



# **European Network of Public Employment Services**

## **Attracting skilled labour from third countries: The role of Public Employment Services**

Thematic paper

*Written by Regina Konle-Seidl  
June – 2024*

Social  
Europe



**EUROPEAN COMMISSION**

Directorate-General for Employment, Social Affairs and Inclusion  
Directorate E — Labour Mobility and International Affairs  
Unit E.1 — Labour Mobility, Public Employment Services, ELA

Contact: Polina Mosheva

E-mail: [EMPL-PES-SECRETARIAT@ec.europa.eu](mailto:EMPL-PES-SECRETARIAT@ec.europa.eu)

*European Commission  
B-1049 Brussels*

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The European Network of Public Employment Services was created following a Decision of the European Parliament and Council in June 2014, amended in 2020. Its objective is to reinforce PES capacity, effectiveness and efficiency. This activity has been developed within the work programme of the European PES Network. For further information: <http://ec.europa.eu/social/PESNetwork>.

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## EXECUTIVE SUMMARY

Labour shortages are affecting Member States across the EU, with the average EU job vacancy rate doubling between 2012 and 2022. For three-quarters of the EU's small and medium-sized enterprises (SMEs), it is already difficult to find workers with the right skills<sup>1</sup>. As well as efforts to upskill, reskill and use the untapped potential of the EU's domestic workforce, to address persistent labour and skills shortages the EU also needs to attract people from third (non-EU) countries with the skills needed<sup>2</sup>. Currently, the number of skilled workers migrating to Europe is rather low compared to traditional labour immigration countries such as Australia, Canada, or the United States. To attract more skilled third-country nationals (TCNs), the EU has intensified efforts to develop tools to support labour migration and to provide guidance on national policies to attract and retain more people with talent and skills.

To explore the current and evolving role of public employment services (PES) in the international recruitment of skilled labour, a survey on 'The role of PES in the international recruitment of skilled talent' was launched in September-October 2023. This paper brings together the findings from the survey, the contributions from the PES during the PES Network Seminar which took place in Brussels on 28 November 2023<sup>3</sup>, and the existing literature.

The role of PES in international job matching is mostly related to the implementation of national labour migration laws and regulations. Most migration schemes are demand-driven or employer-driven, whereby a job offer is a pre-condition for TCNs to obtain the right to enter and reside in a Member State. In this context, PES rarely act as a matchmaker, bringing together domestic employers and jobseekers from abroad. Rather, PES mainly perform administrative tasks such as being involved in the decision on the admission of a jobseeker and the issuing of work permits, performing labour market tests and other forms of assessing working conditions. Recently an increasing number of PES have been actively involved in the recruitment of skilled workers from outside the EU – often within bilateral mobility agreements. In view of the need to address (regional) labour and skills shortages, some PES have also started to shape a vision of labour migration, even if this is in the absence of an overarching national strategy.

For PES to play a more active role in attracting skilled labour from third countries, several challenges need to be addressed. Among these challenges are the need to refine the identification of shortage occupations through a better use of labour market intelligence; and the provision of reliable and up-to-date information on the work permit process, qualification recognition procedures and job opportunities. Making comprehensive information available through a single information source in several languages and in cooperation with ministries and migration authorities may be a way to build PES capacity in international recruitment. To facilitate TCNs' professional, social, and cultural integration, PES may further develop and offer additional post-recruitment services such as training or information on language courses, vocational training (including bridging courses) or information on family reunification. To safeguard working conditions and fair recruitment, PES may further reinforce their role as gatekeeper.

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<sup>1</sup> Latest Eurobarometer, see: <https://europa.eu/eurobarometer/surveys/detail/3052>.

<sup>2</sup> See: [Commission proposes new measures on skills and talent to help address critical labour shortages](#).

<sup>3</sup> The objective of the PES Network Seminar on 'Attracting skilled workers from third countries: The role of Public Employment Services' was to look at the current and evolving role of PES and develop recommendations to expand and/or streamline their role in the international recruitment of skilled labour.

**PES seminar thematic paper 'Attracting skilled labour from third countries: The role of Public Employment Services'**

**pes NETWORK** EUROPEAN PUBLIC EMPLOYMENT SERVICES

### CONTEXT

- Labour shortages EU job vacancy rate doubled (2012-2022)
- Skills shortages For 4 out of 5 small and medium-sized enterprises (SMEs) it is difficult or moderately difficult to find workers with the right skills
- Shrinking EU working age population 2030 -1.3%  
2025 -9.9%

### STRATEGIES

- Upskilling and reskilling domestic workforce
- Activating underrepresented groups in domestic labour markets
- Facilitating intra-EU mobility
- Attracting and retaining workers from third countries

### CHALLENGES FOR PES

- Absence of a clear mandate
- Matching skills with applicants' qualifications
- Making use of labour market intelligence
- Building capacity and expanding resources
- Ensuring fair and ethical recruitment

### ROLE OF PES

More proactive role of Public Employment Services (PES) needed in talent recruitment of third country nationals

### PES TODAY

- Implementation of regulations
- Provision of pre-departure and post-arrival information and matching services
- Involvement in bilateral (skill) mobility agreements / Multilateral Talent Partnerships

### LOOKING AHEAD

Building networks and cooperating with key actors, including migration authorities

Developing structures and processes

Building trust with companies

Enhancing skills and readiness for international recruitment

Provision of comprehensive information services

Developing additional post-recruitment services

## 1. INTRODUCTION

This paper aims to explore the current and evolving role of public employment services (PES) in the international recruitment of skilled labour. It highlights existing practices, identifies gaps, and develops recommendations for a more active involvement of PES in the international recruitment of skilled labour.

The paper brings together the findings from a survey on 'The role of PES in the international recruitment of skilled talent' which was launched in September-October 2023<sup>4</sup>, the contributions from the PES during the PES Network Seminar which took place in Brussels on 28 November 2023<sup>5</sup>, and the existing literature.

The paper is structured as follows.

- **Chapter 1** introduces the topic, highlighting current labour and skills shortages and labour market gaps across the EU.
- **Chapter 2** places the role of PES in talent recruitment in the context of national migration legislation and policies.
- **Chapter 3** describes the level of PES involvement in the recruitment of TCNs. It describes the activities of national (or regional) PES organisations in the different stages of the recruitment process:
  - Monitoring labour demand and skill needs,
  - Performing administrative roles by implementing national regulations (work permits, labour market test, evaluation of working conditions),
  - Providing information, guidance, and matching services (pre-departure and post-arrival) to employers and TCNs,
  - Involvement in specific recruitment programmes (bilateral Mobility Agreements and multilateral Talent Partnerships).
- **Chapter 4** discusses whether international recruitment is a cost-effective way to fill labour market gaps.
- **Chapter 5** summarises the key challenges ahead.
- **Chapter 6** develops recommendations for a more active involvement of PES in the recruitment of skilled TCNs.

### 1.1 Background: Persistent labour and skills shortages across Europe

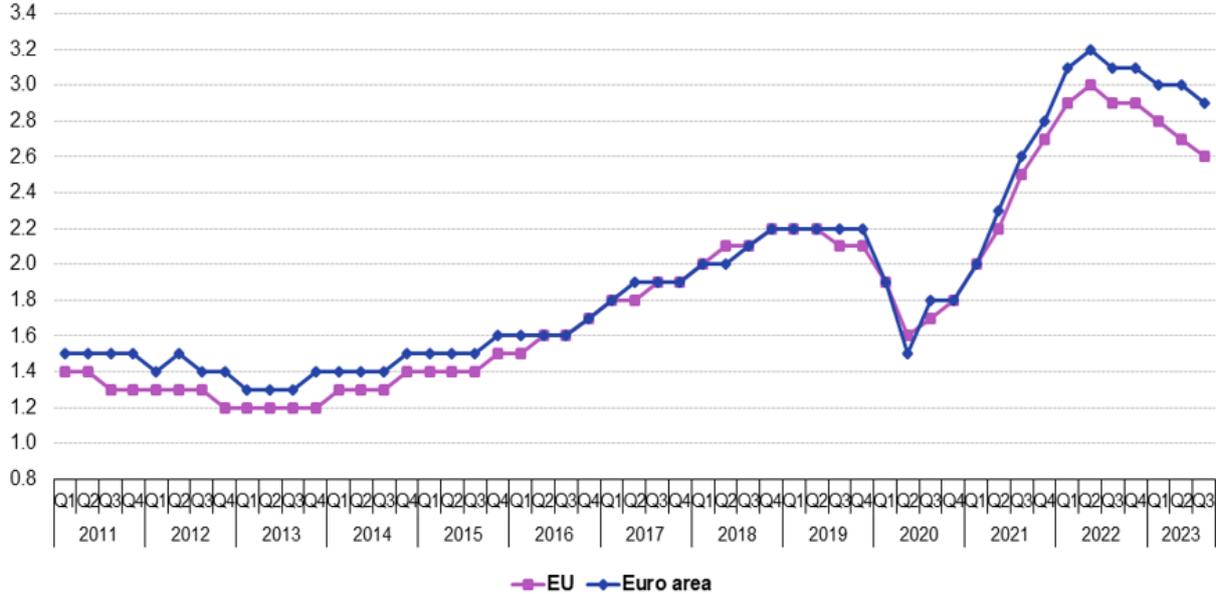
Labour shortages are affecting Member States across the EU, with the average EU job vacancy rate doubling between 2012 and 2022. Labour and skills shortages persist in many sectors, notably in healthcare and long-term care, hospitality, construction, manufacturing and services, transportation, and information and communication technology (ICT). At the end of 2022 the rate of unfilled vacancies spiked at a historical high of 3% (Figure 1). In the third quarter of 2023 it was down to 2.6% (2.9% in the euro area) while unemployment was at a low 5.8% across the European Union.

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<sup>4</sup> The survey was launched in the framework of the PES Network activities. The objective of the survey was to review the current involvement of PES in the recruitment of skilled TCNs, highlight existing practices, identify gaps in the recruitment process and explore whether a stronger role by PES in the recruitment of TCNs could/should be played. The survey covered the EU-27 Member States, Iceland, Norway, and Liechtenstein.

<sup>5</sup> The Seminar on 'Attracting skilled workers from third countries: The role of Public Employment Services' was organised in the context of the European Year of Skills which aims to address skills gaps in the European Union by, among others, attracting people from third countries with the skills needed. The objective of the PES Network Seminar was to look at the current and evolving role of PES and develop recommendations to expand and/or streamline the role of PES in the international recruitment of skilled labour.

Figure 1: Job vacancy rate in the EU, 2011-Q3 2023 (%)<sup>6</sup>



Source: Eurostat (online data code: jvs\_q\_nace2)

Labour and skills shortages are expected to persist in both high-skilled and low-skilled occupations. The EU working-age population is expected to shrink by 1.3% (3.7 million people) by 2030 compared to 2022, and by 9.9% (28.3 million people) by 2050. In addition, the accelerating technological change and the transformation towards a climate-neutral economy are leading to a growing demand for new skills. The green transition will create 1 to 2.5 million additional jobs by 2030, not only in high-skilled occupations but also in medium-skilled and vocational occupations. In construction for example, growing emphasis is placed on the specific skills needed in sustainable new construction and the retrofitting of homes and commercial premises<sup>7</sup>. The European Commission has identified 43 EU-wide shortage occupations<sup>8</sup>, and the EU is currently 11 million short of its target of 20 million ICT professionals employed by 2030<sup>9</sup>. For three-quarters of the EU’s small and medium-sized enterprises (SMEs) – covering 99% of all EU businesses – it is already ‘very’ (52%) or ‘moderately’ difficult to find workers with the right skills<sup>10</sup>.

In view of the scale of the skills challenges, it is acknowledged that maximising the domestic workforce potential, i.e. by developing skills through up- and reskilling, activating underrepresented groups in the labour market and facilitating intra-EU mobility, is not enough to tackle current and future labour shortages. Economic migration is thus seen as a complementary approach to fostering labour market participation. Attracting and retaining workers from third (non-EU) countries across the ‘entire range of skills’ is part of the solution to tackle labour and skills shortages<sup>11</sup>.

<sup>6</sup> The job vacancy rate (JVR) measures the proportion of total posts that are vacant, expressed as a percentage as follows:  $JVR = \text{number of job vacancies} / (\text{number of occupied posts} + \text{number of job vacancies}) \times 100$ .

<sup>7</sup> Employment and Social Developments in Europe (ESDE) (2023), Addressing labour shortages and skills gaps in the EU, Luxembourg, Publications Office of the European Union. See: <https://op.europa.eu/webpub/empl/esde-2023/>.

<sup>8</sup> Annex to the Proposal for a Regulation of the European Parliament and of the Council establishing an EU Talent Pool. See: [https://eur-lex.europa.eu/resource.html?uri=cellar:a169ec2f-8469-11ee-99ba-01aa75ed71a1.0001.02/DOC\\_2&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:a169ec2f-8469-11ee-99ba-01aa75ed71a1.0001.02/DOC_2&format=PDF).

<sup>9</sup> Europe’s Digital Decade: digital targets for 2030. See: [Europe’s digital decade: 2030 targets | European Commission \(europa.eu\)](https://commission.europa.eu/europe-digital-decade-digital-targets-2030-targets).

<sup>10</sup> Latest Eurobarometer. See: <https://europa.eu/eurobarometer/surveys/detail/3052>.

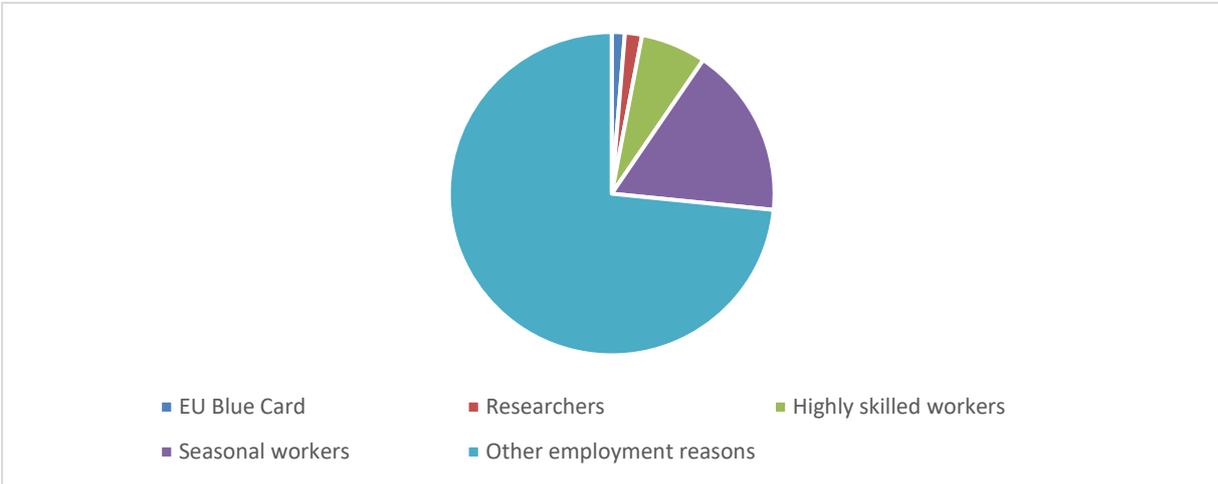
<sup>11</sup> The range of skills EU employers need include not only high-skilled occupations but also technical occupations, such as trade and lower-skilled occupations. In this paper, we use the terms ‘skilled workers’ or ‘talent’

### 1.2 The recruitment of highly skilled labour from third countries remains low

There is no universally agreed definition of 'labour shortage' and/or 'skills shortage', and measuring labour shortages is difficult, especially at a detailed and operational level. While 'labour shortage' usually refers to hiring difficulties when attracting (*any*) staff, 'skills shortage' refers to a situation where employers face difficulties to find specific skills and/or competences in the pool of their existing or prospective staff given their business needs.

Currently, the number of skilled workers migrating to Europe is rather low compared to traditional labour immigration countries such as Australia, Canada, or the United States (US). Although Eurostat data on first residence permits records a relative high share of 42% of work-related permits in 2022, the number is driven by the recruitment of workers in low-skilled sectors such as agriculture, construction, domestic work, care, and cleaning (workers in low-skilled sectors are recorded in the category 'other employment reasons' see Figure 2)<sup>12</sup>. Only about 10% of first permits in the EU were issued to highly skilled workers (Blue Card holders, highly skilled workers under national schemes and researchers, see Figure 2).

**Figure 2: First residence permits issued, distribution by type of employment, EU/EEA, 2022 (%)**



Source: Eurostat (migr\_resfirst, migr\_resocc. Note: EU aggregates for the reference year 2022 are estimated using 2021 data for Poland and Croatia.

A recent Eurobarometer survey<sup>13</sup> found that employers in the EU are often reluctant to recruit (highly) skilled workers from abroad. For example, only 10% of SMEs across the EU have recently recruited someone from outside the EU to come to work within the EU, and 2% of the recruited workers to work remotely from outside the EU<sup>14</sup>. Reasons for not recruiting outside of the EU include complexity of migration procedures (length, cost, uncertainty etc.), language barriers and uncertainty around foreign qualifications. To attract more skilled TCNs, SMEs require better tools for assessing the skills of applicants, better tools for assessing the company's skills needs, and easier procedures for the recognition of foreign qualifications, as well as better collaboration with PES<sup>15</sup>.

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interchangeably to distinguish them from low-skilled workers, recruited temporarily through legal exemptions and fast-track procedures to fill shortages in sectors such as construction, agriculture, or tourism.

<sup>12</sup> The high numbers of TCNs in low-skilled sectors reflects the introduction of specific fast-track legal temporary migration schemes in Eastern Member States (Poland, Czechia, Hungary, Lithuania, Romania, Slovakia and Slovenia).

<sup>13</sup> Latest Eurobarometer. See <https://europa.eu/eurobarometer/surveys/detail/3052>.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.



tasks<sup>21</sup>. However, PES may take on a more proactive role in talent recruitment from third countries: PES have deep knowledge and up-to-date information on changes in the labour market and on job matching, and they have experience with the labour market integration of immigrants such as refugees and people who have been displaced. Moreover, many PES already have well-established cooperation with stakeholders, such as Ministries, municipalities, employers, labour inspectorates, migration authorities and professional bodies responsible for the recognition of qualifications, training, and language providers.

The European Network of Public Employment Services (PES Network) has already started exploring possibilities for PES to take a more proactive role in the recruitment of talent from third countries (see Box 1).

### **Box 1: PES Network activities around international recruitment**

In the Opinion Paper<sup>22</sup> on the contribution to the 2023 European Year of Skills, the PES Network set out the following priorities in terms of talent recruitment.

- Defining labour shortages as a precondition for further targeted action at EU level.
- Addressing challenges in attracting third-country labour migration, building on PES' first-hand knowledge.
- Stepping up cooperation – by strengthening coordination between migration and employment authorities and cooperation with employers, employer associations and relevant non-governmental organisations (NGOs) - to share information, provide advice on recruitment and integration programmes.
- Keeping PES involved in further EU initiatives.

The PES Network is exploring the potential of a common approach to determining labour shortages shared by network members. Great importance is also given to the recognition of qualifications and validation of skills. The PES Network further stresses that keeping PES involved in EU skills recognition initiatives and the EU Talent Pool are essential to build on the substantial experience of PES in this context.

*Source: European PES Network, June 2023.*

## **2. NATIONAL LABOUR MIGRATION POLICIES AND THE ROLE OF PES IN RECRUITING SKILLED WORKERS**

The framework regulating legal pathways for work in the EU is complex and fragmented. It consists of a patchwork of several EU Directives and co-existing national legislation. Although migration is a shared competence between the EU and the Member States<sup>23</sup>, most competencies, particularly the admission of TCNs to the labour market, are nationally

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<sup>21</sup> This is one of the main conclusions of November 2020 study report on, 'The Role of PES in talent recruitment from third countries', commissioned by the Commission's Directorate General for Employment, Social Affairs and Inclusion (European Commission, 2020).

<sup>22</sup> New PES Opinion Paper Contributes to the European Year of Skills Debate. See: <https://ec.europa.eu/social/main.jsp?langId=en&catId=1100&furtherNews=yes&newsId=10443>.

<sup>23</sup> Several EU migration Directives provide for harmonised conditions of entry and residence for certain categories of nationals from non-EU countries. The Single Permit [Directive 2011/98/EU](#) lays down a single and simplified application procedure combining the authorisation to work and reside for workers from non-EU countries admitted under Member States' national schemes. The EU Blue Card [Directive \(EU\) 2021/1883](#) covers highly qualified workers. The Intra-Corporate Transferees [Directive 2014/66/EU](#) sets the conditions to enter and reside in the EU for an intra-corporate transfer (i.e. a posting from a company operating in a non-EU country in a branch in the EU). The Research and Study [Directive \(EU\) 2016/801](#) sets the conditions of entry and residence for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing. The Seasonal Workers [Directive 2014/36/EU](#) covers TCNs who hold an authorisation for the purpose of seasonal work. There is, however, no directive addressing the need for lower- and medium- skilled migrant workers.

determined. Admission criteria, procedures, and documents to submit in order to obtain a visa or residence and work permit vary across Member States.

## 2.1 The role of PES and national migration frameworks

International job matching is subject to national labour migration laws and regulations, and the role of PES is strongly linked to the implementation of these regulations.

A distinction must be made between labour migration policies for (highly) skilled and those for low-skilled TCNs. Several Member States, in particular eastern and southern Member States, relaxed their labour market restrictions and introduced fast-track legal temporary migration schemes (e.g. Poland and Lithuania with Ukraine and Belarus, or Slovenia with Bosnia and Herzegovina) and/or bilateral agreements with countries with cultural, social and language ties (e.g. Portugal with Brazil) to address workforce demand in low-skilled sectors such as construction or agriculture<sup>24</sup>.

The EU Blue Card<sup>25</sup> and most national labour immigration schemes for (highly) skilled workers follow the traditional demand-driven (or employer-led) approach, where a job offer is a pre-condition for TCNs to obtain the right of entry and residence in a Member State. Hence, PES cannot recruit skilled workers directly and match them with employers. Instead, TCNs are admitted for the purpose of employment almost exclusively based on a job offer from an employer – often in bottleneck occupations. Using this approach, the employer identifies a need for an employee with specific skills, then selects a suitable candidate, makes a job offer, and finally the employer or the potential employee sends a request to the immigration authorities for a work permit. This procedure allows the authorities to screen prospective immigrants and grant permits only to those who have skills in occupations where there is a shortage, or those who have skills representing a high added value for the national economy. This may be achieved by requiring employers to prove that the job and the applicant meet certain conditions, such as certain wage and qualification levels, or by requiring a labour market test (LMT). LMTs are usually undertaken to verify whether the job vacancy can be filled by a domestic citizen, an EU/EEA citizen, or a foreign citizen already available in the domestic labour market.

**In demand-driven migration schemes the role of PES in active recruitment is limited.** PES rarely act as a matchmaker, bringing together domestic employers and jobseekers from abroad. PES perform administrative tasks foremost, such as being involved in the decision about the admission of a jobseeker and the issuance of work permits, labour market tests and other forms of assessing working conditions.

## 2.2 Few PES have dedicated services or teams for TCN recruitment

For the time being, resources for managing labour migration are limited. However, a few PES have dedicated services or teams (see Box 2).

### Box 2: Dedicated PES teams dealing with labour migration

- Various units of the **German** PES (BA) are strategically and operationally involved in the recruitment of skilled workers and the placement of special professional

<sup>24</sup> A considerable number of TCNs recruited through specific fast-track schemes have been posted from Member States with lower wages and social security contributions to Member States with higher wages, serving thus as 'transit' countries. The European Labour Authority (ELA) notes that the posting of TCNs is a growing phenomenon of labour mobility alongside the traditional avenues of migration to and between EU Member States. See: <https://www.ela.europa.eu/sites/default/files/2023-04/ela-report-posting-third-country-nationals.pdf>.

<sup>25</sup> An important step towards a unified skill-selective migration policy framework at the EU level was made with the adoption of the EU Blue Card [Directive 2009/50/EC](#) in 2009 by introducing a common definition of skilled and highly qualified TCNs and harmonised rules for facilitating intra-EU mobility of talent. Given the limited number of permits issued to highly-skilled workers, the EU Blue Card Directive was revised in October 2021 and replaced by [Directive \(EU\) 2021/1883](#).

groups: The Customer/Recruiting Centre advises and informs people abroad; the Employer Services (Arbeitgeberservice (AG-S)) are the point of contact for employers interested in international recruitment; and a work permit administration team reviews and approves the rules for work permits. The International Services (ZAV) work with many domestic and international cooperation partners and labour market services.

- The **Dutch** PES have a team advising employers on the different procedures and providing work permits.
- The **French** PES have seven international mobility teams located in local offices. They provide support to French jobseekers willing to work abroad as well as to candidates looking for a job in France. These teams propose services to French employers looking for workers in Europe, but not outside of Europe.
- In **Finland**, PES advisers are also working with EURES help companies with recruitment from third countries.
- In **Portugal**, PES use EURES expertise for international mobility and recruitment projects.
- The PES in **Wallonia** (Forem) have an international mobility team providing information and services for people willing to work in Belgium.
- In **Romania**, around half of the advisers working with EURES and other PES local staff issue the certificates required by Romanian employers to obtain approval for work authorisations to hire non-EU workers.
- **Slovenia** has a dedicated service for issuing work permits and consents on employer or job changes in relation to the work permit.
- In **Slovakia**, the staff of each labour office issues confirmations on the possibility of filling a vacancy by a TCN, conducts LMTs and is in contact with employers.

*Source: PES Network Survey on 'Role of PES in the international recruitment of skilled talent', September-October 2023.*

### 2.3 Recent legislative changes facilitating labour migration from third countries

As labour shortages become more prevalent in many EU Member States, several national governments have introduced changes in national legislation to facilitate legal migration, notably to fill labour gaps. The political emphasis on revising migration policy frameworks often depends, however, not only on the severity of labour shortages but also on the political discourse in the respective country. While in many countries migration policy frameworks have been revised to facilitate labour immigration, opposite developments are also visible, for example in recent changes in the salary threshold of the EU Blue Card. While the salary threshold of the revised EU Blue Card was increased in Nordic countries such as Sweden, it was lowered in other countries such as Germany to facilitate labour migration.

Several Member States (**i.e. Austria, Belgium, Czechia, Finland, France, Germany, Ireland, Estonia, Sweden and Slovakia**) have adopted specific measures in the form of simplified procedures and amendments to their existing laws (exemptions from LMTs or quotas, or facilitating employment opportunities for certain groups already residing in the country such as students) to simplify the migration of workers in previously-identified bottleneck occupations. **However, most governments do not have a clear strategy to recruit skilled workers from third countries.**

Participants in the PES Network Seminar agreed that a national strategy is needed to clarify the roles of PES, to clearly define skill levels for recruitment (e.g. if there is also a need for workers with low skills) and to address sensitivity in the public space. Indeed, strategies can support more comprehensive approaches. For instance, **Ireland** noted that international recruitment should consider support for housing, as otherwise efforts for

recruiting skilled workers from third countries could be hindered by the lack of accommodation available. A strategy is also needed to link implementation with legal migration rules and to define responsibilities between different stakeholders, including PES.

At the same time, the development of PES strategies requires a concrete mandate with greater resources and specific and qualified profiles. The lack of national talent attraction policies has thus direct implications on what PES (can) do. **To be effective, PES need to have a mandate** in labour migration that is grounded in robust legal frameworks.

In the PES Network survey<sup>26</sup>, only the **German PES** spoke of a comprehensive mandate from the Ministry of Labour and Social Affairs for the proactive recruitment of skilled TCNs. However, PES are increasingly involved in bilateral agreements and international Talent Partnerships such as in **Finland** or **Portugal**, and other PES are involved in shaping a strategic framework for economic migration. This is the case for the PES in **Belgium** (VDAB, in cooperation with the other PES in Belgium).

A good example of how PES intervention in the recruitment of TCNs can be expanded by facilitating the legal migration framework is the **Portuguese** case. The Portuguese government recently introduced a job-search visa, which allows TCNs to travel to Portugal for 120 days to find a job. Before submitting a request for a job-search visa<sup>27</sup>, a TCN must declare their interest in enrolling with IEPP (*Instituto do Emprego e Formação Profissional* - the Portuguese PES). Once they are registered with the PES, the job search visa can be extended by another 60 days. The Portuguese PES is also increasingly involved in bilateral labour Mobility Agreements as the implementing body.

Recent legislative changes on labour migration in **Germany** and **Spain** have had an impact on PES tasks. Germany has introduced more supply-driven elements<sup>28</sup> into its immigration law and Spain has simplified its migration policy procedures to expand the role of PES (see Box 3).

### **Box 3: Recent legal changes to facilitate labour migration in Germany and Spain**

In **Germany**, without an annual net immigration of 400 000 people the labour force potential will shrink by 7 million by 2035. To tackle skills shortages, in 2020 the Federal Government proposed a Skilled Immigration Act (FEG 2.0)<sup>29</sup>, which was updated in June 2023. The FEG expands the national framework under which qualified professionals can come to work in Germany and extends the possibilities for migration with the EU Blue Card (lower salary thresholds, wider target group, facilitated family reunification). The gradual implementation of the act started in November 2023. The amendments include three pillars:

- **Skilled workers:** All those who have obtained foreign recognition of their qualifications can enter the country for a qualified job other than that for which they had been initially trained.

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<sup>26</sup> PES Network Survey on, 'Role of PES in the international recruitment of skilled talent'.

<sup>27</sup> See: <https://formularios.iefp.pt/index.php/929227?lang=en>.

<sup>28</sup> A supply-sided approach does not require people to have a binding job offer when applying for a work permit, but applications by prospective immigrants are usually assessed considering the likelihood of their successful labour market integration. This might take the form of a points system. Some Member States (e.g. Austria, Denmark) have been combining a demand-driven approach with supply-oriented elements for several years now. In the Austrian 'Red-White-Red' Card system (implemented in 2011), the obligation to have a binding job offer is lifted for highly-qualified TCNs, skilled workers in bottleneck occupations, recent graduates from Austrian universities or start-up founders. Applications are evaluated based on general education, the field of qualification, etc. Those admitted can enter the country and spend up to six months finding a suitable job with a 'Jobseeker Visa' <https://www.migration.gv.at/de/formen-der-zuwanderung/>.

<sup>29</sup> See: <https://www.arbeitsagentur.de/en/press/2023-50-skilled-workers-immigration-act-20-opens-new-doors>.

- **Experience:** Immigration based on people's *professional experience* will be possible. People who do not have full recognition of their qualifications will be able to enter the country and obtain the recognition in Germany.
- **Potential:** A 'job-search opportunity card' (*Chancenkarte*) using a point system (considering i.e. qualifications, work experience, German or English language skills and age) will be introduced. With the opportunity card it is possible to enter the country for an initial period of one year to look for a job.

In addition, the so-called Western Balkans Regulations, a fast-track regulation for low-qualified workers introduced in 2016, will be made permanent. This regulation makes it possible for people from the Western Balkans (i.e. Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia) to migrate to Germany with a job offer and without the need to prove their qualification or language. With the new law, the annual quota will be increased from 25 000 to 50 000 workers.

The active involvement of the BA in the implementation of the new law resulted in an increase in PES staff in the international recruitment department from 12 to roughly 50-60 people. To best contribute to labour migration, the BA pursues three strategies: 1) to be a gatekeeper (ensure fair working conditions), 2) to be a provider of digital information (providing information on its website in different languages, but also hotlines) and 3) to be a trailblazer (carry out projects to find new ways of talent recruitment).

**Spain** also reformed its General Immigration Law<sup>30</sup> in 2022 to streamline migration policy procedures, with the overall aim to address labour shortages and attract legal labour migrants into shortage occupations. The reform facilitates and expands access to work permits and updates migration processes for different categories of migrants, including students and seasonal workers. Seasonal workers can obtain a four-year permit with which they can work for up to nine months per year, with the obligation to return to their countries after each period.

In the context of the new law, the Spanish PES developed a list of shortage occupations based on data and statistical evidence, for which it is possible to recruit outside the EU without a LMT. The catalogue is going to be updated quarterly, with the agreement of social partners and the administration.

In 2023 a **pilot project** was launched to give more responsibilities to PES. Local PES are asked to provide qualitative and quantitative information on skills shortages to feed a discussion at provincial level – with social partners and the administration – on occupations that could be flagged as 'shortage occupations'. Regional PES collate the proposals and transfer them to national level in order to elaborate a national catalogue. Negotiations at national level have, however, led so far to an agreement for only seven shortage occupations.

*Source: Presentations of national representatives at the PES Network Seminar, Brussels, 28 November 2023.*

### 3. LEVEL OF PUBLIC EMPLOYMENT SERVICES INVOLVEMENT IN THE RECRUITMENT OF THIRD COUNTY NATIONALS

Responses to the PES Network survey indicate that the type of intervention in the different stages of the recruitment process of TCNs can be divided into three levels (Table 1). The lowest level of intervention concerns the implementation of regulations (e.g. administering

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<sup>30</sup> See: [https://migrant-integration.ec.europa.eu/news/spain-government-adapts-immigration-law-include-migrant-workers-labour-market\\_en](https://migrant-integration.ec.europa.eu/news/spain-government-adapts-immigration-law-include-migrant-workers-labour-market_en).

completely or partly the work permit procedure, LMT); the medium level consists in the provision of pre-departure and post-arrival information and matching services, and the highest level of intervention consists in the involvement in publicly-led recruitment programmes (e.g. bilateral labour Mobility Agreements, Talent Partnerships, business-led pilot projects).

**Table 1: Type of PES support to recruit TCNs**

<b>Type of support</b>	<b>PES activities</b>	<b>PES performing the activity</b>
<b>Implementation of regulations</b>	<p><b>Identifying shortage occupations</b></p> <ul style="list-style-type: none"> <li>• Issuing list of shortage occupations</li> <li>• Providing labour market data for migration authorities</li> </ul>	<p>AT, BE (Actiris, VDAB, Forem), EL, ES, FR, HR, LT, PT, SI, SK, RO</p> <p>DK</p>
	<p><b>Implementation of national admission rules</b></p> <ul style="list-style-type: none"> <li>• Issuing work/single permits</li> <li>• Labour market test</li> <li>• Approval of legal requirements and working conditions (pre-work permit issuance)</li> <li>• Screening of working conditions post-arrival</li> </ul>	<p>LT, MT, NL, SI</p> <p>AT, BE (VDAB), CY, EE, FI, HR, HU, IS, MT, LT, LV, NO</p> <p>AT, DE</p> <p>AT, DE, FI, HR, LT, MT, PL, PT, SI, SK</p>
<b>Pre-departure and post-arrival information and matching services</b>	<p><b>For employers</b></p> <ul style="list-style-type: none"> <li>• Information and awareness-raising</li> <li>• Posting of vacancies on PES website available to TCNs</li> <li>• Comprehensive job portals with (without) automated matching tool managed in cooperation with partners</li> <li>• Guidance and information on recruitment and immigration procedures                             <ul style="list-style-type: none"> <li>○ Online (webinars, job portals)</li> <li>○ Personalised guidance</li> </ul> </li> <li>• Supporting qualification recognition</li> <li>• Job fairs abroad (including pre-screening of candidates)</li> <li>• Assessment/validation of skills (including non-formal and informal skills and competencies)</li> </ul>	<p>BE, PT</p> <p>DE, DK, EE, ES (pilot), SE</p> <p>DE, EE, FI, LU, (DK, SE)</p> <p>AT, BE, DE, EE, FI, FR, LU, NL, PL, SI</p> <p>BE (Forem), DE, FR, IHR, MA, PT,</p> <p>FI, SI</p> <p>HR, FR, PT, SE</p>

	<b>For TCNs:</b>	
	<ul style="list-style-type: none"> <li>Information on working and living conditions, visa and qualification recognition procedures etc.</li> </ul>	DE, BE (Forem), HR, LT, MA, PT
	<ul style="list-style-type: none"> <li>Involvement in organising skills training (including bridging courses to gain full recognition)</li> </ul>	FI, LT
	<ul style="list-style-type: none"> <li>Providing integration services (e.g. language and cultural orientation)</li> </ul>	BE (Forem), FI, LT, PL, PT
<b>Involvement in bilateral (skill) mobility agreements/Multilateral Talent Partnerships</b>	<ul style="list-style-type: none"> <li>Support in identifying appropriate cooperation countries</li> </ul>	DE
	<ul style="list-style-type: none"> <li>Collection and posting of domestic vacancies in sending country in cooperation with local PES</li> </ul>	BE (Forem), DE, PT
	<ul style="list-style-type: none"> <li>Screening and pre-selection of candidates</li> </ul>	BE (Forem), DE, PT
	<ul style="list-style-type: none"> <li>Preparing selected candidates to take up employment (including training)</li> </ul>	BE (Forem), DE, PT
	<ul style="list-style-type: none"> <li>Close cooperation with employer organisations</li> </ul>	DE (pilot)

Source: Expert's own elaboration based on findings from PES Network survey, PES Network seminar, and desk research.

### 3.1. Implementing rules on labour market admission

#### 3.1.1 Identifying shortage occupations

In most Member States the recruitment of skilled TCNs is possible only in shortage occupations. This requires screening of prospective immigrants and means that permits are only granted to people who have skills in occupations where there is a shortage. Identifying shortage occupations is thus an important condition for talent recruitment from third countries. As the main collector and provider of labour market information, **PES act as provider of labour market data (Denmark)** to migration authorities or are fully or partly responsible for **identifying shortage occupations (Austria, Belgium (Actiris, VDAB, Forem), Croatia, Greece, France, Lithuania, Portugal, Slovenia, Slovakia, Spain, and Romania)**<sup>31</sup>.

The **Spanish** PES, for example, is currently testing an AI-based pilot tool to alert to labour shortages. The tool uses job offers on the Internet and translates them into standard occupation codes. The tool is expected to be a barometer of occupations which are in high demand in each province, in designated periods. In the **Netherlands**, the central bureau for statistics<sup>32</sup> conducts research on labour market demand through surveys. Employers are asked to fill out a survey on labour demand at company level<sup>33</sup>. The **German** PES works with research institutes to identify the labour market demand at a given moment, but also to identify future needs.

<sup>31</sup> An overview of which PES are responsible for identifying shortage occupations is provided in Table 1 above.

<sup>32</sup> See: <https://www.cbs.nl/en-gb>.

<sup>33</sup> Not all employers are asked to complete the survey. The information is not used for the issuing of work permits. To determine whether a work permit can be issued, labour market supply is taken into account and not labour market demand.

**Further analysis should be conducted to adequately identify labour market demand.** PES highlight that transparency on national labour market needs, provided through detailed analysis, is key to evidence the need for international recruitment and to raise public awareness. Strengthening social dialogue with employers' organisations and trade unions was highlighted by PES in the PES Network Seminar as one way forward.

### *3.1.2 Conducting labour market tests and issuing work permits*

In some EU Member States, **PES issue work permits (Lithuania, Malta, Netherlands, and Slovenia) and conduct LMTs (Austria Belgium (VDAB), Croatia, Cyprus, Estonia, Finland, Hungary, Iceland, Malta, Latvia, Lithuania, and Norway)**<sup>34</sup>. The legal admission of TCNs usually requires not only filling a position in bottleneck occupations, but also conducting a labour market (needs) test.

Whereas most of the Member States have a form of test, their nature can vary. In **Poland** (see Box 4), **Czechia** and **Luxembourg**, the labour market test involves the PES searching for suitable candidates in the register of unemployed and referring them to the employer. In **Italy** or the **Netherlands**, the PES perform the labour market test by simply publishing the vacancy<sup>35</sup>. In Italy, the PES give or deny permission to the application without playing the intermediary role between jobseekers and employers.

#### **Box 4: Poland - Barometer of professions and work permit procedures**

The [Barometer of Professions](#) is a list of shortage occupations prepared by a pool of PES experts for the whole country on a yearly basis. It can be adapted to regional and local levels. Occupations are divided into three groups:

- with deficit (not enough employees),
- balanced, and
- with surplus (more employees than job offers).

Occupations which are listed as occupations with a deficit (e.g. doctors, nurses, IT specialists, painters, welders) are exempted from the LMT.

Among the 200 000 work permits issued between January and September 2023, more than 100 000 were issued without a LMT. When a LMT is conducted, the local labour offices check if there are any people registered who can be recruited. The result is forwarded to the employer within a maximum of 14 days and attached to the application for a work permit issued by the local labour office, the 'Voivodship Office'.

The work permit specifies the employer; the position or type of work performed by the foreign national; the lowest remuneration that a foreign national may receive in each position; working hours; and the validity period of the permit. A work permit cannot be issued if the employer has not met specific requirements for granting a work permit or has been punished for specific crimes or misdemeanours. A work permit may also not be issued if the TCN does not meet certain requirements (e.g. if they have been punished for certain crimes or if their personal data have been included in the list of foreign nationals whose stay in Poland is undesirable).

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<sup>34</sup> An overview of which PES issue work permits and conduct LMTs is provided in Table 1 above.

<sup>35</sup> The LMT in the Netherlands consists of: checking whether there are people available on the national labour market, and the European Entrepreneurial Region (EER) labour market; checking whether the employer has put in sufficient effort to fulfil the vacancy(ies); the obligation for the employer to publish the vacancy on the PES website for at least five weeks in order for the PES to be able to mediate and for the jobseekers to be able to apply directly.

Local labour offices issue seasonal work permits and register declarations on entrusting work to a TCN in the context of the simplified procedures described in Section 1.2 above. In the application for a seasonal work permit ('S permit'), the employer specifies, among other things: the foreign national's proposed remuneration, working time or number of working hours per week or month, type of contract on which the work is based and the validity period of the permit. If the 'S permit' is for a citizen of a country other than Armenia, Belarus, Georgia, Moldova or Ukraine, the application must also be accompanied by the result of the LMT.

*Source: Presentations of national representatives at the PES Network Seminar, Brussels, 28 November 2023.*

Participants agreed that when there is a severe labour shortage, **LMT procedures are rather artificial and burdensome**. Several Member States have already lifted this restriction for specific groups. LMTs are no longer required for high-skilled applicants or for applicants in shortage occupations in countries such as **Austria** or **Croatia**. In countries using simplified procedures to employ low-skilled TCNs on a temporary basis such as **Lithuania**, neither a work permit nor an LMT is now required. In **Germany** and **Sweden**, LMTs are no longer applied for any skill levels. Moreover, in Germany, the recruitment of a skilled TCN is also possible in jobs not listed as bottleneck occupations.

Assessing whether working conditions are comparable to those of domestic employees is often made in the context of LMTs. In **Austria** and **Germany**, before a skilled worker from a third country can obtain a work permit from the Foreign Office, the PES must issue a formal approval. A formal approval is usually granted if a concrete job offer exists and if the working conditions (assessment of payment, working conditions and the employer's good conduct) are comparable to those of domestic employees. A respective declaration must be signed by the employer.

### *3.1.3 Assessing working conditions post-arrival*

**Several PES (i.e. Austria, Croatia, Finland, Germany, Lithuania, Malta, Poland, Portugal, Slovenia, and Slovakia) also provide post-arrival assessment of working conditions to prevent the exploitation of migrant workers.** In this context, the collaboration of PES with inspectorates to ensure that working conditions for TCNs are respected was highlighted during the PES Network Seminar as particularly necessary. Several participants stressed the challenge of potential labour exploitation as well as avoiding 'brain drain' when developing policies for international recruitment. Information about rights is seen as crucial, including for skilled TCNs, to build trust and to avoid unfair practices. Public authorities are also responsible for monitoring and controlling the application of the posting rules, e.g. whether employers comply with standards such as contracted wages, working hours and time off. In this context, it is worthwhile considering **extending the screening role of PES to posted workers**.

PES do not usually carry out any inspections but may call in the relevant authorities for inspections when there are signs that workers are being exploited. To this end, the **Slovenian PES**, for example, check: the official records of the Financial Administration to ensure that taxes, contributions, and other compulsory duties are paid; the Slovenian Business register to verify whether the employer has been appropriately registered to pursue the activity in which the foreign worker concerned is to carry out work; and criminal records for certain criminal offences. The PES also request to see the work contract and check whether the employment contract is entered into in accordance with legal regulations. In **Iceland**, when an employer applies for a renewal of a work permit, the responsible PES Department checks if the salary is paid in accordance with the original work contract. This is done in cooperation with the tax office. The same applies when an employer applies for a new work permit.

### 3.2 Providing information, guidance, and matching pre- and post-arrival

In contrast to traditional immigration countries such as Canada or Australia, **EU Member States do not usually have a pre-screening, pooling and matching tool for migration management operated by the public authorities.** Pre-departure recruitment actions are mostly employer led as a TCN first needs to receive a job offer from an interested EU employer before s/he can apply for a visa or work permit to come and work in the EU. However, employers face a variety of challenges when trying to recruit skilled workers from abroad. Among them are difficulties in accessing information and identifying relevant channels for recruitment; identifying the right candidate; validating, and recognising skills and qualifications; as well as language barriers. Hence, there is a need for guidance and information on recruitment and immigration procedures<sup>36</sup>.

Migrant jobseekers, on the other hand, often encounter difficulties in accessing and understanding information relating to international recruitment. This includes information about job opportunities as well as information on administrative procedures and living and working conditions<sup>37</sup>.

#### 3.2.1 Dedicated information and matching portals

To address these difficulties, several government initiatives support both domestic employers and TCNs. **Several EU Member States (i.e. Austria, Belgium, Germany, Denmark, Estonia, Finland, France, Poland, Slovenia and Sweden) have put in place job portals dedicated to the recruitment of TCNs,** where PES are also involved<sup>38</sup>. However, PES typically do not play a leading role in maintaining these comprehensive information and matching portals. For instance, the Estonian PES cooperate with partner organisations through the portal 'Work in Estonia'<sup>39</sup> to provide guidance to employers recruiting workers from abroad and offer services such as job mediation. 'Work in Finland'<sup>40</sup> is the new Finnish website where skilled TCNs can be matched with job opportunities. The portal 'Work in Luxembourg'<sup>41</sup> hosts webinars and online job fairs for TCNs. It is run by the employers department of the PES and is intended to be the main entry point for employers and employees from abroad. The portal 'Make it in Germany'<sup>42</sup> is a joint initiative of the Federal Ministry of Economic Affairs, the Federal Ministry of Labour and Social Affairs and the Federal Employment Agency (see Box 5).

#### **Box 5: Make it in Germany**

The comprehensive portal 'Make it in Germany'<sup>43</sup> contains multilingual information on in-demand occupations (including available job listings from the PES), labour migration and social security regulations, opportunities for family members and life in Germany. It also links to another government website, 'Recognition in Germany'<sup>44</sup>, which provides a search engine for foreign professionals to access tailored information on the recognition

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<sup>36</sup> Proposal for a Regulation of the European Parliament and of the Council establishing an EU Talent Pool. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023PC0716>.

<sup>37</sup> Ibid.

<sup>38</sup> Ibid. The available functionalities, however, vary significantly and certain components aimed at facilitating the recruitment such as an automated matching tool are not always available.

<sup>39</sup> See: <https://workinestonia.com/>.

<sup>40</sup> See: <https://www.workinfinland.com/en/>.

<sup>41</sup> See: <https://work-in-luxembourg.lu/home>.

<sup>42</sup> See: <https://www.make-it-in-germany.com/en/>.

<sup>43</sup> Ibid.

<sup>44</sup> See: [https://www.anerkennung-in-deutschland.de/html/en/index.php?&mtm\\_campaign=grundrauschen-int&mtm\\_kwd=Anerkennung-Berufsaus%C3%BChung&mtm\\_source=google&mtm\\_medium=paid-search&mtm\\_group=englisch](https://www.anerkennung-in-deutschland.de/html/en/index.php?&mtm_campaign=grundrauschen-int&mtm_kwd=Anerkennung-Berufsaus%C3%BChung&mtm_source=google&mtm_medium=paid-search&mtm_group=englisch).

procedures that they would have to follow. The employer section features detailed information on migration regulations, as well as diversity management and integration. In addition, the portal offers employers the possibility to upload job vacancies and they can contact candidates they are interested in as the portal also includes an automated matching tool. To enhance interactivity and accessibility, the portal has a mobile application version and includes email, chat, and hotline services. Evaluation results show that for 40% of recruited talent, the portals 'Make it in Germany' and the hotline 'Working and Living in Germany'<sup>45</sup> have been the most important source of information (Fendel et al., 2023, forthcoming).

### 3.2.2 Support targeted to employers

Surveys show that most employers **find it difficult to understand the complex rules and procedures for hiring outside the EU**<sup>46</sup>. PES Network seminar participants confirmed that employers often ask for administrative support and more personalised guidance on steps to take to recruit internationally.

PES that have more developed services for employers are more likely to provide the required services. The **Dutch PES**, for example, have a team to advise employers on procedures and providing work permits. In **Germany**, the AG-S are the point of contact for employers. Jointly with its International Recruiting Centre, the BA advise interested companies and advertise vacancies for international applicants. This enables companies to utilise international recruitment strategies and receive advice from a single source.

During the PES Network Seminar, there was a consensus that **SMEs also need more support than larger enterprises** in terms of resources. While SMEs might not publish vacancies online, larger companies often have an in-house department responsible for international recruitment (in-house expertise) or resources to request support from private recruitment agencies. PES could thus potentially support SMEs more in understanding the complex rules and procedures for recruiting workers from outside the EU<sup>47</sup>.

Survey results indicate that **support to employers provided by PES ranges from the assessment of the need for international recruitment (Belgium, Portugal) to organising job fairs online and abroad (Finland, Slovenia)**<sup>48</sup>. In **Belgium-Flanders**, VDAB organises information sessions on possible projects that might be interesting for international recruitment. At employers' request, VDAB also connects them to the organisation or project that will undertake the matching with the jobseeker. In **Slovenia**, in the context of a state cooperation agreement, the PES organise job fairs in North Macedonia and Bosnia and Herzegovina and international conferences with Slovenian employers, social partners and other stakeholders. A few PES (**i.e. Austria and Poland**) also provide support to employers on immigration and qualification recognition procedures.

In countries where the legal framework for labour migration has recently been extended, PES offer more information and awareness-raising services for both migrant jobseekers and domestic employers. This is the case in **Portugal** (see Box 6).

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<sup>45</sup> See:

<https://www.bamf.de/EN/Service/ServiceCenter/ThemenHotlines/ArbeitenUndLeben/arbeitenundleben.html?nn=282656>.

<sup>46</sup> Commission staff working document: Impact Assessment accompanying the document 'Proposal for a Regulation of the European Parliament and the Council establishing an EU Talent Pool. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023SC0717>.

<sup>47</sup> Latest Eurobarometer. See <https://europa.eu/eurobarometer/surveys/detail/3052>.

<sup>48</sup> An overview of which PES provide information and matching services (pre-departure and post-arrival) to employers is provided in Table 1 above.

### **Box 6: Portuguese PES - Information and awareness-raising**

With the recently introduced job search visa scheme<sup>49</sup>, a TCN must declare their interest in enrolling with the Portuguese PES (IEFP) before submitting a request for a job-search visa. The declaration is an expression of interest that they will enrol with the PES when they arrive in Portugal. The declaration in practice is just for the PES, because it is not possible to screen the person remotely.

Demand for this declaration is very high. The main information requested by **migrant jobseekers** relate to working and living conditions in Portugal (e.g. information about Portuguese social security, working time, and fair salary). IEFP provide all the required information (application for a work permit, language acquisition, accommodation, administrative procedures upon arrival, or the processes of recognition of skills and qualifications) via the IEFP website or email.

Information and awareness-raising for **employers** includes first-level information on work-related visa procedures and the referral to the competent bodies (e.g. the Ministry of Foreign Affairs or Embassies and Consulates). It also includes the possibility to promote vacancies for TCNs in the PES job portal. IEFP organise webinars for employers (e.g. 'Recruiting outside Portugal – how can IEFP support you?') which address issues such as welcome/onboarding, how to advertise job offers abroad or training. The Portuguese PES also organises job fairs on 'Work in Portugal' in collaboration with employers.

In the context of bilateral Migration Agreements, **Portuguese PES staff were recently placed as Labour Attachés in Portuguese Embassies/Consular Services** in Cape Verde, East Timor, India, and Morocco to support potential candidates. The bilateral agreements make it possible to apply directly for a job without the need for a work visa. Many applicants are posted workers sent to other EU countries, for example to France. As it is for implementing bilateral agreements, the PES in Portugal sees its role to provide information to the group of posted TCNs. Organising the inflow of migration in a regular and secure way is a major concern for the Portuguese PES.

*Source: Presentations of national representatives at the PES Network Seminar, Brussels, 28 November 2023.*

### *3.2.3 Preparing skilled TCNs to take up a job*

Pre-departure actions for TCNs such as support for qualification recognition, validation of skills and competences and organising language learning are currently limited<sup>50</sup>. In most EU Member States there is no clear strategy to prepare skilled TCNs to take up a job, therefore the mandate for PES is limited. **Among the services some PES offer to TCNs to take up a job are counselling on recognition of qualifications (i.e. Germany, Lithuania) and providing assessments of skills and competencies (i.e. France, Portugal); and integration measures (including language and cultural orientation) such as in Finland, Poland and Portugal.**

Only a few PES have services in place to advise and inform people abroad who are interested in employment-related migration opportunities, such as the Customer/Recruiting Centre of the **German PES**. PES are usually more involved in the provision of pre-departure services in the context of bilateral agreements (see Section 3.3 below).

Against this background, some PES look for new approaches to addressing labour shortages in the absence of a clear mandate. For instance, the **Irish PES** initiated a project to recruit

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<sup>49</sup> See: <https://formularios.iefp.pt/index.php/929227?lang=en>.

<sup>50</sup> An overview of which PES provide information and matching services (pre-departure and post-arrival) to TCNs is provided in Table 1 above.

construction workers from South Africa. Within this project, the PES identified and matched the skills of applicants with those from Ireland and supported Irish employers in organising job fairs in South Africa. An attempt to attract skilled TCNs to the northern part of the country is reported by **Sweden** (see Box 7).

### **Box 7: PES' work attracting TCNs to remote regions**

The **Swedish PES** (*Arbetsförmedlingen*) disseminates information to tackle occupational shortages linked to the green transition, especially in the northern part of the country. Teams of the regional PES work daily on attracting not only skilled workers but labour in general. Beyond using the web-based information portals of the Swedish PES, providing detailed information on immigration rules and working conditions in different languages, the regional PES explore new possibilities such as trying to identify and solve legislative obstacles.

The lesson from the Swedish example is that Member States need cohesive strategies and additional resources for PES to broaden their scope of actions and responsibilities. To attract workers to regions with a high demand for labour, PES need to find new ways of collaborating and cooperating. For example, collaborating with municipalities is key to offer integration packages for people to move to the region.

Another lesson from the Swedish example is that **it is crucial to incorporate PES into the ongoing debate**. The Swedish government is cautious about recruiting from third countries and mostly focuses on highly qualified people.

*Source: Presentations of national representatives at the PES Network Seminar, Brussels, 28 November 2023.*

### **Counselling on recognition of qualifications**

Formal recognition of foreign professional qualifications is a pre-requisite to perform a job in regulated professions such as medical and teaching professions. The process to obtain such recognition is often unpredictable, costly, burdensome, and lengthy. Hence, recognition of qualifications can be an important barrier to international recruitment for both employers and TCNs, especially when it is a pre-condition to access the labour market<sup>51</sup>.

Recognition procedures could start before arrival to obtain residence and work permits. PES are not usually directly involved in qualification recognition, but they can support applicants to navigate complex recognition procedures. Facilitating TCNs' access to information on recognition procedures at national level provides clarity on the requirements, making access to this process easier and faster. The **German PES** for example, via its Service Centre for Professional Recognition (ZSBA)<sup>52</sup>, counsels skilled workers living abroad and applying for recognition. The service was established in the context of the Skilled Immigration Act (FEG) in 2020. The ZSBA services supplement the information provided by the 'Recognition in

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<sup>51</sup> Commission staff working document: Impact Assessment accompanying the document 'Proposal for a Regulation of the European Parliament and the Council establishing an EU Talent Pool'. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023SC0717>.

<sup>52</sup> See: [https://www.google.com/search?q=Service+Centre+for+Professional+Recognition+\(ZSBA\)&rlz=1C1GCEA\\_enB\\_E1056BE1056&oq=Service+Centre+for+Professional+Recognition+\(ZSBA\)&gs\\_lcrp=EqZjaHJvbWUyBqgAEEUYO\\_TIIICAEQABqWGB4yDQqCEAAyhqMYqAQYiqUyDQqDEAAyhqMYqAQYiqXSAQc3MDIqMGo5qAIAsAIA&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=Service+Centre+for+Professional+Recognition+(ZSBA)&rlz=1C1GCEA_enB_E1056BE1056&oq=Service+Centre+for+Professional+Recognition+(ZSBA)&gs_lcrp=EqZjaHJvbWUyBqgAEEUYO_TIIICAEQABqWGB4yDQqCEAAyhqMYqAQYiqUyDQqDEAAyhqMYqAQYiqXSAQc3MDIqMGo5qAIAsAIA&sourceid=chrome&ie=UTF-8).

Germany<sup>53</sup> portal and explore in greater depth the initial counselling provided by the hotline 'Working and Living in Germany'<sup>54</sup>.

A few PES provide services on qualification recognition by extending existing services for other migrant groups, such as refugees or people who have been displaced. For example, the **French PES** directs migrant jobseekers and future employees to the national information database and to training institutions (schools, universities, etc.) for the recognition of qualifications and diplomas such as the Validation des Acquis d'Expérience<sup>55</sup>. The **German PES** is involved in the 'IQ-Network'<sup>56</sup>, an inter-agency partnership that provides counselling on qualification recognition, information and bridging courses to gain full recognition. The ZSBA supports skilled TCN workers in the recognition procedure before arrival. In **Belgium (Forem)** advisers specialising in the reception of migrants and international mobility provide basic information on formalities and refer people to the relevant authorities. This is also the case in **Croatia, Malta, Portugal and Slovenia**.

### **Validation of skills and competencies**

Individual PES also offer support on the validation of skills<sup>57</sup> in non-regulated professions, where formal recognition is not mandatory. Validation of skills is often used to increase employers' trust in TCNs' qualifications and to prevent mismatches. Formalising occupational skills and competences, including non-formal and informal ones, can provide an added value for employers and enterprises, and for migrants in the longer run (e.g. if a worker wants to change their job or employer). In principle, employers are interested in assessing their skills and competences to better understand the foreign qualification. Reportedly, in **Sweden** the demand for labour is so high that, in some cases, employers do not even question the validity of the qualifications. Instead, employers provide training to ensure the workers have the skills needed<sup>58</sup>.

Nonetheless, for most PES it may be important to extend existing services and tools regarding skills assessment. Assessment tools to validate skills and competencies have been developed by PES in various countries. **While skills assessments can in principle be carried out by PES, the validation of practical skills requires close cooperation with the education and training sector as well as business-related institutions.**

**PES that have developed tools to certify experience-based skills** include **France, Spain, and Portugal**. The **French PES** apply various schemes such as simulation-based recruitment or pre-recruitment training aids. In **Spain** (Valencia), Professional Certificates are used by the regional PES to assess candidates' skills through fully individualised

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<sup>53</sup> See: [https://www.anererkennung-in-deutschland.de/html/en/index.php?&mtm\\_campaign=grundrauschen-int&mtm\\_kwd=Anerkennung-Berufsaus%C3%BCbung&mtm\\_source=google&mtm\\_medium=paid-search&mtm\\_group=englisch](https://www.anererkennung-in-deutschland.de/html/en/index.php?&mtm_campaign=grundrauschen-int&mtm_kwd=Anerkennung-Berufsaus%C3%BCbung&mtm_source=google&mtm_medium=paid-search&mtm_group=englisch).

<sup>54</sup> See: <https://www.bamf.de/EN/Service/ServiceCenter/ThemenHotlines/ArbeitenUndLeben/arbeitenundleben.html?nn=282656>.

<sup>55</sup> See: <https://uclouvain.be/fr/etudier/vae>.

<sup>56</sup> See: <https://www.netzwerk-iq.de/en/>.

<sup>57</sup> Validation is a broad concept that involves processes for assessing and confirming the skills, competencies or knowledge acquired through non-formal or informal learning, work experience, or training. The purpose of validation is to recognise and give value to the skills and competencies that individuals have gained (also outside formal education settings). Employers may conduct validation procedures internally (especially when it comes to multinationals) or request specific certificates or assessment of comparability via national stakeholders (e.g. universities, relevant ministries, or PES). Contrary to validation, recognition refers to the process of formally acknowledging the validity and equivalence of educational degrees, diplomas, certificates, or qualifications obtained in one country by a competent authority in another country.

<sup>58</sup> Intervention of the Swedish PES representative at the PES Network Seminar on 'Attracting skilled talent from third countries - The role of Public Employment Services', Brussels, 28 November 2023.

assessment tests, which are designed to certify skills for which applicants do not possess any formal learning. In **Portugal**, the PES – within its training and certification competencies – are responsible for recognising and certifying experience-based skills via the Qualifica Centres<sup>59</sup>. Migrant jobseekers – admitted via a jobseeker visa or already residing in the country – can get their qualifications and skills (including experience-based skills) certified at the Qualifica Centres.

However, survey responses indicate that PES do not usually apply existing tools to assess the skills of TCNs. Survey responses also suggest that, for the time being, PES are not working on promoting tools to build a comprehensive, skill-based matching system.

Most PES do not seem to be involved in **bridging programmes** to fully recognise a qualification. Bridging programmes, i.e. providing skills training that leads to formally recognised qualifications, can be offered pre-departure or post-arrival. They must be distinguished from complementary education and training, which are usually mainstreamed into existing programmes of adult education and active labour market programmes (ALMPs).

### ***Integration measures (including language learning)***

Although not typically part of a proactive recruitment programme for TCNs, language and cultural barriers as well as access to housing, schooling and social networks are still key obstacles for skilled migration. Some PES provide integration measures to skilled TCNs who are registered with them – similar to those offered to asylum seekers and refugees. This includes the development of (soft) skills, vocational training and career counselling as well as language and civic orientation courses. In **Portugal**, when TCNs are registered with PES or declare their interest in enrolling with PES in the context of the new jobseeker visa, the PES (IEPP) offer language courses to facilitate the process of social, professional, and civic integration of adult migrants. Language courses are often organised in partnership with employers.

#### *3.2.4 Cooperation with national partner organisations*

To develop labour migration services, **PES can build on existing domestic networks**. PES usually cooperate with several actors that play an important role in the employment of foreign talent. These actors include potential employers and employers' organisations, private employment services (PrES), universities, migration authorities, and in some cases, also PES and/or authorities in third countries.

An important area of cooperation concerns support for the recognition of qualifications. Continuous cooperation with the relevant authorities, such as ENIC-NARIC centres<sup>60</sup> and other bodies responsible for recognition processes, cooperation with stakeholders in sharing information on qualification recognition, including comprehensive information and matching portals, is vital to increase the reach of PES. PES also cooperate with inspectorates to avoid labour exploitation. Cooperation between PES and other stakeholders may vary in intensity and level of formality.

Participants highlighted the need for more intensive collaboration. Notably, cooperation with *employers* should be strengthened when sharing information and providing advice on recruitment. Cooperation with *employers' organisations* could be particularly important as some have set up pilot projects to elaborate successful procedures and to establish an effective cooperation process to recruit skilled talent. **PES that have an elaborate talent recruitment policy tend to cooperate more with employers' organisations in pilot projects**. This is the case in **Germany** where the BA collaborates, for example, with the German Chamber of Commerce and Industry in the pilot project 'Hand-in-Hand for

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<sup>59</sup> See: <https://www.qualifica.gov.pt/#/>.

<sup>60</sup> See: <https://www.enic-naric.net/>.

International Talents<sup>61</sup>. This project is co-funded by the German Federal Ministry for Economic Affairs and Climate Action (BMWK) to recruit skilled workers with vocational training in Brazil, India, and Vietnam. The pilot aims to establish a solid process and a sustainable structure, testing how qualified workers from third countries can be best recruited.

The Finnish 'Talent Boost Programme'<sup>62</sup> demonstrates that in order to implement a proactive recruitment strategy, close cooperation with a variety of stakeholders is needed. PES are just one, but an important actor, in managing migration (see Box 8).

### **Box 8: The Finish Talent Boost Programme**

The Finish 'Talent Boost Programme' is a national inter-administrative programme to attract international talent and facilitate the international recruitment of specialists, workers, students, and researchers. The main purpose of Talent Boost is to ensure consistent progress among inter-sectoral programme partners.

The Talent Boost programme for 2023–2027 brings together the work-based immigration measures of Petteri Orpo's Government Programme and enhances the measures introduced earlier. The programme's priorities are:

- Finland's attractiveness: promoting the availability of experts and country branding,
- easy and effective residence permit processes and follow-up control,
- strengthening Finland's ability to retain foreign workers,
- preventing and combating work-based exploitation.

The programme is coordinated by the Ministry of Economic Affairs and Employment and the Ministry of Education and Culture. It is implemented nationally and regionally by several different operators that develop services for skilled workers and employers. Achieving the objectives requires seamless and long-term cooperation and compatible services of the central government, cities, higher education institutions, other educational institutions, companies and others. The programme aims to improve residence permit processes with effective follow-up monitoring and prevention of abuse, as well as the retention of recruited skilled workers in Finland. Prevention of work-related exploitation is an integral part of the package, for which an action plan will be drawn up.

The role of the Finnish PES is for example to support employers to find reliable recruiting partners in third countries. The PES also organise job fairs and communication campaigns for talents and employers and provide funding for language training or support for spouses and families.

*Source: Presentations of national representatives at the PES Network Seminar, Brussels, 28 November 2023.*

Survey results indicate that **cooperation with PrES** (private employment services) is less widespread. In most Member States, the primary organisations specialised in matching high-skilled job offers and potential employees from third countries are PrES. Recruitment firms offer a wide range of services (job-matching, legal and administrative support with immigration procedures, placement, and settlement services). Some specialise in the recruitment of highly-skilled workers in specific professions, while services for medium and

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<sup>61</sup> See: <https://www.dihk-service-gmbh.de/de/unsere-projekte/fachkraefte-standortsicherung/hand-in-hand-for-international-talents>.

<sup>62</sup> See: <https://tem.fi/en/talent-boost-en>.

low skills recruitment are rarer<sup>63</sup>. However, their services may be too costly for those with lower earning potential. Also, employers for whom international recruitment is a novelty or one-off experience (which may be the case for many SMEs) may struggle to access such channels.

Participants highlighted that cooperation with PrES requires particular attention. **The Netherlands** is one of the few countries which have established partnerships with PrES. In the context of fast-tracking certain professions and sectors (e.g. in the hospitality sector) the Dutch PES (UWV) shared their experience on the exchange of vacancies and candidates with temporary work agencies. Other PES are open to collaborate more with PrES. Participants suggested that developing such collaborations should start at the ministerial level to ensure a politically appropriate framework<sup>64</sup>.

### 3.3 Involvement in specific recruitment programmes

Responses to the PES Network Survey indicate that **the highest level of PES intervention in the recruitment of TCNs consists in active involvement in state-level and business-led recruitment programmes**. These programmes range from bilateral agreements for seasonal work or cross-border worker agreements with neighbouring countries, to bilateral skill and mobility agreements, which combine mobility schemes with investments in skills development. The different types of agreements have in common that they provide a privileged access to the EU labour market. However, these initiatives and agreements lack coordination<sup>65</sup>.

As several Member States are concerned with the same or similar issues when engaging in international recruitment, multilateral Talent Partnerships<sup>66</sup> provide mobility for work or training involving several EU Member States. Talent Partnerships offer a framework for enhanced coordination among Member States in this field. The roll-out of Talent Partnerships is a major proposal of the Commission's Skills and Talent-Package<sup>67</sup>.

#### 3.3.1 Involvement in bilateral (skill) Mobility Agreements

Bilateral (skill) Mobility Agreements combine (temporary) exemptions to regular migration rules with additional support to employers and (highly) skilled migration candidates. In this context, PES are usually given more opportunities for intervention. They cooperate with partners at the national level (e.g. development agencies) and in third countries, including PES counterparts. PES in **Belgium (Forem), Germany and Portugal** are currently involved in these types of bilateral (skill) Mobility Agreements and/or in multilateral Talent Partnerships.

In the context of bilateral (skill) Mobility Agreements PES may be tasked with:

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<sup>63</sup> OECD (2019), Building an EU Talent Pool: A New Approach to Migration Management for Europe, Paris. See: <https://www.oecd.org/migration/mig/building-an-eu-talent-pool-6ea982a0-en.htm>.

<sup>64</sup> Cooperation with temporary agencies in TCN recruitment is not allowed in some countries.

<sup>65</sup> In a European Migration Network (EMN) Ad-Hoc Query, 17 Member States reported having more than 120 bilateral agreements, programmes and projects concerning labour migration with third countries. Commission staff working document: Impact Assessment accompanying the document 'Proposal for a Regulation of the European Parliament and the Council establishing an EU Talent Pool'. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023SC0717>.

<sup>66</sup> See: [https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/talent-partnerships\\_en#:~:text=The%20Talent%20Partnerships%20aim%20to%20provide%20a%20comprehensive,be%20open%20to%20students%2C%20graduates%20and%20skilled%20workers.](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/legal-migration-and-integration/talent-partnerships_en#:~:text=The%20Talent%20Partnerships%20aim%20to%20provide%20a%20comprehensive,be%20open%20to%20students%2C%20graduates%20and%20skilled%20workers.)

<sup>67</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Attracting skills and talent to the EU. See: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM%3A2022%3A657%3AFIN>.

- collecting and posting domestic vacancies in the sending country through cooperation with PES in the partner country;
- screening and pre-selecting candidates and proposing suitable candidates to employers;
- visa support and counselling on qualification recognition;
- Preparing selected candidates to take up employment (including training).

Mobility Agreements are generally deemed as a promising way to develop good practice models for attracting and retaining international talent. A forerunner in bilateral mobility agreements is the BA in Germany. The BA have 10 years of experience in the 'Triple WIN programme'<sup>68</sup>, recruiting nurses in various countries<sup>69</sup>. BA is currently involved in projects and programmes in 10 non-EU countries (Bosnia and Herzegovina, Brazil, Colombia, Morocco, Mexico, India, Indonesia, Jordan, Philippines and Tunisia) to test immigration channels and recruit skilled workers directly. Potential partner countries for the PES' recruitment of skilled workers have been identified as part of a comprehensive analysis of potential. Suitable cooperation partners are contacted via the German embassy in the respective country or are approached directly by the PES, and contacts are then used for the placement of skilled workers. This requires the maintenance and development of effective relationships with embassies, governmental partners, but also non-governmental partners in the respective countries.

The **Slovenian PES** (ESS) have a cooperation agreement with North Macedonia. The agreement was concluded in spring 2023 between the two countries' PES. The agreement facilitates employment opportunities and establishes direct connections between jobseekers and employers. In this framework, several activities were organised in North Macedonia such as job fairs with employers, mainly from the medical and social care sector, IT, construction, storage, manufacturing, and jobseekers. Almost half of the interviews ended with serious commitments for future employment<sup>70</sup>.

Participants at the PES Network seminar agreed that while bilateral agreements can be perceived as small-scale, costly, and time-consuming, these initiatives establish clear boundaries, enable direct engagement with stakeholders in the respective countries, provide clarity for jobseekers and contribute to a more targeted approach in addressing specific occupations. They are also important to raise political awareness.

Concerns about 'brain drain' and ethical recruitment were also raised. The fact that third countries conclude such bilateral agreements usually only when they are benefitting, too, lowers the risk of 'brain drain' and unfair migration. This implies, for example, that they comply with existing ethical codes (e.g. the International Labour Organization (ILO)'s code of conduct for fair recruitment) when identifying countries for mobility agreements or to reject applications in sectors suffering from a lack of qualified workers in the countries of origin.

For instance, in **Spain**, there is a framework for circular migration involving bilateral agreements with third countries to deliver fundamental training in their home countries to seasonal workers, who can be hired for up to four years. These agreements are based on a broad consensus among unions and employers, where employers are willing to cover housing and travel costs of the TCNs.

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<sup>68</sup> See: <https://www.arbeitsagentur.de/vor-ort/zav/projects-programs/health-and-care/triple-win>.

<sup>69</sup> See: [https://www.arbeitsagentur.de/vor-ort/datei/triple-win-factsheet-englisch\\_ba066707.pdf](https://www.arbeitsagentur.de/vor-ort/datei/triple-win-factsheet-englisch_ba066707.pdf).

<sup>70</sup> Presentation of the Slovenian PES at the PES Network Seminar on 'Attracting skilled talent from third countries - The role of Public Employment Services', Brussels, 28 November 2023.

Other PES which are not so far involved in bi- or multilateral agreements showed interest in sharing design principles and experiences on the role of PES in implementing such agreements.

### *3.3.2 Involvement in multilateral Talent Partnerships*

Talent Partnerships combine direct support from various types of mobility schemes for work or training. Open to all skills levels, Talent Partnerships are envisaged for various economic sectors such as ICT, science, engineering, health, and long-term care. Although to date Talent Partnerships are not a widespread policy tool in the EU, they can gain in importance in the future. Currently, only **Belgium and Germany** are involved in multilateral Talent Partnerships.

The **Belgian PES** (Forem) is part of the multilateral project 'Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa' (THAMM)<sup>71</sup>, implemented between 2019 and 2023 by Belgium and Germany with Egypt, Morocco and Tunisia, in collaboration with the International Organization for Migration (IOM) and the ILO. The project is co-funded by the EU through the EU Emergency Trust Fund for Africa (see Box 9).

#### **Box 9: THAMM - Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa**

This project (2019-2023) aims to attract TCNs to Belgium-Wallonia and build capacity in their home country. The Wallonian PES (Forem) cooperates with the PES in Morocco (ANAPEC) in implementing the project.

The responsible team at Forem coordinates the following tasks.

1. Identification of the demand for targeted talent (installation technicians and automation technicians) in the two countries.
2. Comparing the content of training in Morocco and in Wallonia, Belgium.
3. Identification of employers who want to recruit outside the EU.
4. Once the jobseeker is selected, the PES looks for employers online/physically.
5. Support to employers via matching channels (PES Forem), information on security standards to be met, support with work permits and housing.

Job fairs with interviews and speed-dating were organised in Morocco. After the pre-selection of applicants, 400 people applied for the 29 available vacancies. In the end, 26 candidates were chosen to start the formalities to work in Belgium.

Participants at the PES Network seminar identified that Talent Partnerships create mutually beneficial win-win scenarios. While they may be more intricate, expensive, and time-consuming than bilateral agreements, they hold genuine potential for both parties to obtain substantial benefits. On the other hand, Talent Partnerships such as THAMM are potentially effective for future projects. Interestingly, one of the major challenges is to engage employers in such schemes.

## **4. COST-EFFECTIVENESS OF INTERNATIONAL RECRUITMENT**

The difficulties involved in international job matching are considerable: length and complexity of migration procedures, language barriers, uncertainty about foreign qualifications, etc. This makes recruitment from abroad significantly more costly than domestic recruitment. Significant resources in terms of time, money and effort may have to be invested by employers, TCNs and PES before a match is made, and contacts may

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<sup>71</sup> See: <https://migrationnetwork.un.org/projects/thamm-towards-holistic-approach-labour-migration-governance-and-labour-mobility-north>.

often fail to ultimately lead to a match. As the OECD points out<sup>72</sup>, even when labour shortages or skills needs are significant, such a financial burden may lead firms to drop plans for international recruitment, especially SMEs which may lack sufficient resources to engage in such processes. Additionally, TCNs who cannot afford such costs may resort to alternative routes, including irregular migration<sup>73</sup>.

Delegating to PES services that match domestic employers with foreign jobseekers residing outside the EU may be particularly efficient in governments where PES have a decisive role in the migration management and selection system that involves the pre-screening of candidates for admission requirements<sup>74</sup>. Hence, given that PES have considerable experience in services that support the matching of employers to jobseekers, this could in principle be extended to the recruitment of skilled third-country workers - thus addressing the potentially high fixed costs of international recruitment.

However, studies on whether international recruitment is a cost-effective strategy to fill labour market gaps are limited. There appears to be no clear concept as to which criteria should be included when assessing the cost-effectiveness of international recruitment. An attempt to calculate the costs of the development and implementation of an information and matching platform in relation to cost savings for TCNs and employers was made to introduce the EU Talent Pool<sup>75</sup>.

Participants in the PES Network seminar reflected more broadly on the economic and social implications of skills shortages.

- Participants flagged the difficulty to calculate all costs of international recruitment, as there are several costs, e.g. housing, which are difficult to assess altogether.
- Participants also stressed the importance of estimating the long-term effects of international recruitment.
- International recruitment can be necessary if a country has a genuine shortage of skilled workers in certain industries or sectors, to keep those sectors competitive - independent of its cost-effectiveness.
- Participants agreed that for PES to play a more active role in talent recruitment, the range of services should be expanded, and human resources increased.
- Bilateral agreements were considered as a potentially more efficient way to build effective cooperation.

## **5. THE ROLE OF PES IN THIRD-COUNTRY MIGRATION: THE CHALLENGES AHEAD**

The role of PES in the recruitment of skilled TCNs is mostly centred on administering LMTs and work permits. PES rarely act as a matchmaker, bringing together domestic employers and jobseekers from abroad. Rather, PES mainly perform administrative tasks such as being involved in the decision on the admission of a jobseeker and the issuing of work permits, LMTs and other forms of assessing working conditions. Factors that hinder a more active involvement of PES in international recruitment include the lack of a legal mandate

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<sup>72</sup> OECD (2019), Building an EU Talent Pool: A New Approach to Migration Management for Europe, Paris. See: <http://www.oecd.org/migration/mig/building-an-eu-talent-pool-6ea982a0-en.htm>.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid.

<sup>75</sup> Costs that have been assessed in relation to cost-savings stemming from streamlining current steps of international recruitment include employment-related steps (advertising the vacancy, screening and interview, validation (optional), matching and selecting, creating a CV, finding opportunities, compiling information, selection and matching process), immigration-related steps (conducting LMT, obtaining visa/ permits) and opportunity costs (gain in turnover, gain in wages). See Annex 10 in the Commission staff working document: Impact Assessment accompanying the document 'Proposal for a Regulation of the European Parliament and the Council establishing an EU Talent Pool'. See: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023SC0717>.

on the one hand, and limited financial and human resources – including lack of staff with knowledge on international cooperation – on the other hand. Seminar participants agreed that PES may have the potential and the will to take on a more active role in the implementation of more elaborated policies. In view of the need to address (regional) labour and skills shortages, some PES have started to shape a vision of labour migration, even if in the absence of an overarching government strategy.

Matching the skill needs with the applicants' qualifications, language/cultural and housing barriers, the risk of unethical recruitment and work-related exploitation are additional challenges faced by PES beyond regulatory complexities. Addressing these challenges in the global competition for talent requires a national strategy involving, in addition to PES, employers and other actors such as migration authorities. Securing active buy-in from all key stakeholders is crucial, including the need for better coordination between migration and employment policies.

For PES, there is a specific need to build networks, to develop structures and processes and to build trust with companies and enhancing their skills and readiness for international recruitment and multicultural leadership. Specific challenges lie, for example, in identifying talent pools in third countries and responding to migrants' needs, e.g. with respect to language or cultural issues. Finally, in countries where PES have a more active role in talent recruitment, the challenges lie not only on recruiting but also on retaining skilled TCNs.

## **6. RECOMMENDATIONS TO BUILD PUBLIC EMPLOYMENT SERVICES CAPACITY IN INTERNATIONAL RECRUITMENT**

To build up their capacity to play a more active role in an ecosystem with a wide range of stakeholders, it is recommended that PES:

- **Contribute to refining the identification of shortage occupations** through the involvement of highly-qualified experts and by clearly identifying 'shortage occupations' by cooperating with other institutions. The identification of structural shortages could be used to reduce burdens, i.e. by skipping the LMT for shortage occupations.
- **Provide comprehensive and up-to-date information by cooperating with other public agencies on all aspects of the migration decision including** on the work permit process, qualification recognition, job opportunities and available integration services, and make this information available in several languages and through a single information source that is accessible via several organisations involved in international recruitment. For Member States that do not have such a comprehensive information source, the EU Talent Pool may be a useful tool to facilitate international recruitment.
- **Reflect on cooperating with social media, online job matching services** (e.g. LinkedIn or Upwork) and **private recruitment services** to lower 'information barriers' and to build trust in the accuracy of the information and provide updates on existing rules and procedures of international recruitment.
- **Support qualification recognition systems**, especially when the qualification is a pre-condition to access the labour market, by collecting and providing information to employers and migrant jobseekers, and possibly also by sharing this information with PES or other institutions in the third country which may support the recognition.
- **Use the experience on the recognition of qualifications** gained in the context of people who have been displaced and refugees and collect feedback from employers on the quality and reliability of certificates and feed it back to the qualifications recognition authority. Explore the possibilities of handling files in groups (e.g. for nurses who have studied at the same training institute) to organise the recognition process in a cost-efficient way.

- **Support a 'skills first' approach for non-regulated professions** by applying existing PES tools to assess the skills of TCNs. Promote the validation of experience-based skills by cooperating with the education and training sector as well as business-related institutions.
- **Consider developing and offering additional post-recruitment services** to facilitate TCNs' integration, e.g. diversity management training for employers, and integration support for migrants, in particular with regard to information on language courses, vocational training or on family reunification procedures and family members' rights. PES that do not have sufficient resources may think about charging employers for recruitment and integration services that require sophisticated work.
- **Consider offering mentoring to support social and cultural integration.** Depending on the local institutional context, such activities may be organised in cooperation with other stakeholders such as NGOs, municipal agencies, trade unions and professional associations.
- **Explore possibilities for organising training (bridging courses)** that leads to fully recognised qualifications in cases of admission (visa) based on the partial recognition of the diploma.
- **Support the identification of the most relevant third countries to recruit from** - for example, those with existing institutional and cultural ties to the host country and/or geographical proximity, and/or those with an oversupply of qualified people in shortage occupations. Use existing networks to collect information (e.g. local PES, and/or the diplomatic network).
- **Reinforce the role of PES as gatekeepers to safeguard fair recruitment by** supervising working conditions to reduce the risk of labour exploitation.
- **Explore and learn from bilateral (and multilateral) cooperation** with third countries in other Member States. Support partner organisations in their projects and initiatives to cooperate with third countries, e.g. by strengthening cooperation with employers' associations. Establish and/or improve partnerships with third countries as they constitute a precondition for effective skills-based migration programmes.

The PES Network could support PES to tackle capacity constraints by:

- **Providing a forum for discussion to share good practices** on attracting skilled TCNs and to facilitate PES exchange on experiences among Member States in how a national PES can help attract high-skilled labour from abroad.
- **Raising awareness of and providing information on the problem of structural high-skills shortages.** Intensifying cooperation between the PES Network and the European Centre for the Development of Vocational Training (Cedefop) regarding the methods and tools for analysing labour market trends and identifying skills shortages, as well as facilitating diagnostics on the future role of artificial intelligence (AI) in alleviating skills shortages.
- **Sharing information**, including information collected by embassies of Member States on recruitment potential in third countries. This may considerably reduce the fixed costs of developing recruitment programmes for individual countries.
- **Campaigning for the involvement of national PES in the governance of the EU Talent Pool** by bringing in their well-established experience on the intra-EU mobility tool EURES to ensure synergies across the two instruments.

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