



## FINAL VERSION

Endorsed on 17 September 2014 by Sectoral Social Dialogue Committee Local and Regional Government. Updated on 5 December 2016 by SSDC LRG.

## JOINT GUIDELINES

### MIGRATION AND STRENGTHENING ANTI-DISCRIMINATION IN LOCAL AND REGIONAL GOVERNMENTS

In these guidelines we do not make the distinction between an EU-mobile worker or a 3<sup>rd</sup> country national; the main purpose of these guidelines is to ensure fair integration of migrants<sup>1</sup> and migrant workers into local and regional government workplace. In the present document, “migrants” refers both to migrants – meaning people with a residence permit, visa, asylum seekers and undocumented workers – and refugees, as defined in the ‘1951 Refugee Convention’<sup>2</sup>.

CEMR and EPSU acknowledge the importance of inclusion in the labour market as a key factor to inclusion in society. Equal treatment is our guiding principle in this work. Therefore, there is a need to accelerate the recognition process of asylum seekers and to shorten the time from arrival to work. Inclusion into the labour market is one of the most significant strategies that local authorities can pursue. Once migrants can earn their living and start to pay taxes, they are able to make a contribution to society and the economy. The inclusion of migrants into the labour market should, however, be done without lowering wages and working conditions for anyone.

---

<sup>1</sup> This wording is used in these guidelines to refer to recent migrants and their descendants. However, it is important to recognize 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. This wording has also been used by the joint CEMR-EPSU report on Theme n°5 “providing high quality, modern and sustainable jobs within local and regional government”, Migration and Mobility within local and regional government, 2013.

<sup>2</sup> See UNHCR, 1951 Refugee Convention, <http://www.unhcr.org/1951-refugee-convention.html>.

1. Migration may offer major benefits to local and regional governments and cities: not only in terms of the economic and demographic effects but also by enriching them culturally and opening them up to the world. Local authorities, regions and cities become more and more diverse due to increased migration. The diversity can be characterised in nationality, ethnic origin, religious belief and culture.
2. Local and Regional Government are mindful of immigration in order to develop and generate employment, economic and social innovation. The most dynamic local and regional governments are often those who attract the most migrants and integrate them successfully. Not adapting to these developments in terms of integrating the migrants in society and at the workplace poses serious problems and risks of stagnation for local and regional governments.
3. The local level is where integration really takes place and therefore local and regional governments as authorities and employers in close cooperation with trade unions play a central role in integrating them: fostering integration into the labour market and raising awareness of migrants' rights in terms of public services and working rights.
4. The role of local governments as public sector employers in cooperation with trade unions to ensure accessible, universal, and affordable migration services for refugees and migrants is key to successful inclusion policies. At the same time, local governments together with trade unions have a responsibility in ensuring a diverse workforce to better reflect the diversity of our society and better serve the needs of both citizens and migrants.
5. Well managed inclusion of migrants is an investment that will pay off quickly in form of growth, innovation and better public services. Not investing in inclusion can be a risk for social cohesion and integration, create more inequality and can expose migrants to discrimination and racism and create segregation. Therefore, local and regional governments have a strong interest in guaranteeing regulated working conditions, combating exploitative salaries and unsafe and undeclared work.
6. However, it is important to mention that local and regional governments have in some areas made significant progress in the recruitment and promotion of migrants and offering apprenticeships. We have compiled an annex of interesting practices with these joint guidelines.
7. Migrants should have access to information on their social rights, and as a result it should be ensured that migrant workers are provided with the necessary information on access to legal protection, employment rights and benefits, while at the same time ensuring they are covered by national labour legislation, collective agreements, and applicable social laws.
8. Therefore, the social partners in local and regional government ask for a broader policy of social inclusion and diversity but with a particular emphasis in strengthening the inclusion of migrants into the workplace. We, as social partners would like to take responsibility at European level to strengthen the inclusion of migrants into the workplace in developing guidelines to help promoting workplace strategies and employment for migrant workers to combat racism, discrimination and xenophobia towards migrant workers.

## **European Social Partner Guidelines for the promotion of a discrimination-free workplace in local and regional government**

### **EU level:**

1. Work to ensure that existing EU legislation and international agreements on the rights of migrant workers are applied and respected in all EU countries.
2. Recommend the current Operational Programmes of the Structural Funds – in particular, the European Social Fund – to be adapted accordingly, in order to enable regional and local governments to finance associated measures for mid and long-term inclusion of migrants in the labour market;
3. Promote the issue of including migrant workers at the workplace on the agenda for the social dialogue at all levels: local, national and European.
4. Continue to identify good practices by encouraging exchanges of information between social partners in European countries and beyond.
5. Agree to continuously monitor the below guidelines for the national and local level, through organised discussions in our Social Dialogue Committee meetings.
6. Social dialogue, including tripartite social dialogue, is the most appropriate leverage to address the aspects of migration and inclusion of migrants into the labour market and society. A comprehensive social dialogue including collective bargaining and information and consultation must also support the adequate training of employees in local and regional government and sustainable work.

### **National and local level:**

*Effective implementation requires building and enhancing the capacity of local and regional government employees, who have the primary and frontline responsibility of carrying out these tasks.*

1. Provide leadership and ensure consistency across departments – local authorities should review, at the highest level (e.g. politicians and senior managers), their objectives in relation to the employment of migrants (through targeted training for them).
2. Pay more attention to the working conditions of workers in the public services dealing with migrants: workload, qualification, recruitment of the needed qualified personnel; training (see below); and linguistic and intercultural support/mediation for workers on the front desks.
3. Developing cooperation between local, regional and national governments for inclusion of refugees and migrants in the labour market and the local society. Equal treatment is our guiding principle in this work. Encourage principles of diversity and equality in all local, municipal and regional policies as well as promoting an environment free of racism, xenophobia and discrimination.
4. Where possible, and in line with national legislation and not in breach with any EU

directive, provide data and implement effective monitoring of data on foreign born or from minority ethnic groups - in order to be able to identify barriers and challenges of integration of migrants into our workplace.

5. Review recruitment procedures and procedural barriers to employment – in some cases the requirements can go beyond those necessary to ensure the individual is actually well-equipped to do the job; ensure that the recognition of professional and educational qualifications is properly monitored.
6. Ensure a welcoming and affirming work environment for migrant employees, for example through investing in training for workers in public services who are in direct contact with migrant workers, involving linguistic/cultural mediators, etc.
7. Extend training on diversity management and equality practice – to achieve the maximum benefit from a culturally diverse workforce. A specific focus could be the gender aspect of migration.
8. Explore options and feasibility to increase diversity and equality standards in contracts with external providers (public procurement) – so that they apply best practice in relation to anti-discrimination and equality of opportunity among their employees by looking at existing practices in this field in various countries.
9. Ensure that equality and diversity aims are reflected in partnership agreements with other municipalities – as a way of sharing good practice.
10. Extend consultation with and participation of migrants – as a way of informing about migration policy at the workplace.
11. Develop an active public and internal service communication strategy – to counter possible public hostility and build awareness of the reasons for the local authority's actions.
12. Ensure access to relevant national funds to enable regional and local governments to finance associated measures for mid and long-term inclusion of migrants in the labour market.
13. Further develop capacity-building, peer-review learning and to exchange best practices between different tiers of government, in close cooperation with civil society and trade unions, in order to:
  - a) foster integration of migrants into the labour market;
  - b) raise awareness of migrants' rights;
  - c) create conditions in which third-country nationals can access information and services relating to employment, education, healthcare, housing, culture and other public services;
  - d) prevent social dumping within the European labour market.

## **ANNEX 1: Good practice examples from European Social Partners and National Social Partners**

In March 2010, EPSU made a survey of its affiliates (39 organisations from 23 states) in unions in national, regional and local and government but particularly those in local and regional government how they have responded to the challenges posed by migration in Europe. It includes a variety of best practice examples. Measures include:

- Recruiting migrant workers
- Involving migrant workers in the union
- Advice and legal services
- Training for members who are migrant workers
- Campaigns
- Staff with responsibility of migrant workers
- Collective bargaining
- Dealing with migrants as parts of members' work
- Problems in dealing with migrants

It can be downloaded here:

[http://www.epsu.org/IMG/pdf/Final\\_Report\\_Migration\\_March\\_2010\\_-\\_EN.pdf](http://www.epsu.org/IMG/pdf/Final_Report_Migration_March_2010_-_EN.pdf)

*CEMR and EPSU have published a joint report in the framework of the joint project "providing high quality, modern and sustainable jobs within local and regional government" under the title "Migration and Mobility within local and regional government"*

*It can be downloaded here:*

<http://www.epsu.org/a/9032>

The significance of the issue has been recognized by local and regional government employers at with the CLIP project launched in 2006 by the **City of Stuttgart** (Cities for Local Integration Policies for Migrants): <http://www.stuttgart.de/en/citynetwork>

EUROFOUND report "[Equality and diversity in jobs and services: City policies for migrants in Europe](#)"

### **Helsinki, Finland:**

Web-based information bank that provides information on various aspects of public life in Finland, such as permits, the educational system, health and social issues, accommodation, labourmarkets: <http://www.infopankki.fi/>

**Belfast, UK:** [Good Practice Guidelines for employing migrant workers](#)

**Berlin, Germany:** [Intercultural Openness of the Job Centre](#)

**Vienna, Austria:** [The competence center for skills recognition and further educational counseling for new immigrants](#)

**Copenhagen, Denmark:** [Project between Danish municipalities](#)

Webpage for municipalities, firms and the state that gives examples of good practice of how to get foreigners/immigrants to work in Denmark, how to integrate immigrants into the workplace: [www.expatsiden.dk](http://www.expatsiden.dk)

**Edinburgh, Scotland:** [COSLA Strategic Migration Partnership policy toolkit](#)

Gives guidance to Local Authorities on developing a strategy towards migration including information on the national legislative framework, employers' responsibilities, employment rights advice, supporting migrants to access the labour market etc.