

MAIN MILESTONES OF LABOUR MOBILITY STRATEGIC MANAGEMENT

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The development of migration flows for the last decades and the emphasis laid on labour force circulation shifted the interest focus from managing crises generated by conjectural migration flows to inter-country cooperation for coordinating policies regarding labour migration.

Labour migration as multinational process can be dealt with by efficient management at international, national and local level that would aim maximising the advantages of all involved actors, taking into account its fluid character and dynamics, its permanently changing features.

The complexity of the labour migration phenomenon and the lack of a coherent and sufficiently comprehensive data base hindered the development of some management models, and the recommendations of local/national/regional policies took into account particularities of labour market, labour force location and difficulties of covering labour force deficits, but also socio-professional particularities of potential migrants, as well.

Labour force migration management gains importance also from the perspective of increased demographic aging both in EU developed countries and in the new member-states where the aging dynamic on labour market is marked also by the labour mobility to western and northern European countries.

The paper intends to present the main milestones defining migration management, and the policies in the field. General coordinates of labour migration strategic management are analysed at European level, the policies in the field of workers' mobility, and elements of immigration management as well, during the period of the crisis.

For Romania, labour migration management on exit flows must represent a strategic concern of putting to good use the national labour potential and ensuring return incomes, the effective value added of the national education system. Within this context, the paper is a succinct analysis of policies promoted for the employment of graduates in attractive jobs that would allow for career development and, implicitly, remaining in the country, as well as of the measures adopted for returning into the country after pursuing improvement or temporary migration.

Key words: migration management, policies, migration flows

JEL Classification: E24, E61, F22, J24, J62, J68

Introduction

Migration for labour, as multinational process, can be dealt with by efficient and correlated management at international, national and local level by which is aimed to maximise the advantages of all involved stakeholders and to take into account the its fluid character and dynamics, the permanently changing features. The policies in the field should be, hence, flexible, strongly influenced by the evolutions of world economy, of the political situations, and subject to the influence of different factors, such as natural and social ones, etc.

Individuals' mobility in the last decades was based on creating some migrant workers' networks in association with or independently of the Diaspora present in the respective regions. These networks of migrant workers have influenced increasingly more the political decisions in the field and have supported also the development of some cooperation and economic assistance systems for the countries of origin. Additionally, the development and modernisation of communications and transport networks have eased the spatial connections between individuals, generating the "transnational migration space". This has substantially increased the mobility area of workers who could commute between several locations.

1. The requirement of labour mobility management

Migratory developments in the last decades and the emphasis laid on labour force migration have shifted the interest focus from managing crises generated by conjectural migration flows to inter-country cooperation for coordinating policies regarding migration for labour, in order to be able to ensure the balancing of migrant labour force supply with local deficits of employment by facilitating *legal mobility channels* that ensure compliance with migrant workers rights and social and political acceptance of migratory flows and of the migrant contingent.

Both experts in labour migration study, and real economy represented by the governing authorities and the business environment have acknowledged the need of an efficient global labour market, taking into account the projections regarding the imbalances between labour force demand and supply in the following years which indicate an intensifying in this respect on the background of demographic ageing and population decline in developed countries in parallel with its increase in developing countries. It should be mentioned, in this context, also the maintenance and even more marked disparities with respect to wages' level and opportunities in finding a job between and within the developed countries and for the developing ones, fact that will generate new triggers for mobility and migration (Appave and Cholewinski, 2007).

Europe was and shall continue to be a geographic area with strong migration flows in various directions, but it shall represent particularly an area of destination for the future. In the last 30 years, *the European policies* in the field of migration had a more strongly restrictive character, these changing after 1990 when a better opening and acceptance degree for immigrants from third countries were attempted. Demographic decline associated with qualifications' decline at European level shall determine a decrease in the working-age population of Europe in the future. Hence, emerges the necessity of identifying some solutions for eliminating the negative effects of demographic decline. In this context takes place the opening of the European Union towards migrant workers from third countries. Thus, legal immigration is regarded currently as a way of counterbalancing the working-age population decrease in Europe. It is considered that a controlled migration at the level of the Community area is more beneficial than leaving the migration policy at the latitude of each Member-State. Consequently, a common immigration policy was formulated at Community level which shows openness towards labour force from third countries (Constantin DL, 2008).

The most used solution in the period after 1990 was represented by the bilateral agreements for facilitating mobility, as in some cases migration routes on medium- and long-term were built up, the agreements defining the nature, content and profile of the migrant worker adequate to labour demand in the host-country (for instance, the agreements Romania-Germany during the transition period, in the pre-accession period). Additionally, the programmes developed according to the bilateral agreements can be particularised as policies corresponding to the economic profile/particularities of labour migration. In order to avoid pressures of the de-structured labour supply, and for facilitating return or circular migration advantages/incentives were developed, etc. which were guaranteed by the concluded labour contracts. The programmes developing circular migration have represented an important qualitative step in labour migration management representing a socially acceptable solution to definitive migration (including) of the unskilled workforce to European developed countries in full demographic decline where the ageing dynamics on labour market affects directly and intensively sustaining the technological renewal processes as competitiveness support on the market for the products and services from these countries.

Circular migration as form of sustaining economic growth is more profitable for the host-country and contributes to developing the human capital by facilitating the international transfer of competencies, trade and transnational investments' development, and prevents the separation of families for long periods.

The complexity of the labour migration phenomenon and the lack of a coherent and sufficiently comprising data bank did not facilitate the development of some management models and the local/national/regional policy recommendations have taken into account especially the particularities of the labour market, the location and difficulties in ensuring the labour force considering the deficit and the socio-professional particularities of potential migrants. Moreover, the national/international policies mix required for balancing demand and supply of labour force differ to a significant extent and depending on the demographic characteristics, and on the level and development model of the host-country. A stable and equitable business and social climate, as well as good governance at local/national level for economic growth and poverty alleviation shall improve the quality of migration flows.

Labour force migration management gains in importance from the perspective of marked demographic ageing not only in developed countries of the EU but also in the New Member-States, where the dynamic ageing on labour market is more noticeable also due to the labour mobility to western and northern European countries.

Migration flows during the first transition period and during pre-accession were defined as dimensions and intensity as outcomes of the (in)efficient political and economic reform and knew two important development channels: on one hand, by the facilities ensured based on bilateral agreements regarding labour migration and, on the other hand, by the informal migration routes that fed the illegal migrant population stock.

An aggravating factor of illegal migration was represented, in the first transition stage, by the lacking or weak official information about labour migration with respect to conditions, criteria, restrictions and opportunities.

As result, the importance of regulating and defining a legal and institutional national and regional framework for labour migration has generated the development of *acquis communautaire* regarding the free movement of persons, in the context of general liberalisation of capitals' movement (implicitly of human capital). Pertaining to the sphere of "soft" *acquis*, the regulations in the field have supported the development of a migration management from the perspective of risks and strategic approach, based on quantifying the economic and social effects.

The viability of such an approach, even though difficult to accept in many EU member countries has been proved right especially after the accession waves of 2004 and 2007 which shaped the myth of massive workers' flows and reconsidered the importance and role on medium- and long-term of the legal and illegal migrant population stock. Thus, the management of the migrant population stock and legalising to the largest extent possible the illegal migrant workers staying on local labour markets in the developed EU countries have turned into priorities within national policies. At the same time, the importance of migration management increased also in the origin countries from the extended EU area, as result of the new status as transit immigration countries for workers' flows from countries outside the EU area.

Knowing the stock sizes and the migration flows on qualitative structures/attributes (gender, age, education level, profession, etc.) shall allow for diminishing the de-structuring between labour force supply and demand at local/national/regional level.

Due to the complexity of the labour migration phenomenon, no "standard" policies can be developed for balancing the international supply and demand for labour. Bilateral regulations between countries represent an important step in regulating migration routes. The second important step is defining the duration and form of migration, depending on which emerges the need for complementary support policies, both in the origin and in the host country.

2. Main milestones of labour mobility strategic management

In the field of labour mobility, by the den Hague Programme for strengthening freedom, security and justice in the European Union, and thereafter by the Solidarity and Migration Flows Management Programme for the period 2007-2013 (2006) were defined 10 priorities of the EU

for strengthening the freedom, justice and security area many of these having direct incidence on workers' mobility. To this end is promoted a balanced approach of legal and illegal migration, concrete implementation plans being set up, such as: a) the Plan regarding legal migration and migrants' integration pursuing particularly immigration from third countries; b) the European Action Plan regarding jobs' mobility for 2007-2010 by which is envisaged geographic mobility and the mobility on professions within the European Union. If we refer to legal migration which makes the object of the present paper, the fields of maximum interest of the policies pursue: a) better regulation (improving current legislation and administrative practices regarding workers' mobility); b) facilitating access to information (strengthening the EURES role as sole instrument for facilitating workers' and their families' mobility); c) migrant workers' integration (determining a better adaptability of the education and vocational training systems to the labour market and training individuals for mobility by foreign languages learning; eliminating legal and administrative obstacles and promoting the transnational recognition of qualifications) and d) cooperation with origin countries (guaranteeing the fact that authorities at all levels support policies regarding mobility).

For a better management of migrant workers' flows on the EU territory were introduced *Blue Card* visas after the US Green Card model in order to attract top professionals and for remediating the low birth rate and increasing the number of pensioners. Through this instrument is clearly defined the position towards migrant workers and their profile. – “We send a rather clear signal with the aid of the Blue Card visas. Highly skilled workers are welcome in the EU”. (Barosso, J.M. EC President, 2008). The Blue Card programmes open a new way to the EU, but the 27 immigration systems shall continue to exist. The EU Member-States have now available the most advantageous system for gaining highly-skilled foreign workers. The Blue Card holders have total rights on the labour force market, but the access to the social system is restricted by the national policies in the field (the right to social houses, social assistance, minimum wage, etc.).

The blue card: a) is valid for two years and can be renewed; b) allows circulation freedom within the EU for the holder and his/her family (after the two years); c) after five years, the holder has the status of long-term resident; d) does not allow for permanent residence. By this measure is aimed to institutionalise an easy and possible instrument for statistical management by which a more efficient allotment of skilled labour force could be achieved on areas and geographic regions with deficits within the EU. In fact, it is an answer to the increasing demand of skilled workers in certain fields such as information technology and engineering. By adopting the Klamt Report, the European deputies have insisted on some more clear definitions and have ensured a system that provides certain flexibility to Member-States by reaffirming the principle of “community preference” which is also in the interest of Romanian citizens. But, the main reason for which this system was called on is represented by the higher propensity of highly-skilled workers to choose other mobility routes outside the EU: “50% of the highly-skilled immigrants head to the USA or Canada and only 5,5% come to the EU” (Klamt E, 2008). The directive is not applicable to asylum applicants, to self-employed or seasonal workers, and pursues two objectives: introducing a special procedure based on common criteria for EU admittance of citizens from third countries, with the purpose of developing labour requiring high-skills for a period longer than three months; issuance for those admitted of a residence permit, the so-called EU Blue Card, as well as ensuring a number of rights for them and their families and the possibility of working, under certain conditions, in another Member-State after a legal stay of at least two years in the first EU Member-State. Moreover, it is provided for establishing some wage criteria, respectively the compulsory minimum wage related to the average wage from the respective Member-State. By virtue of the right to promote own immigration policies, the Member-States can establish certain immigration quotas for the number of highly-skilled immigrants. Before passing a decision about a EU Blue Card, the Member-States can analyse the situation on their own labour markets and can apply national and community procedures with

respect to employment conditions for vacancies, considering the labour force demand at national and regional level.

2.2. Policies in the field of workers' mobility in Romania

In Romania, the policies regarding migration have been strongly influenced in the last years by the European Union accession of the country, respectively by the requirement of harmonising national legislation to the *acquis communautaire* in the field of migration, of improving the institutional framework and of inter-institutional coordination for both legal and illegal migration management.

The main milestones defining migration management and the policies in the field refer to: the National Strategy on Migration (GR 616/2004) and the National Strategy on Immigration for the period 2007-2010 (GR 1122/2007). The main arguments substantiating the two strategies are: individuals' mobility for labour is a normal phenomenon of the modern economies which must be managed; this phenomenon triggers both positive and negative externalities for all stakeholders/participants and therefore it is necessary to potentiate positive externalities and diminish or internalise negative externalities.

In view of establishing a unitary concept on immigration management at national level, in 2004 were approved the National Strategy on Migration and the Inter-institutional Mechanism for its implementation, a fact which led for the first time to bringing together around the same table for discussions all institutions with attributions in the migration field. The strategy was implemented by annual action plans which ensured the realisation of some objectives by means of coordinated efforts of the institutions in the field of controlled migration, preventing and combating illegal migration, asylum, social integration and voluntary return/repatriation of foreigners residing illegally.

After the EU-accession, the main objective of Romanian authorities was to maximise the positive effects and limit the negative effects of immigration for our country and, implicitly, for Romanian citizens, elaborating for this purpose the national strategy regarding immigration for the period 2007-2010 which, just as the strategy on migration, is implemented by Annual Plans of Action. By this strategy, was pursued the modernisation of the immigration management process on the national territory, for a better approach of the phenomenon in the interest of the Romanian society. At the beginning of 2011 was submitted to public debate the Draft National Strategy on Immigration for the period 2011-2014. The labour emigration phenomenon is regulated by Regulation no. 1612/68 regarding free movement of workers within the Community as a strategy regarding the circulation management of Romanian workers was not realised. In the case of Member-States of destination that do not enforce transitory measures regarding free movement of workers, is applicable the Community law in the matter, so that Romanian citizens may work in these states without requiring a labour permit. *The countries that imposed restrictions to the free movement of Romanian labour are Germany, Great Britain, Ireland, France, Austria, Belgium, Italy, the Netherlands and Malta.* In order to be able to work in these countries, Romanian workers require a labour permit. The access is realised based on the measures of domestic law applicable in the country of destination or based on bilateral agreements in the field of free movement of labour concluded by Romania with these states. The circulation of Romanian labour force in the states pertaining to the European Economic Area (Lichtenstein, Island and Norway) and in Switzerland is restricted, meaning that there is the obligation of obtaining the work and stay permit.

As result, emigration is left to the free choice of the individual and in compliance with the Community provisions in the field and the regulations regarding immigration in the host-country. Consequently, the employment policy and, respectively attractiveness and efficiency of the national labour market are the only instruments for a policy of retaining and performance employment on the national labour market. Thereby, the practice regarding Romanian labour

mobility within the EU area and in other host-countries is resumed to, possibly, bilateral agreements and communication and information instruments of the potential migrant workers about the employment and admittance conditions of immigrant workers on the labour market of the host-country.

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