Resolution on European protection of cross-border and seasonal workers in the context of the COVID-19 crisis

2020/2664(RSP) - 19/06/2020 - Text adopted by Parliament, single reading

The European Parliament adopted by 593 votes to 34 against, 38 abstentions, a resolution on European protection of cross-border and seasonal workers in the context of the COVID-19 crisis.

The resolution was tabled by the EPP, S&D, Renew, Greens/EFA, ECR and GUE/NGL groups.

Cross-border and seasonal workers have been hard hit by the COVID-19 crisis and by the measures taken by Member States to contain the spread of the virus. The pandemic has led to the closure of borders and the cessation or suspension of many economic activities. This led to increased unemployment and serious relocation issues for cross-border and seasonal workers who found themselves stranded without income, protection or transport and sometimes without shelter or access to health care and food.

Protecting rights, ensuring safety and enforcing existing legislation

Parliament welcomed the Commission's continuing guidance as part of the ongoing coordination of a common EU response to the COVID-19 outbreak, particularly as regards the implementation of the principle of equal treatment and non-discrimination, and the exercise of the free and fair movement of workers.

Member States, which have not yet done so, are called on to lift as soon as possible all travel restrictions and discriminatory confinement and quarantine measures for cross-border and seasonal workers to avoid labour shortages in key sectors and for the benefit of the workers, while ensuring their health and safety.

The Commission and the Member States are invited to:

- implement measures to ensure that cross-border and seasonal workers and cross-border entrepreneurs and self-employed persons are afforded adequate protection from COVID-19 and its effects, including easy access to testing, and are informed about the risks and the safety precautions to be taken in a language they understand;

- take measures to ensure that their health and safety are safeguarded during their travel to and decent housing conditions ensuring social distancing at their places of their employment other than of their residence, and that repatriation solutions that are not at the expense of the worker are made available, should they be necessary;

- support the work of social partners and civil society organisations actively working in this area so as to ensure that any workers who are left stranded on their territory as a result of the crisis or otherwise have adequate and urgent access to public services, trade union support, decent housing, protective equipment, meals and healthcare;

- ensure, in the context of COVID- 19, the equal treatment of third-country seasonal workers with EU nationals;

- ensure the proper implementation and enforcement of applicable EU legislation as regards the rights of cross-border and seasonal workers, particularly as regards the right to equal pay for equal work in the same place, including through national and cross-border concerted and joint labour inspections.

Parliament called on the Commission to: (i) issue new specific guidelines for cross-border and seasonal workers and cross-border entrepreneurs and self-employed persons, employers and Member States in the context of COVID-19; (ii) propose long-term solutions to combat abusive subcontracting practices and to protect cross-border and seasonal workers employed along subcontracting and supply chains.

Member States should ensure quality housing for cross-border and seasonal workers, which should be decoupled from their remuneration and ensure decent facilities, tenant privacy and written tenancy contracts enforced by labour inspectorates.

Promoting fair mobility and strengthening the internal market

Parliament called on the Member States and the Commission to prepare for possible future waves of COVID-19 and called once again for the coordination of national border measures and the development of safety measures for mobile workers, including safe shelter. It called for standing mobility contingencies to be put in place and stressed the key role for regional and local authorities and existing cross-border institutions, including in maintaining and regularly updating the records of all cross-border and seasonal workers registered in the municipalities where they have their housing.

The Commission was invited to examine the possibility of creating a portal or mobile application which would be able to collate data from the Member States in order to offer EU citizens accurate and real-time travel restriction information. Members requested that time worked as teleworking abroad should be classified as if it were undertaken in the country of work.

Resilience, going digital and ensuring transparency

Parliament called on the Commission to undertake an urgent study of the general situation of the employment and health and safety conditions of cross-border and seasonal workers, including the role of temporary work agencies, recruiting agencies, other intermediaries and subcontractors. This would identify protection gaps and the possible need to revise the existing legislative framework, such as the legislative framework for health and safety at work, Directive 2014/36/EU on seasonal workers and Directive 2008/104/EC on temporary agency work.

Members considered that establishing a digital and dynamic system for data exchange between the Member States could help to facilitate the fight against abuses of and issues with cross-border and seasonal workers' rights and undeclared work, and help to determine the coverage of the responsible social security system.