



MOBILEurope

Collective bargaining for mobile workers in Europe under COVID19 – cases of frontier, seasonal and migrant workers

Final report

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1. Introduction

The overall objective of the MOBILEurope project is to promote analysis and research on industrial relations, both at EU level and in comparative terms (identification of convergences and differences in the industrial relations systems in force in EU Member States and candidate countries).

The project aims to contribute and promote the exchange of information and experiences between parties actively involved in industrial relations, with the aim of contributing to the development and strengthening of industrial relations structures in Europe. Therefore, the outcome of the cross-border research will be a country-specific comparative study, which is expected to provide evidence-based data on ongoing trends in 6 EU Member States and candidate countries with specific and different labor relations and provide recommendations and conclusions for deepening theory and practice in Europe.

The specific objectives of the project are:

1. Identify the impact of the crises posed by COVID 19 on border, seasonal and migrant workers in terms of employment, working conditions and social protection;
2. Identify the role and impact of social dialogue and collective bargaining to mitigate the challenges posed by COVID 19 on border, seasonal and migrant workers;
3. Draw conclusions and make observations on social partners' cooperation methods and challenges at national and EU level to guarantee the social and economic rights of targeted mobile workers.

The empirical investigation focused on three areas:

- a) Recognition of the specific economic and social situation of mobile workers, in particular seasonal and frontline migrant workers, compared to domestic workers in COVID19;
- b) Collective negotiation as an instrument for developing solutions and building dialogue;
- c) Intersectoral approach in which these mobile workers represent the workforce in Europe in the cross-border areas that are part of the economy.

The research team will then carry out complex analyzes of all data and a comparative report that will be published in the final publication. In order to obtain useful policy directions, the main results of the research will be discussed with relevant stakeholders at national and EU level (including, in this case, representatives of the European Labor Authority). The results will also be presented at the six national seminars (Portugal, Spain, Serbia...) at the European-level conference



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and at the final international conference. There a catalog of good practices will be presented and policy recommendations will be discussed.

National case studies will be prepared according to document analyses, in-depth national interviews/focus groups and transnational surveys. The results of national case studies are national reports.

2. Methodology

The research object of the MOBILEurope Project: Collective bargaining for mobile workers in Europe during COVID-19 – cross-border, seasonal and migrant worker cases consists of three different but strongly interconnected elements – document analysis, quantitative data collection and analysis and qualitative data analysis. The project ran from July 1, 2023, to February 28, 2024. During this period, document analysis was carried out, followed by the collection of quantitative data.

2.1. Document analysis

Document analysis was an initial part of the project, and the national literature review report on the topic under analysis was presented. Its main objective was to provide a conceptual and contextual framework for empirical collective bargaining for mobile workers in Europe during the COVID-19 pandemic.

Three categories of mobile workers were the main focus of the analysis – frontier, seasonal and migrant workers. These categories of workers are defined as follows:

1. **A frontier worker** is a person who works in a country of which he or she is not a citizen and who, as a rule, returns daily or at least weekly to his or her place of residence in his or her country of origin (taken from the European Parliament, 2004).

2. **A seasonal worker** is a person who works in a country of which he is not a citizen, whose professional activity depends on the seasons and who returns to his place of residence in his country of origin during the "off-season" period (taken from of the European Parliament; Council of the European Union, 2014: 381).

3. **A migrant worker** is a person who works in a country of which he or she is not a citizen and who resides most of the year in the country of employment/host country (taken from the United Nations General Assembly, 1990: 262).



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Other important concepts for this project are social dialogue and collective negotiation. Although there are significant differences within the European Union (and Europe in general) in this regard, we can speak of a special European model of social dialogue. "The European Social Dialogue refers to discussions, consultations, negotiations and joint activities involving organizations representing two parts of the industry (employers and workers). There are two main forms: 1) tripartite dialogue involving public authorities, 2) dialogue bipartite between European employers and trade unions. This is occurring at the level of different industries and within sectoral social dialogue committees" (European Commission, 2023).

The document analysis was based on available relevant secondary sources (literature, laws and other legal decisions related to COVID-19, etc.) at national and European level (with particular reference to directives or other legal provisions of the European Union). Reference to the European and national legal framework regarding collective bargaining on the working regulations of mobile workers was also considered. This is important both for the EU Member States participating in the project (Spain, Portugal, Poland and Greece), and for the EU candidate countries (North Macedonia and Serbia).

Document analysis in each country resulted in the creation of a specific study on the institutional framework and collective bargaining (including good practices) on the position of mobile workers during the COVID-19 crisis. Particular attention was paid to analyzing the implementation of the European Pillar of Social Rights. "The European Pillar of Social Rights establishes 20 fundamental principles and essential rights for a fair and functional labor market and social protection system in the 21st century. The European Pillar is a reference framework for launching reforms at national level. It serves as a guide for a renewed process of approaching better working and living conditions in Europe. The 20 principles and rights contained in the Pillar are structured into three categories:

1. Equal opportunities and access to the job market.
2. Fair working conditions.
3. Social protection and inclusion" (European Commission, 2020).

All these principles and rights are very important for the position of mobile workers in Europe (especially during the COVID-19 pandemic). Mobile workers are a particularly vulnerable category in times of health and safety risks and when restrictions on border crossings were in place. Many of these mobile workers are involved in key or critical sectors such as care, construction and infrastructure, transport, logistics and delivery, the food industry and agriculture. With this in mind, on March 30, 2020, the European Commission published guidance on the free movement of workers



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during the outbreak of the COVID-19 pandemic. In particular, the guidelines emphasize the need to "allow and facilitate the passage of cross-border workers, particularly (but not only) those working in the health and food sectors, and in other essential services (e.g. child care, elderly care , essential workers in the provision of public services), in order to guarantee the continuity of professional activity" (European Commission, 2020a).

The European Trade Union Confederation (ETUC) highlighted the positive side of this document – namely the fact that equal treatment is established as a general principle. However, the Commission's Guidelines are not sufficient to address key issues for cross-border workers relating to health and safety, taxes, social protection, sick leave, access to adequate housing, sanitary facilities and health care. health, as well as the status of a worker posted from a third country. Similarly, the Commission's report with questions and answers on frontier, posted and seasonal workers, intended to complement the guidelines, does not sufficiently address the problems of legal uncertainty and decent working conditions" (CES, 2020). One of the The most important objectives of the document analysis are to shed light on the discrepancy between legal provisions and the real situation of mobile workers in Europe in these aspects.

2.2. Search Guidelines

Quantitative data collection was carried out in the form of transnational research. This included around 30 mobile workers per country (a total of 180). A questionnaire was sent with an online link, and respondents were selected mainly (but not exclusively) from the following sectors: health and institutional protection, construction and infrastructure, IT industry, services, food industry and agriculture. It would be desirable to select 10 interviewees from each category of mobile workers – frontier, seasonal and migrant workers, but this was not always possible. It would be necessary for respondents (mobile workers) to have worked during the COVID-19 pandemic in the same country (host country) as now. However, this condition was also difficult to achieve completely.

Interview/Target Group Guidelines

Qualitative data collection was carried out through interviews or target groups with leaders (representatives) and members of the union, and representatives of employers (managers and directors of companies and also those responsible for private and public institutions). There are two subsamples for interviews/target groups:

1. **Subsample of union leaders (representatives) and members** ; the number of respondents per country for this subsample is a minimum of 15 (90 total). These respondents must be selected from at least three different sectors.



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2. Subsample of employer representatives (managers/directors of private and public companies and institutions); The number of respondents per country for this subsample is a minimum of 15 (90 total). These respondents must be selected from at least three different sectors.

This work paid particular attention to the collective bargaining process of mobile workers in Europe. Special emphasis was placed on the current, present and future roles and activities of all key actors in social dialogue. Among the main actors in this social dialogue, we considered worker representatives (unions), employer representatives (employer associations) and representatives of public authorities (institutions, agencies and inspections).

This report is the final analysis prepared by researchers from each partner organization based on the results and conclusions of document reviews, surveys and in-depth interviews/target groups.

The final comparative report will be prepared by the main researcher at the University of Belgrade. It will include the main results and conclusions from the national reports, as well as a comparative analysis of the similarities and differences regarding the position of mobile workers during the COVID-19 crisis in the six European countries participating in the project. The comparative report will be at least 30 pages long and will be translated into the national languages of the participating countries.

3. Fieldwork

The main statistics about migration are compiled by the Observatory of Migrations. It is known that, in recent years, the migration balance has been positive for Portugal with more than 30 thousand entries than exits. The following figure shows this variation observed in recent years.

Figure 1 - From a country of emigrants to an immigrants' country



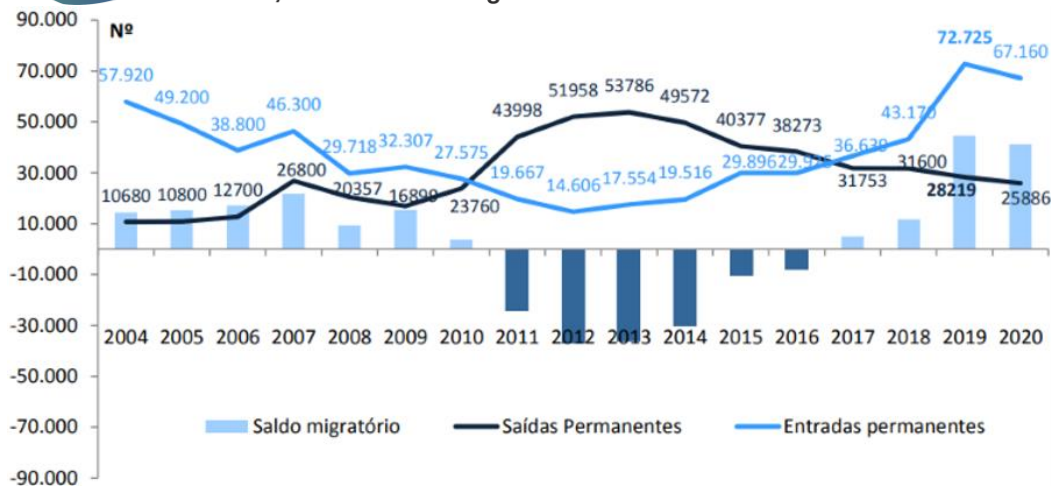
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Source: Migration Observatory

According to the Migration Observatory (Oliveira 2022), the situation of migrants in Portugal is as follows:

- As a general trend, the number of immigrants residing in Portugal has been increasing consecutively in recent years;
- In 2020 there was again an increase in the resident foreign population, with an increase of more than 12% compared to 2019;
- The top 5 nationalities with the most immigrants residing in 2020 were Brazil, the United Kingdom, Cape Verde, Romania and Ukraine.

Furthermore, according to the Observatory of Migrations (Oliveira 2022): Immigration has never stood out among the country's main concerns. Immigration is more as an opportunity (24%) than as a problem (22%). The portuguese citizens value more the development of integration policies for immigrants; and perceive immigration as a 'good' or 'very good' factor for the country's development. The percentages of immigrants are low: 6.4% of the population in 2020 and 6.8% in 2021. Portugal assumes only the 18th place among the EU27 countries with resident foreigners. Covid-19 pandemic had a direct impact on immigration with different degrees of diffusion and seriousness (e.g. tourism and Uber) vs. Other sectors (e.g. construction and Uber Eats and Bolt). Accumulating with demographic ageing, Portugal has also assumed negative natural and migratory balances in recent years, which has induced a decrease in the resident population. The 2020 and 2021 data reflect the effects of the global COVID-19 pandemic, which has led to an increase in mortality, a drop in births, and restrictions on the mobility of people, generating an decrease in permanent departures and immigration.



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In 2016 there was a reverse of the trend of the first years of the decade, with the increase in foreign entries in Portugal. In 2020, however, given the pandemic context, there was a drop in residence visas granted (mainly associated with study, family reunification and pensioners). At the end of the last decade foreigners reached unprecedented values of close to seven hundred thousand resident foreigners, a stock never reached in Portugal. The titles that have grown the most since the beginning of this decade were residence permits for subordinate professional activity, residence permits for independent activity, permits for highly qualified activity and residence permits for investment.

Immigrants tend to concentrate mainly in the urban areas of the coast of Portugal, assuming greater impacts on the total of residents in the Algarve. There were some changes in terms of Foreign nationalities, namely associated with the increase of nationals of European (e.g. Italy, France and the United Kingdom) and Asia (e.g. India), and the decrease of PALOP and Eastern Europe. Resident foreign population is tendentially concentrate in the younger age groups, in fertile ages and in active ages. The births of immigrants contributed significantly to births in Portugal (13.5% and 13.6% of the total live births in Portugal in 2020 and 2021). There were more than double the prevalence of births in foreign women, attenuating demographic ageing.

In 2011 and 2019, the relative importance of mixed marriages and marriages between foreigners increased, contrary to the decreasing evolution of marriages between Portuguese. In 2020, however, there was a global drop in marriages, both for the Portuguese (-52.2%) as for foreigners (-8.3%), and in mixed marriages (-20.6%), related to the COVID-19 pandemic and the consequent measures to protect public health and contain the pandemic

In 2021, deaths of foreign nationals only represented 1.8% of the total deaths. Foreign students in primary and secondary education: In 2020/2021, increase +5.3 p.p. compared to the previous academic year, following the annual growth of the foreign population. Foreign students have more impact in the regions of the Lisbon and Algarve Metropolitan Area. Although immigrants tend to have greater difficulties in obtaining good educational results, in recent years there has been a positive evolution in their academic performance.

The last decade has been marked by a substantial increase in the number of foreign students in higher education:

- Programmes to attract international students increased the migratory flows to various degrees of higher education;
- Changes in the legal framework influenced the evolution of foreign students in higher education;
- In 2019/2020, foreign students of higher education increased +10.3%, almost tripling compared to the number of students at the beginning of the decade (2010/2011).



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- In the 2020/2021, however, during COVID19 pandemic foreign students enrolled in higher education decreased significantly;
- In 2018, a new legal regime was approved and recognition significantly increased (circa 3,152 recognitions in 2019, 4,091 in 2020 and 6,081 in 2021) of recognition of foreign higher academic degrees;

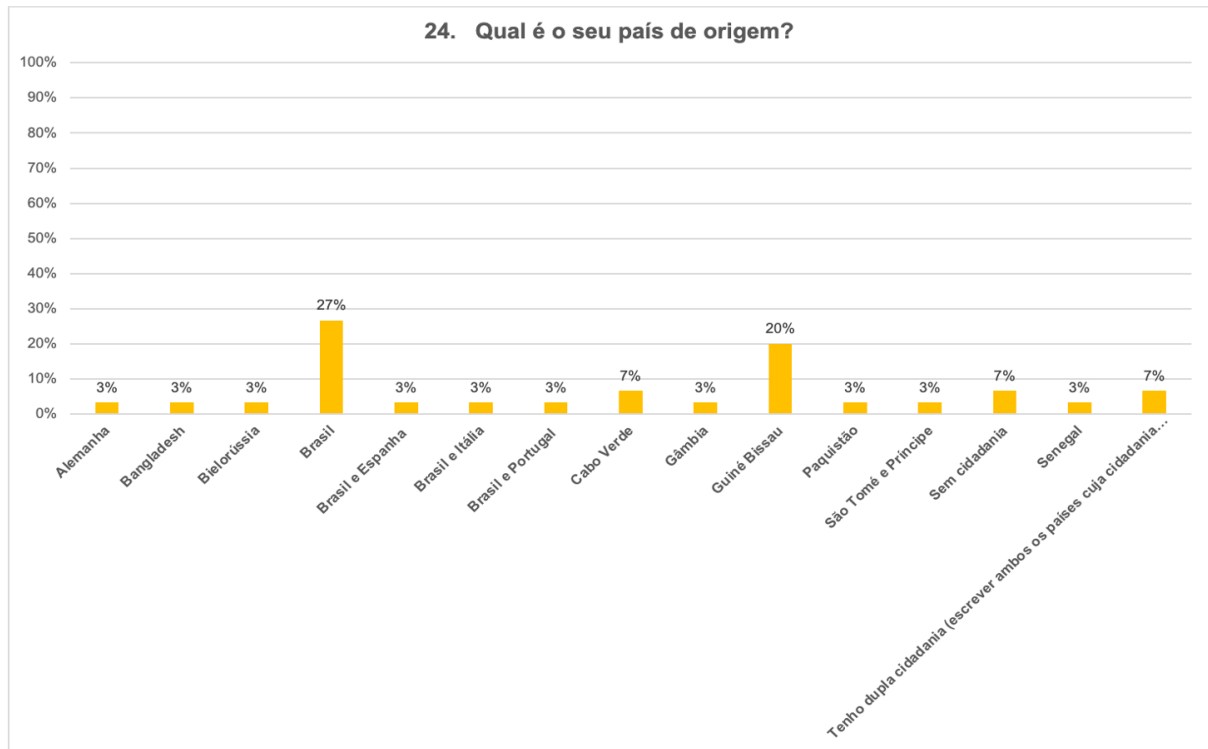
An important requirement is the process of integrating immigrants. The learning of the Portuguese is considered an important dimension of the integration of immigrants, assuming the country several programs and resources but never as a mandatory requirement for the entry into the country or the integration of immigrants in the country (e.g. Portuguese as Non-Mother Language (PLNM), Host Language Portuguese (PLA), and Online Portuguese Platform (OPP). In 2020/2021, 5,492 students were enrolled in PLNM (the highest number of students ever enrolled), as the main foreign nationality of these students was the Nepalese (7.9%). PLA reached in the last year 14,651, becoming the programme with more enrolment. The offer of Portuguese education for foreign adults reached about two hundred countries, with the largest expression of graduates coming from the Asian continent: among the three nationalities that stood out the most in PLA graduates in 2021 are Indian (18.5% or 2,709 graduates), Nepalese (16.3% or 2,385 graduates) and Bangladeshi (8% or 1,173). Finally, OPP created in 2016 has continued in the last two years to increase the demand for its resources, especially by Hispanic communities with a higher representation of descendants of Portuguese emigrants (e.g. Peru, Argentina, Venezuela and Colombia): new users in 2020 increase +54% and in 2021 increase +39.7% in a growing focus on learning by virtual and distance teaching.

An alternative source of data was the transnational survey that the MOBILEurope project carried out on the impact of the COVID19 crises on border, seasonal and migrant workers. 30 responses were collected to the national survey, which is analyzed below. The questionnaire was disseminated through an online link and developed, for the most part, in person with immigrants in Lisbon. The main objective was to identify the socioeconomic characteristics of mobile workers (border workers, seasonal workers and third country nationals), their professional conditions in the context of COVID19 in terms of employment, social security and working conditions, their expectations and their perceived needs. The number of respondents per country who participated in completing the questionnaires and trade unions and other stakeholders in partner countries will help reach respondents and promote an online platform. The questionnaire will consist of demographic information and sections that must be collected to archive the defined objectives. The period for completing the questionnaires was six months. After the end of data collection, the research team used statistical methods to code the responses and process them. The result of the transnational inquiry is the transnational inquiry report. This will also be the final phase of data collection.



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According to the survey, foreigners present greater risks of poverty and live with greater material deprivation.

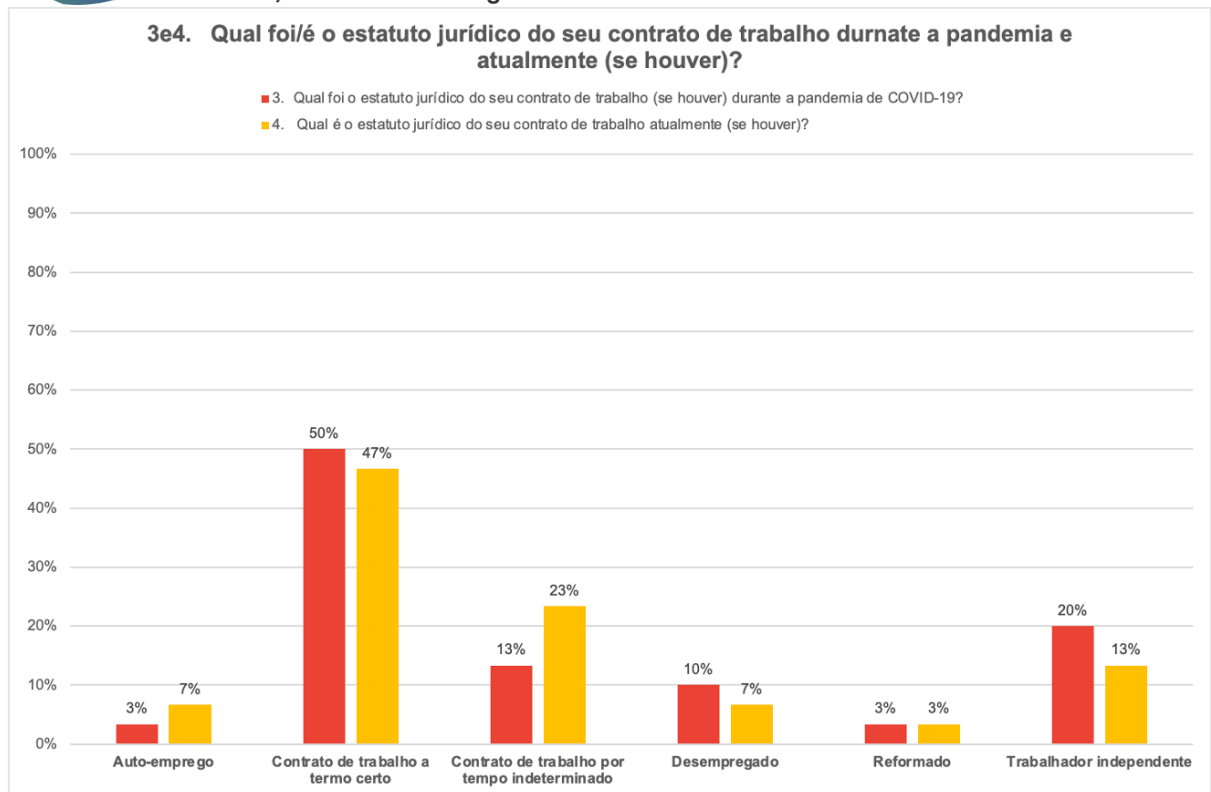
The contributions of foreigners to social security (+1,075.2 million in 2020 and +1,293.2 in 2021) and the system's expenditure on social benefits from foreigners (at -273 million in 2020 and -325.2 million in 2021) is positive and favourable to Portugal. In 2021, foreigners represented 10% of the contributions to the social security system, an unprecedented relative importance (as they only represent 6.8% of the resident population)

Without immigrants some economic sectors and activities would collapse, particularly in sectors such as tourism and construction. Foreigners have higher activity rates than nationals (Portugal 4th in the EU27). However, foreigners continue to be more represented in the professional groups of the base (i.e. accommodation, catering and similar and administrative economic activities and support services), not using their qualifications in the functions they perform, only a third of foreign held open-ended employment contracts (whereas 69.8% Portuguese workers in 2020), and tend to show a higher average monthly duration of normal working hours.



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The access to housing ownership is more difficult. Greater association of immigrants with overcrowded housing is evident.

Portugal immigrants show more favourable health status indicators than nationals

The number of foreign human resources integrated in the NHS is a good indicator about how well immigrants integrated in the labour market. This indicator evolved positively until 2004 (the year in which it reached the largest number of staff with 4,490, and which presents the greatest impact on the total human resources of the Ministry of Health with 3.5%). Declining since then, however, in 2020, the NHS comprised 1,256 Doctors of Foreign nationality, 635 foreign nurses, 1,071 foreign operational assistants, and 266 in other professions.

The subpopulation of foreign prisoners registers a relatively low importance when compared to some countries of the EU. In 2021 Portugal had 15.5% of foreign prisoners (below the average of European countries, 23.3%). Many of the foreign inmates are "individuals in transit", that is, they are foreigners but not immigrants, without residence or professional activity in Portugal.

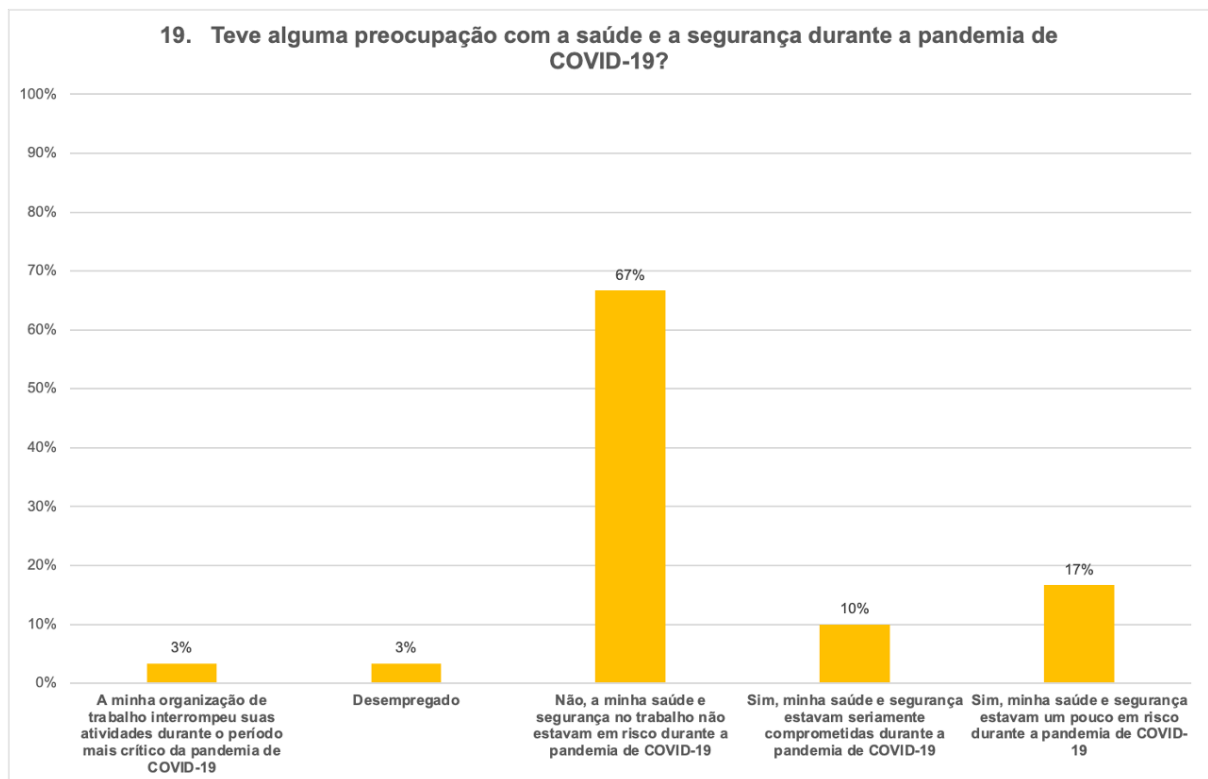
The Special Eurobarometer on the integration of immigrants in the European Union (2021) showed that in fifteen EU countries, around three-quarters of respondents consider it important



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that measures to combat the effects of the COVID-19 pandemic meet the integration needs of immigrants, with Portugal in the first position (96% of respondents). In addition, several measures were put in place that met the integration needs of immigrants during the pandemic in 2020 and 2021.



An increase in the perception that discrimination based on ethnic origin is 'common' or 'very common' (67% in 2019) which surpassed the EU average (59%). The Commission for Equality and Against Racial Discrimination found 655 complaints and 408 complaints of racial and ethnic discrimination in 2020 and 2021, respectively.

Many immigrant are under-represented in voter registration, limited to political participation in local elections and to the principle of reciprocity. In 2020, there was a further drop in the ratio of foreigners eligible for voter registration and of voting age per total of foreign residents. The overall decrease in foreign voters is essentially associated with the decrease in the number of non-EU nationalities with voting rights registered.



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Since 2007, there has been a significant increase in applications to receive nationality, and an increase in the granting of Portuguese nationality with a decrease in the average rate of rejection. The largest number of citizens acquired Portuguese nationality in 2020, an unprecedented and highest value ever. Portugal has received international recognition for having quickly become the 2nd best of OECD, after Sweden for the best legal framework for access to nationality and for finding more nationality concessions per total number of foreign residents

Very positive balances in the ratio of remittances entering and leaving the country: Portugal continues to be a country with an important and active emigrant diaspora in sending remittances, and remittances entering the country (of Portuguese emigrants) continue to far outnumber remittances leaving the country (of immigrants residing in Portugal). Portugal had the most positive balance in the remittance of workers in 2020. As for the impact that the inflow of remittances has assumed on its GDP, among the countries of the European Union, Portugal ranks the 9th place in 2020 (remittances entering the country representing 1.9% of GDP). Remittances from immigrants have had also a very positive evolution since the turn of the century, having reached in the present decade the highest value in 2011, but since then remittances from immigrants have decreased. The main destination are Brazil (45.5% of remittances leaving Portugal in 2021), followed by China (9.9% of remittances leaving in 2021).

The overwhelming majority (97%) of responses to the survey developed by the MobilEurope team in Portugal corresponded to migrant workers. Its distribution by sector of activity is shown in the following table.

2. In which sector would you classify your work activity?	#	%
Customer service	1	3%
Construction and infrastructure	7	23%
Healthcare and institutional care	two	7%
Student	1	3%
Food industry	3	10%
IT Industry	6	20%
Cleaning	0	0%
Retired from construction	0	0%
Service sector	10	33%
Total	30	100%



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Half of the workers who responded to the survey said they had a fixed-term employment contract during the pandemic. Only 20% were self-employed. The following table shows the variation in this legal status of the respondents.

3. What was the legal status of your employment contract (if any) during the COVID-19 pandemic?	#	%
Self-employment	1	3%
Fixed-term employment contract	5	50%
Employment contract for an indefinite period	4	13%
Unemployed	3	10%
Retired	1	3%
Independent worker	6	20%
Total	30	100%

This situation did not change much, except the clear increase in cases with employment contracts for an indefinite period (23%) and a corresponding decrease in independent workers, which rose to 13%.

4. What is the legal status of your employment contract currently (if any)?	#	%
Self-employment	2	7%
Fixed-term employment contract	14	47%
Employment contract for an indefinite period	7	23%
Unemployed	2	7%
Retired	1	3%
Independent worker	4	13%
Total	30	100%

The majority reported that the content of the employment contract was explained generally (43%) or in detail (33%).

5. Did anyone explain the contents of your employment contract to you	#	%



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before you signed it (if you have one)?		
I don't have any official employment contract	5	17%
No, I just signed an employment contract without any explanation of its content	two	7%
Yes, the content of my employment contract was explained to me in detail	10	33%
Yes, the content of my employment contract was generally explained to me	13	43%
Total	30	100%

In general, working conditions fully correspond to the terms of the employment contract, as stated by 57% of respondents.

The vast majority have been working for more than 7 years (35%). We have 31% of respondents up to 3 years old, and 34% of those between 4 and 6 years old.

6. Do the working conditions correspond to the terms of your employment contract (if you have one)?	#	%
I don't have any official employment contract	5	17%
No, the working conditions do not correspond in any way to the terms of my employment contract	two	7%
Yes, the working conditions partially correspond to the terms of my employment contract	6	20%
Yes, the working conditions fully correspond to the terms of my employment contract	17	57%
Total	30	100%

The vast majority have been working for more than 7 years (35%). We have 31% of respondents up to 3 years old, and 34% of those between 4 and 6 years old.

7. How long have you worked in this country (in the country where you currently work)?	#	%
between 0 and 3 years	9	31%
between 4 and 6 years old	10	34%
more than 7	11	35%



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It was also found that, for the majority of workers, the COVID-19 pandemic did not affect the functioning of their work organization in any way (47%). Only for a few (27%) the work organization stopped functioning for a certain period. The following table better shows this result.

8. Has your work organization experienced serious difficulties during the Covid-19 crisis?	#	%
Unemployed	3	10%
No, my work organization has expanded its activities during the COVID-19 pandemic	two	7%
No, the COVID-19 pandemic has not affected the functioning of my work organization in any way.	14	47%
Yes, my work organization has completely ceased its activities	3	10%
Yes, my work organization stopped working for a certain period	8	27%
Total	30	100%

In fact, the majority of fixed-term employment contracts were not changed (41%). But it is worth highlighting that in 23% of cases the employment contract was terminated.

9. Did you experience any changes to your employment contract during the COVID-19 pandemic?	#	%
No, I didn't have an official employment contract (and I still don't have one)	4	18%
No, my fixed-term employment contract has not been changed	9	41%
No, my indefinite employment contract has not been changed	4	18%
Retired	1	5%
Yes, my employment contract was changed from a fixed-term employment contract to an indefinite employment contract	3	14%
Yes, my employment contract has been terminated	5	23%
Total	22	100%

During the pandemic, 60% of respondents worked 40 hours a week. Some (10%) worked 48 hours, and others arrived at 60 hours.



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Currently, 50% work 40 hours a week. It was also indicated that around 13% work 50 hours a week.

In 40% of cases, working hours and income remain the same during the pandemic. Hours and/or income decreased by another 40%, and 13% were found to be unemployed.

In 77% of cases there were no problems with social security. Only in 7% of cases were there problems with obtaining paid days off.

Currently, the situation has not had much variation regarding the topics of social security problems in your workplace. The investigation revealed the following:

14. Are you currently facing social security issues at your workplace in the following aspects?	#	%
Unemployed	1	3%
No	23	77%
I had no problems, I am self-employed	1	7%
Problems with obtaining paid vacation	1	3%
Problems with getting paid sick leave, Problems with getting paid days off	1	3%
Problems with pension insurance	1	3%
Problems with health insurance	1	3%
Total	30	100%

Regarding information about labor rights, the majority (63%) report being informed, or even fully informed (20%).

15. In your opinion, are you well informed about your labor rights?	#	%
Unemployed	1	3%
No, I am very poorly informed about my employment rights	4	13%
Yes, to some extent I am informed of my employment rights	19	63%
Yes, I am fully informed of my employment rights	6	20%
Total	30	100%



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Regarding information about labor rights, the majority (63%) report being informed, or even fully informed (20%).

As for country of origin, the majority of respondents come from Brazil (27%) and Guinea-Bissau (20%). The majority are in the age group between 35 and 44 years old (33%), and then in the immediately lower age group (25-34 years old), that is, 30%. It is interesting to note that the vast majority have completed university studies (57%). Of the total respondents, 37% were women. Half are married and 64% of these live with their spouse in Portugal where they also live with their children (44%).

It is also interesting to note that the majority (63%) are not members of unions, nor do they intend to join.

The remaining results are presented in Annex 1 at the end of this report.

4. Structured interviews and focus groups

In-depth interviews with institutional actors and key stakeholders (employer organizations, labor decision-makers, labor inspectorates and trade unions) were carried out in Spain, Greece, Portugal, Poland, Serbia and North Macedonia. These interviews aimed to obtain information about the impact of the pandemic crises on employment and working conditions. They also addressed issues of representation, new indicators and initiatives for negotiation and collective agreements. Finally, they also referred to government measures and administrative cooperation of EU member states.

After the first partnership agreements, the research team tested research instruments on small groups of respondents in each country. Interview participants were selected to represent leaders, managers and those responsible for policy measures within key stakeholders, organizations and institutions. All responses were duly recorded, translated and sent to the research team for analysis. In-depth interviews were implemented through small focus groups.

Two focus groups were organized with the workers' committees and members of the administrative management of two large companies in the automotive sector in Portugal: AutoEuropa and Faurecia.



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4.1. AutoEuropa Volkswagen

The first focus group was held on January 11, 2024 at the premises of the company AutoEuropa, belonging to the Volkswagen group. It is one of the group's largest factories internationally and has around 5 thousand workers. In recent years, they have manufactured the Volkswagen T-Roc model.

The focus group started at 9:00 am and lasted until 1:30 pm. The group included two representatives from the Workers' Committee, four representatives from the communications department, a team leader and a representative from the Human Resources Department. Three UNINOVA researchers moderated this focus group.

The main conclusions regarding mobile workers were the following:

- a) According to a representative of the AutoEuropa Workers' Committee Rogério Nogueira, there are 500 union members out of 4800 workers. The union with the greatest representation is SITE SUL affiliated with CGTP, followed by SINDEL affiliated with UGT and then a small union called STASA (Sindicato dos Trabalhadores do Sector Automóvel), among others.
- b) The unionization rate will be between 8 and 9% and is homogeneous in the different sections of the current production line.
- c) The representative of the AutoEuropa Workers' Committee Rogério Nogueira said that the company currently has around 30 workers traveling across Latin America, Africa and Southwest Asia.
- d) Currently there is a much smaller number in terms of welcoming people displaced to Portugal and the majority of those displaced to Portugal have been engineers from Germany.
- e) The director of Human Resources at AutoEuropa stated that AutoEuropa is a medium-sized factory, in co-management with the workers' committee.
- f) The director of Human Resources at AutoEuropa also stated that co-management is good and includes dialogue regarding changes to process innovation in the line. It is an average relationship in the context of the VW group's Workers' Committees (CT). The business case is made by management and then discussed with CT on aspects relating to training, digitalization, among others.

According to a representative of the AutoEuropa Workers' Committee, Rogério Nogueira, there were workers posted to Germany to avoid collective dismissal. They were very well received at this VW factory. However, the company followed the practices of other Portuguese companies of not distributing to its workers the full value of their relocation in the salary awarded in the destination location.



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Also according to this representative of the AutoEuropa Workers' Committee, these workers were the object of solidarity actions by their German colleagues, so that their work remuneration was equivalent to that of the Germans. "They stopped the line for two or three hours and threatened a strike if the situation was not corrected," said the representative.

According to another representative of the AutoEuropa Workers' Committee, Bruno Lopes, the workers' committee accompanies new workers on the move due to technological innovation in terms of salary. There is discussion with the workers, and when one moves, a new worker is not hired. They hire temporary workers to do these jobs.

The director of Human Resources at AutoEuropa stated that co-management varies from country to country. In Portugal, the system is easier, more democratic and similar to that of Germany. Management is responsible, and legal aspects are dealt with by the Workers' Committee. There are weekly meetings with CT, an intensive dialogue that helps the "business case" to attract investment for AutoEuropa. This relationship with CT makes the Volkswagen T-ROC package attractive from the financial and economic point of view of the VW company. 60% of the parts come from abroad, it is an old factory from the 20th century, with costs already depreciated, which improves the attractiveness of investments.

The director of Human Resources at AutoEuropa stated that co-management or co-participation is advantageous to build the business case in relation to salary costs, productivity, less specialization, greater human potential, generational change when it comes to old problems and new ones such as digitalization. The same official also stated that Portugal decided not to take advantage of the possibility of using PRR funds for industrial innovation, unlike Spain which took advantage of these funds to invest in industry. "The PRR in Portugal is not oriented towards industry, but rather towards infrastructure and tourism."

The director of Human Resources at AutoEuropa stated that the "New VW factory was not in Portugal, but in Spain because the regions offered better conditions to VW". He also stated that the factories in Martorell and Valencia (which will produce the new electric vehicles-EV) will start purchasing batteries produced by the new *gigafactory* in Pamplona.

According to a team leader from section F of the VW TROC production line, the Infosys research project relating to software for analyzing the quality of the glue placed on the rear window of the VW T-ROC was not installed on the production line. AutoEuropa chose to install the solution from a German company that already had its say. The project was developed and tested at AutoEuropa.



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4.2. Forvia Faurecia

The second focus group was held on January 11, 2024 at Forvia Faurecia, starting at 2:00 pm and lasting until 6:30 pm. The group included 4 representatives from the Workers' Committee, two representatives from the factory management and 3 researchers from the European project.

The main conclusions regarding the displacement of workers were the following:

- a) According to the director of productivity and digitalization, Anselmo Rodrigues, Faurecia had a permanently posted worker in Madrid, sent from the Palmela factory. However, the director stated that he visited and checked him every 15 days regarding the conditions of the hotel, the food and to see if he “behaved appropriately”.
- b) This director predicts that for the new VW customer in Pamplona it will be necessary to create a more permanent structure. This team should involve elements displaced from the Palmela factory.
- c) According to a representative of the Faurecia Workers' Committee, Daniel Bernardino, there are 441 workers, 146 women and 49 temporary employees. The average salary is around 1365 euros.

According to director Anselmo Rodrigues, the "Model Plant" is a long process of central digitalization for Faurecia. But there is more to AI that has not yet been implemented and has already been developed. Over the last 5 years, Faurecia has implemented a digitalization process in 52 factories (at least) around the world.

Data from Faurecia Palmela indicate that 52% of the workforce is female, the factory started operations in 1992, the average age is 36 years old, the workforce in Portugal is 4784 workers, with zero serious accidents at work in Palmela , with zero serious accidents in the group, earns 40 million per year in Palmela and has 422 workers in Palmela.

The human resources director Ana stated, and was supported by the production director and all members of the CT, that the implementation of the digitalization process faced problems at the beginning on the part of the directors, but that they now accept that the process creates an improvement which is a reality that we have to accept". For the director, digitalization contributes to improving the competitiveness of factories, is based on Faurecia's Laws, improves the mandatory audits that directors have to carry out on production lines, brings more transparency, more competitiveness and everyone can see whether the audits are done or not.

According to a representative of the Faurecia Daniel Bernardino Workers' Committee, in recent years CT has managed to update the career path for more senior workers, there was a difficult time



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and industrial conflict at the Palmela factory which forced CT to come and talk to social communication at the factory gates. This event, he said, was intended to dismiss 92 workers, but by agreeing to negotiate transport and food subsidies and a new line with Jaguar and Land Rover, it was possible to avoid the dismissal of the many who did not spend the compensation and, in addition, hired around 506 new workers. The decision was taken by secret and direct vote with 72% approval from workers.

According to a representative of the Faurecia Workers' Committee, Daniel Bernardino, a competitiveness agreement was signed with the company in 2013 based on good social dialogue with CT. This agreement made it possible to create the current situation of emotional stability in the factory, make the top of the career ladder accessible and belong to the European council of the Workers' Commission. Here, Daniel Bernardino helped to fail the increase in the Faurecia Group CEO's bonus, together with the member of the French CT Coordinator and support from the group's main shareholders. However, this Council does not function at the German co-management level. CT has also promoted psychosocial, ergonomic and OSH studies.

CT has two monthly meetings with management, although the door is always open to resolve any problems. CT also has a weekly meeting with the Human Resources Department and 1 meeting with the industrial park coordinator, which has already been received by the government, CM Palmela, companies and other entities. When the sadly famous Slovenian part for Autoeuropa engines was missing, it was possible to agree with the government on new training programs for Faurecia workers carried out at ATEC (see single report on DGERT).

There is a nursing station in the industrial park, and an OSH service within Faurecia. Unfortunately, since 2021, 81 workers have been at home with occupational illnesses, 32 of which are men, as a result of the stretching of leather and machine sewing of armrests on the Land Rover, Jaguar and Mercedes production lines. CT is the management's privileged partner, despite the existence of CGTP and UGT unions.

The participants were the following:

- Mr. Daniel Bernardino (Workers Council of Faurecia - Forvia in Palmela)
- Mr. Leandro dos Santos (Workers Council of Faurecia - Forvia in Palmela)
- Mr. Bruno Semeano (Workers Council of Faurecia - Forvia in Palmela)
- Mr. Valdemar Palmela (Workers Council of Faurecia - Forvia in Palmela)
- Mr. Bruno Simões (Workers Council of Faurecia - Forvia in Palmela)
- Mrs. Ana Antunes (Director of Human Resources of Faurecia - Forvia in Palmela)
- Mr. Anselmo Rodrigues (Director of Production and ICT transition of Faurecia - Forvia in Palmela)



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Collective bargaining for mobile workers
in Europe under the COVID19 – cases of
frontier, seasonal and migrant workers

- Dr. Marta Candeias (Expert at Instituto Superior Técnico of University of Lisbon)
- Professor Dr. António Brandão Moniz (Expert at Faculty of Science and Technology of Nova University of Lisbon)
- Dr. Nuno Boavida (Principal Researcher at CICS.NOVA of Nova University of Lisbon).



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Attachment



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Annex 1 - Responses to the survey carried out

6. Do the working conditions correspond to the terms of your employment contract (if you have one)?	#	%
I don't have any official employment contract	5	17%
No, the working conditions do not correspond in any way to the terms of my employment contract	1	7%
Yes, the working conditions partially correspond to the terms of my employment contract	6	20%
Yes, the working conditions fully correspond to the terms of my employment contract	7	57%
Total	10	100%

16. Where do you get information about your rights?	#	%
From accounting	1	3%
From the press, From the Internet	1	7%
From Internet	1	7%
From government agencies	1	7%
From government agencies, From the Internet	1	7%
From government agencies, From non-governmental organizations	1	3%
From government agencies, From non-governmental organizations, From the Internet	1	3%
From non-governmental organizations	5	17%
From non-governmental organizations, From the Internet	4	13%
Unemployed	1	3%
From the employer	1	7%
From the employer, From the Internet	1	7%



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From the employer, From government agencies, From non-governmental organizations, From the press	1	3%
From the employer, From non-governmental organizations, From the Internet	1	3%
From the union	7	7%
I'm not looking for information about labor rights	1	3%
Total	30	100%

17. During the COVID-19 pandemic, have you had any problems with transportation to/from work?	#	%
Unemployed	1	3%
My work organization interrupted its activities during the most critical period of the COVID-19 pandemic	4	13%
I didn't have much trouble getting to/from work during the COVID-19 pandemic	10	33%
No, the COVID-19 pandemic has not affected my transportation to work/from work	11	37%
Yes, I had serious problems getting to/from work during the COVID-19 pandemic	4	13%
Total	30	100%

18. Have you been informed about your rights in terms of housing, education, personal security, legal status, relations with the police/border authorities/military, identity documents, etc.?	#	%
Unemployed	1	3%
No, I was not informed about my personal and social rights	8	60%
I looked for information on the internet	1	3%
Yes, I was informed of my personal and social rights by the employer	10	33%
Total	30	100%

19. Have you had any health and safety concerns during the COVID-19 pandemic?	#	%
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My work organization interrupted its activities during the most critical period of the COVID-19 pandemic	1	3%
Unemployed	1	3%
No, my health and safety at work were not at risk during the COVID-19 pandemic	20	67%
Yes, my health and safety were seriously compromised during the COVID-19 pandemic	3	10%
Yes, my health and safety were somewhat at risk during the COVID-19 pandemic	5	17%
Total	30	100%

20. Has your employer provided any information and/or organized training on how to prevent the spread of Covid-19 in your workplace?	#	%
My work organization interrupted its activities during the most critical period of the COVID-19 pandemic	3	7%
Unemployed	3	7%
No, my employer has not provided any information and/or training on preventing the spread of COVID-19 in the workplace	20	60%
No, I am self-employed	3	7%
Retired	1	3%
Yes, my employer has provided some information and/or training about preventing the spread of COVID-19 in the workplace	7	23%
Yes, my employer provided meaningful information and/or organized training on preventing the spread of COVID-19 in the workplace	10	33%
Total	30	100%

21. Has your employer provided adequate personal protective equipment (PPE) for use at work during the COVID-19 pandemic?	#	%
My work organization interrupted its activities during the most critical period of the COVID-19 pandemic	3	7%
Unemployed	3	7%
No, my employer did not provide personal protective equipment (PPE)	20	60%
No, I am self-employed	3	7%



Retired	1	3%
Yes, my employer provided adequate personal protective equipment (PPE)	4	47%
Yes, my employer provided personal protective equipment (PPE), but it was not fully adequate	3	10%
Total	30	100%

22. Did you have access to any financial assistance during the COVID-19 pandemic?	#	%
Unemployed	1	3%
No, I did not receive any financial aid	9	63%
Yes, I received financial aid from the host country	10	33%
Total	30	100%

23. In your opinion (regardless of whether you are a union member or not), how can unions provide help to migrant workers?	#	%
Collaborate with the community to support the social and economic integration of migrant workers	1	8%
Collaborate with the community to support the social and economic integration of migrant workers, Build migrant worker networks and communities to provide mutual support and resources	1	4%
Advocate for fair treatment and equal opportunities for migrant workers, Negotiate with employers on behalf of migrant workers to obtain better wages and working conditions, Provide legal aid and representation to migrant workers who face discrimination or exploitation	1	4%
Unemployed	1	4%
Provide information and support about labor rights and workplace safety	6	23%
Provide information and support on labor rights and workplace safety, Collaborate with the community to support the social and economic integration of migrant workers, Negotiate with employers on behalf of migrant workers to obtain better wages and working conditions, Offer legal support and representation for migrant workers facing discrimination or exploitation, Building migrant worker networks and communities to provide mutual support and resources	1	4%
Provide information and support about labor rights and workplace safety, Advocate for fair treatment and equal opportunities for migrant workers, Collaborate with the community to support the social and economic integration of	1	4%



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migrant workers, Negotiate with employers on behalf of migrant workers to obtain better wages and working conditions, Provide legal aid and representation to migrant workers who face discrimination or exploitation, Build migrant worker networks and communities to provide mutual support and resources		
Provide information and support on labor rights and workplace safety, Advocate for fair treatment and equal opportunities for migrant workers, Collaborate with the community to support the social and economic integration of migrant workers, Provide legal aid and representation to migrant workers facing discrimination or exploitation, Build migrant worker networks and communities to provide mutual support and resources	1	4%
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Provide information and support about labor rights and workplace safety, Advocate for fair treatment and equal opportunities for migrant workers, Provide legal aid and representation to migrant workers who face discrimination or exploitation	1	4%
Provide information and support on labor rights and workplace safety, Negotiate with employers on behalf of migrant workers to obtain better wages and working conditions	1	4%
I don't know	6	23%
Negotiate with employers on behalf of migrant workers to obtain better wages and working conditions	1	4%
Retired	1	4%
Total	26	100%

24. What is your country of origin?	#	%
Germany	1	3%
Bangladesh	1	3%
Belarus	1	3%
Brazil	8	27%
Brazil and Spain	1	3%
Brazil and Italy	1	3%
Brazil and Portugal	1	3%



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Cape Green	wo	t	7%
Gambia		1	3%
Guinea Bissau		6	20%
Pakistan		1	3%
Sao Tome and Principe		1	3%
No citizenship	wo	t	7%
Senegal		1	3%
I have dual citizenship (write both countries whose citizenship you have)	wo	t	7%
Total	0	3	100%

25. What age group do you fall into?		#	%
15-24		1	3%
25-34		9	30%
35-44	0	1	33%
45-54		4	13%
55-64		4	13%
Over 65	wo	t	7%
Total	0	3	100%

26. What is your highest level of education?			%
2nd cycle basic education not completed			3%
First cycle basic education completed			13%
Completed secondary education			23%
Higher education or college completed	7		57%
Higher education or college not completed			3%
Total	0		100%



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27. Are you a member of a trade union?		%
No, I am not a member of the union and I do not intend to be	9	63%
No, I'm not a member of the union, but I would like to be		27%
Yes, I am a member of the union		10%
Total	0	100%

28. What is your gender identity?	#	%
Man	9	63%
Woman	1	37%
Total	0	100%

29. Describe your marital/partner status	#	%
Married/married	5	50%
I live with my partner	3	10%
Single/maiden	1	37%
Widow	1	3%
Total	0	100%

30. If you are married or in a partner relationship, where does your spouse or partner live?	#	%
Lives in your host country, while your spouse or partner lives in your home country	1	5%
Live together in their home country	4	18%
Live together in your host country	1	64%



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	4	
They are not together	wo	9%
Single	1	5%
Total	2	100%

31. How many children do you have? (if you don't have children, register 0)	#	%
0	4	47%
1	5	17%
two	5	17%
3	4	13%
4	0	0%
5	1	3%
6	0	0%
7	0	0%
8	0	0%
9	0	0%
10	0	0%
11	1	3%
Total	30	100%

32. If you have children, where do they live?	#	%
Children in the country of origin and children in the host country	1	6%
Children live in the country of origin and children in the host country	1	6%
Children live in the country of origin	1	6%
Lives in your host country, while your spouse or partner lives in your home country with their children	1	6%
They all live together in their host country	7	44%
They all live together in their country of origin	5	31%



I have no children	1	6%
Total	6	100%



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