany, Italy and Luxembourg, for instance, but not in Austria, Ireland, the Netherlands and the UK. Among the 25 CLIP cities, three reported that non-EEA nationals are entirely excluded from permanent jobs in the city administration, while 14 reported that they are excluded from certain positions”;<sup>11</sup>
- language proficiency – the report notes that in some cities proficiency in two official languages is necessary to be appointed, while in others the level of language proficiency officially required may be higher than that needed for the job;
- non-recognition of foreign qualifications – these may not be recognised at all, or the procedure to get them recognised may be complex and time consuming; and
- informal restrictions on advertising posts – if there is no clear mechanism for finding out about jobs, or they are limited to existing employees, the prospect of recruiting those with no previous link to the organisation – like many migrants – is much reduced.

The problems that migrant employees face in local and regional government are not limited purely to recruitment. They may find it more difficult to be promoted, have worse access to training and career development, earn less and be subject to discrimination and harassment. In addition, they may have particular religious or cultural needs, linked to diet or dress.

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<sup>11</sup> This is almost certainly no longer lawful as recent report by the European Union Agency for Fundamental Rights points out. It states that: “Member States are in principle allowed to restrict access to public sector jobs, but only if these jobs involve the exercise of public authority or the responsibility for safeguarding the general interest of the state. Examples may be jobs in the forces of the maintenance of the order, the judiciary, or tax authorities. All other jobs must be open to other EU nationals, and also to third country nationals with a long term residence permit.” *Migrants, minorities and employment: Exclusion and discrimination in the 27 Member States of the European Union*, FRA, 2010

## ***CLIP recommendations for action***

To overcome these problems the CLIP report makes a series of recommendations intended to promote equality and diversity, both in terms of employment and service provision. Many are addressed to European institutions and national governments but some are directed towards local authorities themselves. In the area of employment they are listed in the box below.

- to provide leadership and ensure consistency across departments – local authorities should “review, at the highest level, their objectives in relation to the employment of migrants”;
- to move beyond anti-discrimination procedures – through positive action rather than positive discrimination, with examples such as targeted advertising of jobs in migrants’ own languages or advanced language classes;
- to provide data and implement effective monitoring and accountability – while in some countries collecting data on those who are foreign born or from minority ethnic groups is “a highly sensitive issue ... it is difficult for cities to know whether migrants and people of migration background encounter barriers in accessing jobs and services if they do not collect any data of this kind”;
- to review recruitment procedures and procedural barriers to employment – in some cases the requirements “go beyond those necessary to ensure the individual is well-equipped to do the job”;
- to ensure a welcoming and affirming work environment for migrant employees – for example ensuring that the staff canteen caters for differing dietary needs;
- to extend training on diversity management and equality practice – to achieve the maximum benefit from a culturally diverse workforce;
- to build diversity and equality standards into contracts with external providers – so that they “observe best practice in relation to discrimination and equality of opportunity among their employees”;
- to ensure equality and diversity aims are reflected in partnership agreements – as a way of sharing good practice;
- to extend consultation with and participation of migrants – as a way of informing policy;
- to ensure all new migrants can access advice, information and language tuition – to shorten the time it takes for new migrants to be self-sufficient in employment; and
- to develop an active public communication strategy – to counter possible public hostility and build awareness of the reasons for the local authority’s actions.

## ***Collective bargaining and social dialogue***

The CLIP report also notes that “experience in private sector companies would indicate that their partnerships with local trade union representatives and staff committees could also be of value – in particular, for developing and implementing successful diversity and equality policies for migrants in local authorities”. In its recommendations to national government it proposes that “Member States should encourage the social partners in local public authorities to initiate or continue consultation and collective bargaining on effective diversity and equality management with regard to migrant workers.”

This seems a potentially positive approach as the 2010 EPSU report<sup>12</sup> found that a number of unions working in local and regional government had been involved in bargaining on issues of specific concern to migrant workers. The issues that were addressed reflect many of the CLIP recommendations. The report was based on a survey of 39 organisations in 23 states, and 12 stated that they had reached agreement on migrant issues. All but one – the UK nurses’ union RCN, have some members in local and regional government. Progress was found most frequently on general statements on equality of treatment, which 11 unions said they have been able to negotiate, followed by action against harassment (nine), and equal access to training and other benefits (eight).

Successful negotiations on other issues were less common with five unions reporting agreements on language training, four on the recognition of foreign qualifications, three each on recruitment and organising leave to enable migrants to take it in the country of origin and two on improving the availability and quality of public services. Three unions (FP-CGIL, the GMB and UNISON) had negotiated changes to take account of religious practices. In the case of the GMB and UNISON these covered working time (for example to allow for prayer), canteen food (to meet religious requirements) and dress or uniform (again to meet religious requirements); in the case of FP-CGIL, the agreements only covered working time and food.

However, as the responses indicated, this is not necessarily the full picture. In Germany, for example, Ver.di reported that the issues of concern to migrants are often agreed in so-called works agreements, which are signed by the local employee representatives and management rather than the unions. FP-CGIL similarly referred to local negotiations, stating, “Problems linked to equal treatment are dealt with in national agreements, and in one settlement – AGIDAE covering social care – more favourable arrangements for migrant workers in the area of leave and holidays have been agreed.” The union explained that other issues were often negotiated at local level, although it added that “it should be underlined that the general political climate in Italy [in 2009] makes it very difficult to develop specific agreements which are favourable to migrants.”

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<sup>12</sup> *Unions in national, regional and local government facing the challenges of migration: a survey of EPSU affiliates*

JHL in Finland also said that its local union groups have often been successful in negotiating these issues at the workplace, although it pointed out that many issues- equality, harassment and discrimination- were covered by legislation. This point was also made by DJOEF in Denmark, which referred to the effect of both national and EU legislation and by IMPACT, which also said that the union was ‘the main advocate for legislation’.

ABVAKABO on the other hand was more positive on the impact of collective bargaining. It stated: “We would not be where we are now without collective bargaining. It is a very important tool.” UNISON in the UK reported that progress had been made but said that there was “scope for improvement which will best be achieved by getting more migrants active.” In Denmark, in line with the important role given to collective bargaining generally, unions have agreed key improvements on ethnic minorities’ access to jobs and further training with the employers. The social partners in the state sector and in local government concluded agreements on integration in 2005 and on training positions targeted at ethnic minorities in 2006. Both agreements were followed up by joint guidelines. Unions and employers in local government launched a campaign in August 2009 to raise awareness of their agreement.

### ***The way forward***

It seems clear that migrants do not have equal access to employment and advancement in local and regional government, although the lack of statistics on makes it difficult to judge the extent of the problem or to assess the progress made. The work of the CLIP project provides a worked out series of recommendations for further action to promote equal treatment of migrants as employees and the available evidence from a number of individual states indicates that unions are more than willing to cooperate in this endeavour.

#### **Recommendations for Social Partners**

1. Develop a formal joint statement at European level: joint CEMR EPSU guidelines agreed within the framework of European social dialogue and drawing on the CLIP recommendations could help promote progress in responding to the needs of migrants in individual member states. There is already experience with joint guidelines in the area of gender equality, and the fact that national legislation in this area is often less developed than in the area of gender could make guidelines particular useful.
2. Work to end unnecessary restrictions on the employment of migrants in local and regional government: the available figures suggest that migrants are less likely to be employed in local and regional government than in the economy as a whole. While there are many reasons for this, the fact migrants are not permitted to do some jobs is a contributing factor. Although there are reasons for reserving some jobs for those with citizenship it would be helpful to review the

reserved list of occupations to ensure that unnecessary restrictions are removed.

**Table 2**  
**Migrant employment in the CLIP cities**

City	Country	Migrants as proportion of population	Migrants as proportion of those employed by city
Antwerp	Belgium	30% ethnic minorities (of working population)	6% ethnic minorities
Liège	Belgium	18.3% foreigners	3.5% foreigners
Zagreb	Croatia	5.2% ethnic minority	4.5% ethnic minority
Copenhagen	Denmark	19.8% foreign born or with foreign born parent	8.2% foreign born or with foreign born parent
Turku	Finland	6% born abroad	Fewer than 0.5% without Finnish or Swedish nationality
Arnsberg	Germany	6.7% foreigners	2.5% foreigners
Frankfurt	Germany	38% migration background (24.6% foreigners)	13% migration background
Stuttgart	Germany	22% foreigners (38% migration background)	10% foreigners
Torino	Italy	9.4% foreigners	1% foreigners (whole public sector)
Amsterdam	Netherlands	49% migration background	22.5% migration background
Breda	Netherlands	20% migration background	5% migration background
Terassa	Spain	12% foreigners	2% foreigners
Malmö	Sweden	36% migration background	25% migration background
Wolverhampton	UK	22.2% ethnic minority	14% ethnic minority
There are no figures for Brescia (Italy), Budapest (Hungary), Dublin (Ireland), Izmir (Turkey), Luxembourg, Mataró (Spain), Prague (Czech Republic), Sefton (UK), Tallinn (Estonia), Valencia (Spain) and Vienna (Austria)			
Source: <i>Equality and diversity in jobs and services: City policies for migrants in Europe</i> , European Foundation for the Improvement of Living and Working Conditions, 2008			

### **WORKSHOP CASE STUDIES**

#### **EPSU: Euromed Project**

Delegates at the EPSU Congress in Brussels in 2009 adopted a resolution on migration, which among other points called on EPSU and its affiliates to take action to “Enhance knowledge and capacity of frontline public services

workers in direct contact with migrants through information sharing and promotion of a common code of conduct". The resolution went on to state that "Effective implementation thereof requires building and enhancing the capacity of state and local government workers who have the primary and frontline responsibility of carrying out these functions."

The Euromed Project, which EPSU has been undertaking together with the Public Services International, the international trade union confederation for public services, is one way in which this commitment is being met. The aim of the Euromed Project, which is now in its second stage, is to undertake research on the public services dealing with migrants when they first arrive. This research is then to be used to inform and train those representing employees in this area.

The second stage of the Euromed Project covers six states in Southern Europe, France, Greece, Italy, Portugal, Romania and Spain and it concludes with a major conference in Marseille, France, in September 2012. The first stage involved a conference in Bari, Italy, in March 2010 and Málaga, Spain in October 2010. As well as examining the situation on the ground, one of the key aims of the project is to collate the principal international, European and national legislation and conventions relating to migrants, so that these can be used to produce an accessible tool for further training.

## **Stuttgart**

The city of Stuttgart in Germany was one of the founders of the CLIP project and for several years it has actively sought to integrate all those living in the city. In 2001 the city council agreed the Stuttgart Pact for Integration, making Stuttgart the first major German city to have developed a community wide concept for integration. The basic principle is that "responsibility for successful integration lies both with the migrants themselves and with the host community and its institutions".<sup>13</sup>

Some 40% of those living in Stuttgart have a migration background, that is they or they parents were born abroad, although many now have German citizenship. The city's strategy for integration consists of action in 15 interlinked areas, including language support, equal opportunities in schools and education, religious dialogue, political participation, public relations and developing an intercultural and international orientation, as well as integration in the workplace.

Stuttgart recognises that employment within the city administration can play an important role in integration and also that there is a long way to go. In 2011, therefore, the city launched a new initiative "Deine Stadt – Deine Zukunft" (Your city – your future), which aims to attract young people from a wide range of backgrounds into careers where they will be trained for qualified jobs for the city administration, from public administration, through environmental protection to social care.

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<sup>13</sup> Integration – the Stuttgart way, <http://www.stuttgart.de/en/item/show/234476/1>

For further details see

<http://www.stuttgart.de/item/show/234478/1#headline501a656f30284>

or contact the Integration Department [sip@stuttgart.de](mailto:sip@stuttgart.de)

## Norway

Norway now has a relatively high level of immigration, in part because the economy has not been affected by the economic downturn in the same way as other European economies. Figures from the official statistical body, Statistics Norway, show that at the start of 2012, there were 547,000 immigrants and another 108,000 individuals born in Norway to immigrant parents. This is a total of 655,000 people or 13.1% of the total population. Just under half come from Europe, with those from Asia making up the largest group among the remainder.<sup>14</sup>

In April 2011 the government set up a committee to look at the country's performance in integrating and including migrants in Norway and its report was published in 2011.<sup>15</sup> It found that:

“Compared to other OECD countries, immigrants are relatively well integrated into the labour market, and a relatively high proportion of people born in Norway with immigrant parents undertake higher education. Integration is thus progressing in the right direction. Increasingly many people with an immigrant background are employed and pursuing education and/or training, and many feel they have strong ties to Norway.”

However, the committee also found that the migrants' participation in the labour market was below that for the population as a whole and that if the reasons for this were not dealt with, unemployment among migrants might grow, posing “a significant threat to social cohesion”.

It therefore recommended an overriding labour market strategy involving:

- Systemic changes, such as increasing the use of activity requirements and actively recruiting those outside of the labour market into employment;
- Initiating a ten-year intensive campaign to erase the variations in employment, with special focus on those outside of the labour market and the long-term unemployed; and
- Better resource management by reducing over-qualification and investing in skills and the ability to change jobs.

<sup>14</sup> See Statistics Norway, immigration and immigrants, [http://www.ssb.no/innvandring\\_en/](http://www.ssb.no/innvandring_en/)

<sup>15</sup> See Bedre integrering Mål, strategier, tiltak : NoU 2011:14 (English summary) <http://www.regjeringen.no/nb/dep/bld/dok/nouer/2011/nou-2011-14.html?id=647388>