

## GETTING ASYLUM SEEKERS INTO EMPLOYMENT

### 1. THE PROBLEM

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#### *Legal restrictions*

Many asylum seekers arrive in a new country with valuable qualifications, skills and relevant work experience to offer. The Reception Directive requires Member States to allow asylum seekers to work if they are more than 12 months in a country without having received a decision on their application. Most Member States which either did not allow asylum seekers to work or seriously restricted their access to the labour market have changed their national provisions. For example, asylum seekers in Italy can work six months after having lodged their application. The UK has adopted the 12 months period as stated in the Directive. Germany is about to abolish the principle that German and EU citizens have priority access to the labour market above the so-called "Tolerated" asylum seekers, i.e. those who have no formal permission to stay in the country but are unable to return to their country of origin.

The lack of gainful employment creates a situation of dependence where asylum seekers are forced to rely on state welfare or support from other organisations (e.g. NGOs), which also means high costs for the host country. This can contribute to negative public opinion towards asylum seekers and discrimination against them.

#### *Other restrictions*

Having recently arrived, asylum seekers often do not know where to look for job and training opportunities and risk missing out on potential opportunities because they do not have easy access to this information. There is a lack of co-ordination and communication tools to assist them in finding work. Also, employers and the host society are insufficiently informed, and hence often unaware, of the potential contributions asylum seekers could make and of the legal opportunities and administrative requirements for hiring them. Moreover, counselling and mediation services aiming to assist jobseekers in their search for employment are often not tailored to the specific needs and circumstances of asylum seekers, and training opportunities aiming to assist their integration into the labour market are lacking. As a consequence, asylum seekers are not integrated in the labour market, do not develop, and lose self-esteem and motivation.

The shortening of the application process in a number of EU countries makes it even harder for asylum seekers to access employment. Those that receive a positive decision are of course free to work in their new society, but asylum seekers who receive a first negative decision are excluded from the labour market while having to wait for the outcome of their appeal, which can still take a fairly long time.

### 2. POLICY RELEVANCE

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#### 2.1. THE EUROPEAN NATURE OF THE ISSUE

European projections<sup>1</sup> indicate that population growth in the EU until 2025 will be mainly due to net migration, as the total number of deaths will outnumber the total births from 2010. After 2025 the effects of net migration will cease to outweigh the natural decrease. This will have serious repercussions on the number of employed people in the EU given that the share of population of working age is expected to decrease strongly, from 67.4% in 2004 to 56.7% in 2050, a total fall of

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<sup>1</sup> Policy Plan on Legal Migration, DG Justice, Freedom and Security, December 2005. Based on Eurostat data and projections.

52 million. The decline of the overall population is estimated to start by 2025 but the working population will already start its decrease already by 2011. Some Member States are already experiencing a decline in the working age population, such as Germany, Hungary and Latvia. The demographic trends will not affect all Member States to the same degree. Some sectors will also be more affected than others. However, there is overall consensus within the EU that these trends should be addressed in a coordinated and effective way.

Although the number of asylum seekers is relatively low in relation to the total EU workforce, many of those requesting protection are often qualified workers with skills that could bring social and economic benefits, and address skills shortages which are occurring across the EU.

## **2.2. EU POLICY FRAMEWORK**

Access to employment is a key element of the Reception Directive, one of the four policy instruments to have been adopted under the first phase of Tampere. A first review of its implementation today shows that nearly all Member States are now providing some form of labour market access to asylum seekers, although in some cases this is still restricted to certain sectors or still prioritising national and EU citizens. In other cases, access is granted but difficult to obtain, as asylum seekers are required to go through lengthy administrative procedures to obtain a work permit.

The new Lisbon Strategy for Growth and Jobs, and in particular the employment guidelines, are placing emphasis on increasing the competitiveness of the EU and dealing with the demographic evolution by making more effective use of the migrant work force. Third-country nationals can make an important contribution to satisfying current and future labour market needs and therefore ensure economic stability and growth. The Policy Plan on Legal Migration includes a set of proposals and a roadmap to actions and legislative initiatives the European Commission intends to take in this area. It is based on an extensive consultation exercise following the Green Paper on an EU approach to managing economic migration. The Plan envisages the development and updating of existing legislation concerning the entry and residence of migrants, the provision of a legal basis for the European Migration Network and further activities in the area of integration. The latter includes the implementation of measures via the European Social Funds and the European Year of Equal Opportunities (2007).

Even though the integration of asylum seekers, thus making effective use of their potential, may not be formally recognised in the Strategy and the Policy Plan, there is certainly scope for Member States to include them in the European Social Funds integration measures.

## **3. NEW SOLUTIONS: GOOD PRACTICE FROM EQUAL**

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### **3.1. FACTORS THAT CAN MAKE A DIFFERENCE**

The over 400,000 asylum seekers in the EU 25 certainly constitute a work force which could make a difference in terms of economic development, and in particular when taking into consideration the increasing issue of skills gaps and difficulties in matching supply and demand of labour in certain countries as well as the ageing population especially in the “old” Member States. During their application period, it would be ideal if asylum seekers could put their skills to use through gainful employment which would allow them to become self-sufficient and be an active member of the host community. This would also permit them to attain valuable experience and further develop their skills, which would also be beneficial in their home country in the event of their return.

Under Round 2 of EQUAL, nearly 65% of the 61 Development Partnerships are undertaking activities in the area of employment, including advice and counselling on issues related to accessing the labour market, mediation and other forms of liaison with employers and providing actual jobs. The most frequently cited activities relate to advice and counselling.

Identified key success factors for getting asylum seekers into employment include:

- Creating new types of work experience and jobs helps to integrate asylum seekers in countries with a tight labour market and with restricted access to employment. Successful approaches include:
  - the development of new vocational profiles, to avoid that asylum seekers are considered “competitors” on the labour market,
  - creation of opportunities for traineeships and on-the-job training,
  - offering prospects for work-shadowing or job placements and where possible, gainful employment. Practical training helps to improve the candidates’ language and vocational skills in order to prepare them for a job.
  - the assignment of mentors and other support persons also helps to smoothen the transition to the workplace.
- Establishing closer links with employers can overcome a reluctance to consider asylum seekers and raise awareness about national legislation and administrative requirements
- Communication services and tools help to facilitate the matching of the skills and qualifications of asylum seekers with appropriate employment opportunities. Examples of tools include databases and on-line tools which are used to register the vocational profiles and interests of asylum seekers. These can then be viewed by potential employers who also have the possibility of registering job openings. Such tools can assist asylum seekers in finding out about labour market opportunities and in marketing their abilities and experience to potential employers who are often unaware of the skills they have to offer.

In order to address this, EQUAL DPs have worked on building up partnerships and setting up agreements bringing employers, employer associations, social partners and other relevant actors to the same table at “strategic” (e.g. with ministries, employment services, employers associations and trade unions) and “practical” levels (setting up employment pathways and agreements).

Activities implemented by EQUAL development partnerships have acted as a stabilising factor in the lives of the asylum seekers who benefit from them. The employment opportunities offered through EQUAL have contributed to improving asylum seekers’ self-confidence, promoting their independence, and encouraging their participation in the host community while allowing them to learn new skills. Such activities have also contributed to a better understanding of those assisting asylum seekers into employment as well as employers as to the benefits and strengths this target group can bring to their company and the wider community.

### **3.2. EVIDENCE**

More than one third of the 38 DPs in the Asylum Seekers theme took part in the preparations of a discussion forum on employment for asylum seekers to share experiences and good practices and to select those approaches that work best and appear to be most transferable. A total of 14 promising practices were pre-selected following an EU-wide call in which DPs were invited to complete a questionnaire explaining how the practice worked, its results and main benefits. The pre-selection was followed by a first assessment by thematic experts and a validation process led by representatives from the Commission, ECRE, Management Authorities, National Support Structures and DPs. The first assessment led to the selection of 11 practices considered worthwhile for further detailed examination. Five practices were subject to detailed case studies on the way in which they had developed relations with employers in particular, which together with additional interviews with 12 EQUAL partnerships, formed the basis of a paper entitled: “Building relations with employers to get asylum seekers into jobs”.

In June 2006 the Greek Managing Authority, in collaboration with the ETG5, organised an event for Round 1 and Round 2 Development Partnerships on employment. Participants included representatives from 10 Round 1 and 42 Round 2 DPs EQUAL partnerships under the Asylum Seeker Theme, representatives from national Managing Authorities and National Support Structures, the European Commission, the UNHCR and employers and other actors from the Greek corporate sector. This event provided the opportunity for Development Partnerships from both rounds of EQUAL who have implemented projects aimed at getting asylum seekers into

employment to meet, and identify, discuss and exchange their experiences and the successful and promising practices they had developed.

The outcomes of the Greek event will inform the Asylum Policy Forum in May 2007, which is being organised by the Swedish Managing Authority. One of the three main seminars and several workshops will be dedicated to the presentation and discussions on EQUAL good practices in the area of new job profiles, employer relations and job placements. Specific attention will be placed on the extent to which the EQUAL practices have contributed to the adoption of measures at Member State level that go beyond the minimum standards of the Reception Directive. Several EQUAL partnerships will be invited to showcase at the event.

The work undertaken within the theme of employment has so far revealed the following positive outcomes:

**Where access to gainful employment for asylum seekers is restricted or not possible, new job profiles and opportunities for work-shadowing and job placements have proven to be invaluable to asylum seekers and employers alike**

In Member States where access to employment is limited or impossible, DPs have been able to find alternative ways of providing asylum seekers with employment opportunities and work experience. At least 20% of the Asylum Seeker DPs have approached potential employers about the benefits of offering job placements or work-shadowing opportunities. This has also included the provision of language training, travel expenses and the assigning of a mentor to each asylum seeker offered a placement. Such placements have provided asylum seekers with valuable work experience, the opportunity to develop language skills and to make a contribution to the local community. There have also been several cases where the asylum seeker has been offered a formal work contract upon gaining refugee status<sup>2</sup>. Where access was restricted, DPs developed job profiles (and related vocational programmes) in which asylum seekers can make a difference through their specific language skills, cultural background, etc, so that they are not considered “competitors” to the local labour market. Examples of such profiles include the Language and Cultural Mediators and the Intercultural Health Advisors<sup>3</sup>.

**Building relations with employers has proved to be a successful approach to helping asylum seekers find work**

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<sup>2</sup> The Building Bridges project, part of the ATLAS DP (UK) approached several companies, including a large international construction company about the possibility of offering voluntary placements to asylum seekers. Scotland is experiencing a shortage of qualified workers, especially engineers, and the company was in need of skilled labour. So far, the construction company provided four asylum seekers with voluntary work placements and contracts have been offered to those that were granted refugee status. Under Round 2, the Bridges work-shadowing scheme has been extended to up to 100 placements per year in public and private sector organisations. The project manages to successfully match “overseas” skills and experience with the domestic market and manage anomalies and gaps.

<sup>3</sup> The TransSpuk DP (Germany) developed a training programme for asylum seekers to become Language and Cultural Mediators. It is a three year programme: the 26 participants first follow a two-year theoretical part and are then prepared for on-the-job placements which will last one year, in collaboration with the local employment office. The internships take place in different institutions of the public health and social services. By combining what they have learned so far with their own specific skills and resources (including languages, cultural background and understanding of other cultures, familiarity with the specific needs and conditions of asylum seekers, refugees and migrants), the participants have the potential to become real assets to regional and local health and social institutions which are dealing with high numbers of foreign clients.

Under the name “TransKom” in Round 2 of EQUAL, TransSpuk has successfully expanded its training programme to 65 additional participants waiting for a decision on their status. Through creation of a Central Language and Culture Mediation Agency – the Development Partnership is able to remain in contact with all the graduates and assist them with legal and practical advice. The Agency also serves as a coordinator optimising the services of the Mediators by dispatching them from the host institutions to partners of the DP in need of assistance, managing resources related to these transactions, ensuring the quality of the services, and offering further training opportunities to the Mediators in the other sub-projects of the Partnership. More than 70 per cent of the training graduates are currently employed by public or private organisations, they are able to offer Culture and Language mediation services in approximately 100 languages and dialects to a wide range of different clients primarily in the Social and Health sectors.

A useful strategy developed by DPs to promote the employment of asylum seekers is to establish collaboration agreements between asylum seekers, NGOs who act as mediators and mentors, and training organisations and employers. Through such agreements a special vocational 'pathway' can be developed for asylum seekers including orientation, vocational preparation and eventual employment. Examples of such agreements, put in place by around 15% of the DPs, were found in Spain where an agreement was established with the federation of an industry representing employers which developed a training package including language training, practical vocational workshops and networking with potential employers<sup>4</sup>. Results of such schemes which customise training for asylum seekers to the needs of employers have been positive. Through on-going mediation, employers have been able to overcome their initial reluctance to hire asylum seekers and benefit from such schemes as they are provided with highly motivated staff with relevant, tailor-fitted skills. At the same time, asylum seekers have been able to learn new skills and gain valuable experience.

#### **IT tools have proven to be a useful means of matching the skills and qualifications of asylum seekers with employment opportunities**

Around 10% of the DPs have developed highly sophisticated online databases to match asylum seekers to services, training programmes and employment opportunities. Through such tools, asylum seekers can register the skills and qualifications they have to offer and access valuable information on job vacancies and services available to them. Potential employers can also search the database for suitable candidates that fit their needs and post vacancies<sup>5</sup>.

## **4. POLICY MESSAGES:**

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**EU policy actors: European Commission; European Parliament; and Member States.**

- **Asylum seekers' lives should not be "wasted by waiting"**

An asylum seeker can wait anything from months to years while their application is being processed. Member States are aiming to reduce the time taken to reach a final decision, but this still leaves a significant period of time during which people are often separated from their families, isolated by language, and in many cases are not able to access employment. This often leaves individuals feeling disenfranchised, with little or no opportunity to contribute to the society in which they live, and does nothing to equip them for a return to their country of origin in the case of negative decisions. Providing asylum seekers with employment will not only facilitate their (re)integration, but will also make them feel more motivated and empowered.

- **Asylum seekers should continue receive support even when a decision on their application has been reached**

When asylum seekers receive a positive or negative decision on their application, they often have to stop all support and integration activities they were participating in while waiting for a decision on their status. They are simply considered a different target group, for which different rules apply. For people receiving the refugee status or other form of international protection, this often means being inserted in different integration programmes which in practice repeat much of what

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<sup>4</sup> An example of such an agreement established through the ENEAS EQUAL DP was with the Federation of the Hotel and Restaurant Industry which included a training package including language, dealing with clients, etc and mediation with hotels and restaurants to get a job for the asylum seekers taking part in the scheme.

<sup>5</sup> The Greek Anadras-Istos DP developed a highly sophisticated online database to "match" asylum seekers to services, training and employment opportunities. The database, called ESTIA, links a total of 40 operators in more than 22 contact points over the whole Attica-Thessaloniki-Crete axis. ESTIA acts as a one-stop-shop for asylum seekers and is an excellent coordination / communication tool for the connected organisations. A specific part of the database is reserved for agencies that focus on helping asylum seekers into employment: they promote the concept of hiring asylum seekers with employers, introduce vacancies into the system and match asylum seekers to the job opening which most suits their profile.



they already learned. Such unnecessary duplication should be avoided. For people receiving a negative decision, the situation is often worse: all activities are ceased while they could have strongly benefited from some form of reintegration support. Asylum seekers that were in employment, or taking part in another work experience, are obliged to stop even though a first negative decision can be appealed without having to leave the territory. Especially in the light of the increasingly shorter procedures witnessed in a number of Member States, it is important to ensure some form of continuity as opposed to a serious disruption, duplication or complete interruption of support.

- **There is scope for “exceeding” the minimum standards of particularly Article 11 of the Directive on minimum standards for the reception of asylum seekers**

The experience of EQUAL partnerships in the area of training helps make the case for the implementation of Article 11 of the Directive on minimum standards for the reception of asylum seekers. While the phrasing of the clause leaves scope for interpretation, the intent is to encourage the socio-vocational integration of asylum seekers. The experience of Development Partnerships illustrates the benefits this can bring not only to individuals but also the host society. A number of Member States which provide direct access, or access after only a few months, can testify higher levels of motivation, faster integration and lower costs for reception, social support and healthcare.

### **National / regional / local authorities and employers**

- **Building strong relations with employers, employer associations and social partners is essential for enhancing awareness of the potential of asylum seekers and the value that they can bring to an organisation and the overall community**

EQUAL partnerships have made substantial efforts in “making the case” to employers, employer associations, social partners and other actors for hiring asylum seekers. Those who have accepted the “challenge” are now convinced of the benefits of doing so and have been helping to also convince others. Employers have not only realised the potential and significant contributions that asylum seekers can make to their organisation, but have also benefited from the process of intercultural learning and understanding.

- **Job placements and other forms of work experience are a first and important step to help the vocational integration of asylum seekers and to address skills shortages and other labour market needs**

Traineeships, job placements, and other approaches such as job shadowing and voluntary work, strongly favour the integration of asylum seekers and increase their self-confidence. They offer an excellent way of ensuring, where possible, access to regular employment as asylum seekers can then show proof of experience in the host country and may have been able to “network” with employers to promote their skills.

- **Databases and other networking tools facilitate partnership building and enhance the effectiveness of matching the potential of asylum seekers to labour market needs**

Matching tools have proved to be a very efficient and cost-effective way to promote the specific skills and qualifications of asylum seekers to employers. The tools developed by EQUAL partnerships have increased their chances to find employment by disseminating their profiles to employers with specific labour needs.

- **The European Social Fund 2007-2013 should include asylum seekers as a target group**

Even though the European Parliament made the case for asylum seekers being included as a separate target group, the new European Social Fund regulation does not refer to asylum seekers specifically but rather to the social inclusion of disadvantaged groups in general. However, this should not refrain national and regional authorities, as well as programme and project managers from including asylum seekers in their Operational Programmes. EQUAL

partnerships have proven the benefits of providing employment support to this very disadvantaged group of people. The European Social Funds is the only EU financial instrument that has the scale and the scope to help asylum seekers to access employment or other forms of work experiences.