



## Position Paper

# Establishment and Financing of an EU Counselling Network for Mobile and Migrant Workers

### Introduction

Cross-border worker mobility in the EU is steadily on the rise. Specifically, in view of the increasing shortage of skilled workers and lack of targeted recruitment measures, a significant increase in the mobility of third-country nationals may also be expected in the coming years. However, while far-reaching and comprehensive European support services have been developed for companies operating across borders, and which receive almost EUR 100 million in European funding each year, hardly any corresponding contributions exist for cross-border workers. This state of affairs urgently needs to change.

For mobile migrant labour, particularly those who only work temporarily in another EU state, the situation is often precarious. They face the risk of being pushed into extreme labour exploitation or precarious working conditions. Due to a lack of an understanding of the local language and the applicable labour laws, they find it challenging to assert, let alone enforce, their rights.

The German Trade Union Confederation (DGB) and the European Support Network for Fair Mobility are therefore committed to the creation of a Europe-wide counselling and support network to help mobile and migrant workers protect their rights and enforce fair working conditions. This action will also help reinforce EU competitiveness. Sustainable competitiveness is not achieved through cost cutting but through quality, and this can only be achieved through fair working conditions. Honest companies already relying on this strategy must no longer fear exposure to dumping competition. And skilled workers from other countries who are urgently needed in certain sectors will only come - and above all stay - if they can expect fair working conditions.

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Contact persons:

**Dr Anne Karrass**

German Trade Union  
Confederation

Keithstraße 1  
10787 Berlin

Tel.: +49 30 24060-772  
anne.karrass@dgb.de

**Annelie Buntenschach**

European Support Network for  
Fair Mobility

netzwerk@faire-mobilitaet.de



European Support Network  
for Fair Mobility

## **Requirements for establishing and financing a European advisory network**

An EU-wide network of advisory centres needs to be gradually established in order to provide workers employed temporarily in another EU Member State with advice on employment and social law and to support them in claiming their rights.

### **1. Advice from non-governmental and trade union-related structures**

Advice and support require a special relationship based on trust. Governmental institutions cannot guarantee this, as the workers concerned are in a particularly vulnerable situation and are afraid of sanctions or - in the case of third-country nationals - the loss of their residence permit. The counselling centres should therefore be located at a trade union-affiliated organisation in the relevant country. Being able to draw on the experience and expertise of trade union networks means that counselling work can also be implemented efficiently and in a resource-saving manner.

### **2. Target group**

Advice and support should be available to all workers and migrant workers employed in another EU Member State for a limited period. Specifically, it should target migrant and posted workers (also from third countries). Frontier workers, on the other hand, have to deal with very specific labour, social and tax law challenges. It is therefore important that they continue to receive individual advice within the EURES (European Employment Services) framework. To this end, the EURES Border Partnerships, specifically, need to be further extended and financed on a permanent basis.

### **3. Design/scope**

The number of counselling centres that need to be set up in an EU Member State will largely depend on the size and the specific issues involved. Experience shows that deploying at least two consultants at every location is considered a quantitative minimum requirement. They should be able to give advice in the languages of the relevant groups of origin (supported by a pool of interpreters). The exact requirements should be determined in a Europe-wide study.

### **4. Transnational networking and coordination**

As companies operate across Europe and people are working across borders, counselling structures also need to be transnational. For posted workers, for example, the legal and factual situation in their host and home country must be clarified and the relevant organisations in both countries must be contacted. This collaboration of counselling structures, as experiences show, does not happen automatically but must be developed through accompanying measures. It is therefore essential to have an EU-wide coordination that promotes the networking of counselling centres through workshops, professional exchange



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and upskilling and reskilling opportunities. It should be closely linked to the European Trade Union Confederation (ETUC) and the European Trade Union Federations (ETUFs), also to benefit from their expertise regarding the specific framework conditions in certain sectors (such as international road transport, seasonal agricultural work or the construction industry).

### **5. Close cooperation with the European Labour Authority (ELA) and other government bodies**

The EU-wide coordination body would also ensure close cooperation with the European Labour Authority (ELA). As a public institution the ELA has a different role than the advisory centres but could be involved in a supportive capacity, by providing translation and interpreting services or, in individual cases, by helping to clarify complex issues. Against the backdrop of the ELA's task of clearly, fairly and effectively enforcing the regulations on cross-border labour mobility, the experience gained from union-proximate and worker-oriented advisory work would represent added value for ELA efforts. There should therefore be a close exchange between the ELA and the EU-wide coordination office. The same approach applies at national level, where enforcement, financial and control authorities, in particular, can benefit from the expertise and experience of the advisory centres.

### **6. Financing**

It is not possible to finance the counselling structures via trade union dues, as the people concerned are rarely trade union members. Advice for cross-border mobile workers is a task for society as a whole and it therefore needs to be financed from public funds. As it also contributes to fair competitive conditions in the design of the EU internal market, it should be financed from the EU budget. This requires a permanent anchoring in the Multiannual Financial Framework (MFF). The internal market programme, from which companies operating across borders currently receive support and consulting services amounting to almost EUR 100 million per year could be considered for this purpose. However, the European Social Fund Plus (ESF+), specifically the EaSI component (Programme for Employment and Social Innovation), is thematically closer. Adjustments may need to be made in this case as part of the negotiations on the new 2028-2034 MFF. However, the provision of additional funds must not be at the expense of existing ESF+ programmes. An increase in the ESF+ is therefore necessary in order to secure funding for these important measures.

Based on previous experience from ongoing counselling work, the funding requirement is estimated to be at least EUR five million per year at the initial phase and this figure would grow gradually and organically. The exact requirements should be determined in a study.