“Making Global Labour Mobility a Catalyst for Development: The contribution of Private Employment Agencies”

IOM – 9th October 2007

Tristan d’Avezac de Moran - Cieett Board Member
Ciett at a glance

- **Founded in 1967**

- **The only international body** representing the interests of agency work businesses, with a specific organization for Europe: Eurociett

- **Recognized as such by international organisations** (e.g. ILO, European Union, OECD), key stakeholders (e.g. IOE, Business Europe, ITUC) and national governments

- Brings together 37 **national federations** of private employment agencies and 6 of the largest staffing companies worldwide

- Ciett Members operating in the following **HR activities**: temporary agency work, recruitment, interim management, executive search, outplacement, training

- Ciett Members gather **75,000 branches** and employ more than **8 million agency workers** on a daily average (FTE)
A global Confederation

North America
- Canada
- Mexico
- USA

South America
- Argentina
- Brazil
- Chile
- Ecuador
- Uruguay

Africa
- Morocco
- South Africa

Asia/Pacific
- China
- Japan
- South Korea

Europe
- Austria
- Belgium
- Bulgaria
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Luxembourg
- Netherlands
- Norway
- Poland
- Portugal
- Slovakia
- Spain
- Sweden
- Switzerland
- United Kingdom
Ciett’s long term objectives

• To protect and promote the interests of Private Employment Agencies in order to enhance their long term growth

• To create the most suitable legal environment for the industry to operate in

• To improve the image of the industry and strengthen its representation

• To facilitate best practices sharing among its members and to promote quality standards within the staffing industry

• To seek greater recognition for the positive contribution that private employment agencies make to labor markets, especially in relation with 3 key aspects:
  – Employment creation
  – Higher participation and diversity in the labor market
  – Economic growth and tax revenues
Number of agency workers compared to total employed workforce - Source: CIETT
*Estimated*
A very tightly regulated industry

- Based on a triangular relationship between a PrEA, the employer, a worker, the employee, and a user company
  - Not related to fixed-term contracts, subcontracting or self-employment

- A well-regulated industry by international bodies and national governments
  - International legal framework provided by ILO Convention n°181 and Recommendation n°188 on PrEAs
  - AW national regulations and labour laws: Most of these pieces of regulations are inspired by the same shared principle of balancing protection of agency workers and flexibility of the labour market and include provisions on cross-border agency workers

- Legal framework strengthened by collective labour agreements and internal self-regulations
  - Collective labour agreements
  - Ciett’s Code of Conduct
  - Codes of Conduct of national PrEA’s trade organisations
PrEAs contribution to labour markets

• Provide work to job-seekers

• Help to create jobs that would not exist otherwise

• Facilitate transitions in the labour market
  – From unemployment to work
  – From education to work
  – Between different types of contracts
  – Between private/family life and work

• Improve labour market fluidity
PrEAs contribution to labour markets (2)

- Enhance workers’ employability
- Play a key role in Active Labour Market Policies
- Help disadvantaged publics to enter the labour market and increase diversity of workforce
- Contribute to economic growth and tax revenues
Why are PrEA’s interested in migration of workforce

<table>
<thead>
<tr>
<th>Country</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>UK</td>
<td>Specialized blue collar workers for Industry sector (Poland and Eastern Europe), Engineers and Technical Specialists (India, Western Europe)</td>
</tr>
<tr>
<td>China</td>
<td>Management staff and Specialists for all sectors (US, Canada, UK, France, Asia Pacific)</td>
</tr>
<tr>
<td>NZ</td>
<td>Seasonal workers for Agriculture sector (Asia Pacific, Europe, North and South America)</td>
</tr>
<tr>
<td>Norway, Denmark and Sweden (Nordics)</td>
<td>Specialized blue collar workers for Construction and Industry, Engineering, Healthcare and IT sectors (Poland, Eastern Europe, India)</td>
</tr>
<tr>
<td>France</td>
<td>Specialized blue collar workers for Construction and Industry sectors (Portugal) and doctors (Poland, Romania)</td>
</tr>
<tr>
<td>Netherlands &amp; Belgium</td>
<td>Specialized blue collar workers for Construction and Industry, Engineering, Healthcare and IT sectors (Poland, Eastern Europe)</td>
</tr>
<tr>
<td>Switzerland</td>
<td>Specialized blue collar workers for Construction sector and industrial workers for Hospitality sector (Germany, Austria and Portugal)</td>
</tr>
<tr>
<td>Spain</td>
<td>Specialized blue collar workers for Industry sector, Technicians and Nurses (Romania, Poland and Latin America)</td>
</tr>
<tr>
<td>Italy</td>
<td>Specialized blue collar workers for Industry sector, Nurses, Engineers and Technical Specialists (Poland, Romania and Eastern Europe)</td>
</tr>
</tbody>
</table>
PrEAs contributions to work migration

- The migrant workers are sure to find a work
- Skills assessment are based on shared global practices that respect equal treatment
- Accompaniment is provided
  - Support in terms of transportation, visas, housing,
  - inform workers in advance on their working conditions and their rights because they have operations in the country of destination
- Training is delivered
  - Language training
  - H & S training
  - Adapt to the specific needs regarding materials, ...
- The employer is clearly identified in the country of destination
  - National labour law and collective labour agreements apply
  - Legal responsibilities clearly identified
PrEAs contributions to work migration (2)

- Working conditions of cross border temporary agency workers are well protected
  - EU Posting of Workers Directive (1996): guarantees that basic working conditions (minimum wage, maximum work periods and minimum rest periods, minimum paid annual holidays...) of migrant workers meet the same requirements as for national workers.
  - Equal treatment between agency workers and permanent workers applies in most European countries
  - EU Regulation on Social Security (1408/71)
  - Article 8 of ILO C181 addresses cross-order recruitment

- In most countries, PrEAs need a license or authorisation to operate
  - Registered PrEAs are easily identified and monitored
  - PrEAs contribute to replace undeclared work by legal work
What should be done to facilitate safe migration of workers through PrEAs

• Better involve PrEAs in public labour market policies

• Urge more countries to ratify ILO Convention 181

• Strengthen enforcement of existing laws & labour standards rather than increase regulations
  – Excessive legal constraints encourage illegal immigration practices
    (e.g. EU directive against employers of illegally staying 3rd country nationals)

• Lift unjustified restrictions to PrEAs’ contribution to workforce migration
  – Prohibition to hire third countries workers through PrEAs in most of EU Member States if they are not already registered
  – EU transitional measures for the 8 new Member States (2004-2011)

• Enhance the sharing of assessment and capitalization tools for the workers