

COVID-19: POLICIES AND IMPACT ON SEASONAL AGRICULTURAL WORKERS

BACKGROUND

The COVID-19 pandemic is not an issue of migration, yet it has triggered mobility restrictions, disrupting traditional labour supplies in critical sectors. Governments around the world have adopted extraordinary migration management measures, including travel restrictions, border closures, and caps or temporary suspension of new immigration and asylum applications, to try to contain and halt the spread of COVID-19.

This situation has put a spotlight on the vital contribution that migrants, in particular seasonal agricultural workers, make in agrifood systems and in ensuring continuity of food supply. As a result of restrictive border measures, agricultural sectors in countries where seasonal migration plays an essential role, including many countries in the Global North, face significant labour shortages. For migrant workers and their families, the inability to earn abroad leads to fall in remittances, affecting their livelihoods as well as access to broader social protection, such as quality health and education.

IMPACT

Migrant workers provide critical labour and skills to the labour - intensive agricultural sector in higher-income countries, filling seasonal jobs that local workers often shun as they prefer higher paying, less grueling, and non-seasonal alternatives.¹ Agricultural producers in countries where farmers rely heavily on foreign workers to meet fluctuating seasonal labour needs, are facing a dramatic shortfall in workers as a consequence of the movement restrictions enacted to fight the pandemic. Timely and agile recruitment procedures are especially important in this sector, where anticipating the exact scope and timing of labour needs during harvest season can be a challenge. Sudden disruptions can have grave ramifications: if workers are not available at the time and place needed to harvest crops, the production, processing and distribution of food is disrupted, leading to lost earnings and rotting food.² The resulting shortfall in production will have an impact on agricultural value chains, with severe consequences for food availability and market prices of agricultural goods worldwide.

Farming associations have sounded the alarm about significant labour shortages, highlighting the fact that agricultural production depends to a large extent on migrant workers: Canadian farmers annually rely on approximately 60,000 foreign workers to harvest their crops, mainly coming from Mexico and Caribbean countries.³ France has declared that it needs 200,000 additional farm workers this season. In Germany, the current shortfall is estimated to be 280,000 seasonal workers for the entire season, a majority from Central and Eastern European countries.⁴ In Spain, a 40 per cent drop in agricultural

¹ www.ilo.org.

² www.ilo.org.

³ www.cbc.ca

⁴ www.bmel.de

workforce is anticipated, with most seasonal agricultural workers usually coming from Morocco and Tunisia. In Italy, one of the EU countries hardest hit by the pandemic, some 370,000 workers from 155 countries account for 27 per cent of the legally employed workforce in Italy's agricultural sector.⁵ Spain and Italy are particularly vulnerable to labour disruptions in the agricultural sector as “power houses” for vegetable and fruit production in Europe. Overall, there may be a shortfall of about one million seasonal agricultural workers across Europe.⁶ In the United States, foreign seasonal workers make up 10 per cent of crop farmworkers in the country.⁷ In Canada's horticulture production, 50 per cent of workers are foreign, and 43 per cent in field fruit and vegetable production.⁸ In Australia, an estimated 50 per cent of the labour force in vegetable farms and 30 per cent in fruit and nut farms are seasonal and temporary migrant workers.⁹

Immediate effects will also be felt by migrants' families in their countries of origin that rely on seasonal migration to meet basic needs and livelihoods throughout the year. The World Bank projects a 19.7 per cent drop in remittances to low and middle-income countries in 2020.¹⁰ If restrictive measures remain in place and agricultural workers are not allowed to travel, many households are likely to face severe financial hardship. Moreover, given that many workers have been reliant on seasonal agricultural employment for years, they are unlikely to have other employment options in their country of origin. For migrant workers themselves, this is exacerbated by the often informal or casual arrangements, under which many work, leaving them vulnerable to exploitation and often with a lack of access to key services, especially health care. Finally, increasing xenophobia and further marginalization may increase migrants' vulnerability, especially for migrant workers who are unable to return home.

KEY FINDINGS – POLICIES AND MEASURES

Recognizing the economic and broader food security risks of keeping borders closed to agricultural workers, governments have begun to institute a variety of policies and measures to address the issue. They face the critical challenge of balancing competing public policy priorities, specifically responding to an unprecedented public health emergency, ensuring food security and maintaining economic activity, and managing mobility. Below presents three clusters of migration and human mobility related measures and policies introduced in recent months and weeks by governments in destination countries:

Extending the stay and increasing duration of stay for already employed seasonal migrant workers

Most measures taken by governments have focused on extending visas, work and residence permits for seasonal workers already present in the country. In addition, some governments have eased industry regulations that limit the amount of days seasonal workers are allowed to work in order to increase the availability of labour for agricultural producers.

⁵ www.coldiretti.it

⁶ www.euractiv.com

⁷ www.epi.org

⁸ cahrc-ccrha.ca

⁹ data61.csiro.au

¹⁰ blogs.worldbank.org

Government policies - Selected examples:

- In April, following significant pressure from the agricultural sector, the Government of Estonia decided to extend work permits of foreign workers in agriculture until two months after the end of the emergency situation, and no later than 31 July 2020.¹¹
- The Belgian Government adopted measures that will temporarily allow for the twofold extension of the number of days a seasonal migrant worker can be employed in the agricultural and horticultural sectors.¹²
- The United States government is temporarily amending its regulations to allow foreign agricultural workers to engage in seasonal work activity in the United States for a period longer than the three-year limitation period currently allowed by law.¹³

Activating formerly inactive population groups as additional sources of labour in agriculture

Often not specifically targeted at migrants, such mechanisms are aimed at mobilizing the needed workers domestically to meet seasonal demand. Targeted populations include unemployed nationals, recipients of social benefits, asylum seekers, refugees and other migrants present in the country. To date though, this approach has had limited effect, as many of those targeted by active labour market policies have either not been responsive or do not have the right skill set for the job. Thus far such programmes have only been able to attract a small fraction of the required seasonal workforce.

Government policies - Selected examples:

- In France, several local governments reached out to temporary refugee accommodation centres with the goal of enlisting recognized refugees as agricultural workers to fill temporary labour shortages in the sector. The employed refugees will be employed under short-term contracts and work at minimum wage.¹⁴
- The German Government is looking to recruit 10,000 short-term workers for April and May each, including unemployed, students, asylum seekers, and short-time workers, to fill in labour gaps. It recognizes that these groups of people are usually not available full-time and over weeks, as is the case with professional seasonal workers.¹⁵
- Italian Minister of Agriculture, Teresa Bellanova has proposed a decree to temporarily regularize 200,000 migrants for one year, to respond to gaps in the agricultural labour force. If passed, this law would also serve to address the often-exploitative conditions under which irregular migrants work in Italian food production.¹⁶

¹¹ news.err.ee

¹² <https://references.lesoir.be>

¹³ www.federalregister.gov

¹⁴ www.seine-et-marne.gouv.fr

¹⁵ www.bmel.de

¹⁶ www.corriere.it

Measures or agreements to facilitate or maintain the admission of temporary foreign workers filling in specific labour shortages

Most governments recognize that the labour needed for the harvesting season cannot be provided by domestic workers alone, despite job placement platforms and relaxations in labour regulations. In order to quickly fill these gaps, governments facilitate limited entry of seasonal workers from abroad, under strict health protection conditions.

Government policies - Selected examples:

- In addition to recruiting 10,000 local seasonal workers, the German Government will allow 40,000 seasonal workers in April and May each to enter Germany under strict legal and health regulations. These include medical checks before departure, strict accommodation requirements in accordance with the epidemiological regulations and a 14-day quarantine upon arrival. The recruited workers, mainly from Eastern Europe, were flown to Germany in charter flights.
- In Canada, the Government is waiving recruitment requirements for hiring foreign workers in key occupations related to the agriculture and agrifood sectors until 31 October 2020, as well as prioritizing the processing of their visa and work permit applications. All temporary foreign workers entering for an essential purpose, which includes agricultural workers, are exempt from travel restrictions and allowed entry. A medical examination is imposed prior to boarding the plane to ensure no one with symptoms can travel, and a mandatory 14-day quarantine is required upon arrival. In order to ensure compliance with public health measures, employers are provided with a government subsidy to ensure they supply adequate housing and pay wages during the self-isolation period.¹⁷

RECOMMENDED MEASURES:

CUSHIONING THE EFFECT OF THE COVID-19 CRISIS ON SEASONAL MIGRANT WORKERS

Seasonal migrant workers, specifically in the agricultural sector, are and will be gravely affected by the measures introduced as outlined above. As governments are moving swiftly to implement policies to cushion the impact of COVID-19 related mobility restrictions on seasonal harvest, it is essential that these measures be migrant-centred and factor in the health and safety of seasonal migrant workers and comply with decent work standards. Governments and stakeholders should monitor how their policies continue to impact migrant workers, especially as the pandemic is moving from an emergency situation to “the new normal” and possibly into subsequent waves of outbreak. It is paramount to ensure that ethical and fair recruitment practices are maintained.¹⁸The following elements should be considered in policy decisions related to seasonal migrant workers in order to foster an approach centred on the rights, security and specific circumstances of those migrant workers, while meeting economic and food security needs as well as public health requirements.

¹⁷ www.canada.ca

¹⁸ See specific recommendations on ethical recruitment in the time of COVID-19 for employers and recruitment agencies issued by IOM's supported International Recruitment Integrity System (IRIS)'s initiative available at iris.iom.int/covid-19-crisis-response.

Ensuring that public health measures and occupational safety are accessible to all seasonal migrant workers. Seasonal migrant workers face the same health threats from COVID-19 as host populations, but may be confronted with particular vulnerabilities due to their migration status, including informality of employment, poor housing and working conditions, language barriers and little to no access to health care or social protection.¹⁹ Specifically, high level of informality in the seasonal agricultural labour market often results in significant worker vulnerabilities and lack of basic protection mechanisms. The inclusion of all migrants in all aspects of the response to COVID-19, including health and social protection, regardless of their migratory status, is therefore vital:²⁰

- Effective social protection systems are crucial to safeguarding the rights and protection of vulnerable population groups, including migrant workers, during this crisis. Ensuring that no one is denied access to health care and treatment for the virus will help limit its spread and contribute to the broader population health security. It is paramount that migrant workers receive health insurance coverage and have access to health care, should they contract COVID-19 or otherwise fall ill. Governments should systematically include migrant workers as a target population group in their COVID-19 responses.
- Governments and employers will need to ensure that recruitment and programmes to facilitate seasonal work in agriculture comply with good public health practices. New conditions within employment and housing of migrant workers will have to be met in order to respond to the new public health realities, such as adequate hygiene and sanitation, the possibility for physical distancing at the workplace and accommodation facilities.²¹
- Seasonal migrant workers are more likely to be exposed to occupational safety and health hazards and run a greater risk of contracting COVID-19. During times of crisis, proactive engagement and open communication channels with all migrant workers are vital to understand their needs and ensure that they have access to accurate information that reduces risk and enhances access to support and protection services.

Safely re-opening recruitment and employment of seasonal workers. The spread of COVID-19 will likely change seasonal mobility patterns going forward, with greater health screening and related services at pre-departure and, possibly, requirements for self-isolation on arrival. This will require more detailed planning, monitoring and cooperation from all stakeholders involved. It is imperative that response measures factor in the different needs faced by migrants working in the agrifood sector, specifically factoring in gender- and age-specific dynamics.

- Many employment opportunities in the agricultural sector are temporary with flexible working and contractual arrangements. It will therefore be pivotal to monitor the social and economic impacts on seasonal migrant workers in order to address their specific vulnerabilities and protect their rights.
- As some examples show, policy measures to extend visas, as well as work and residence permit renewals, can be an effective means to fill in critical workforce gaps in agricultural production chains and at the same time enabling migrants to access health care and social services.
- A greater degree of formalization of labour migration channels and ensuring safe mobility within and across countries for agricultural migrant workers can help address heightened health and safety challenges. Well-established mechanisms of cooperation such as (intraregional) bilateral labour migration agreements specifying certain conditions are an effective way of achieving this.

¹⁹ <http://www.ohchr.org>

²⁰ <http://www.ohchr.org>

²¹ See IRIS recommendations referenced earlier.

- Many health, safety and mobility provisions will result in lengthier and costlier processes, both for the recruitment and employment of seasonal workers. It is essential that ethical recruitment practices be maintained, and that additional costs be absorbed by the government or employer, respecting the "employer pays principle" advocated by various multi-stakeholder initiatives, such as the International Recruitment Integrity System, and relevant international norms.
- Collecting better data on seasonal labour market needs, to inform policies and mechanisms regulating employment of seasonal migrant workers and opening labour migration pathways to ease disruptions and minimize shortfalls in labour-intensive sectors, while at the same time ensuring predictable, decent working conditions for migrants and preventing unforeseen loss of status.

Countering xenophobia, stigmatization and discrimination. While it is true that the COVID-19 virus itself does not discriminate in its transmission, the pandemic has exacerbated pre-existing social and economic disparities, with migrants among the groups facing the additional burden of stigmatization and discrimination. The stigmatization of migrants and instances of discrimination against them have been exacerbated by misinformation and fake news in the media, especially social media, and politicization. Taking steps to prevent and address discrimination, xenophobia and/or exclusion related to migrant workers and COVID-19 will be important.

- Ensuring that authorities make every effort to confront xenophobia, including where migrants and others are subject to discrimination or violence linked to the origin and spreading of the pandemic by informing migrant workers on their rights and providing them with mechanisms to report xenophobia and discrimination.
- Sensitizing citizens and public officials that any migrant is as vulnerable to COVID-19 as any other person, and that it is necessary to promote public policies for the elimination of these specific vulnerabilities and stigmas that migrant populations may face.
- Countering public disinformation, fear and prejudice against migrants, including by delivering messaging on importance of seasonal migration even in periods of economic recession, highlighting the positive contributions of migrants.

The spread of COVID-19 is projected not to be only a temporary crisis, but a profound disruption that will change human mobility patterns, including seasonal labour migration, for years to come. The length of disruptions and their impact on the seasonal labour market is difficult to estimate but international labour migration will likely remain constrained, due to fear of retransmission of the virus, lack of mobility options, xenophobia and political calculation. Abruptly introduced border closures have demonstrated how dependent the world is on the mobility of people, labour, skills – including migrant workers' dependence on labour migration channels and ability to work and earn their salaries abroad to sustain for their livelihood and that of their families. Both formal and informal systems that existed before the COVID-19 crisis often resulted in risks, vulnerabilities, and exploitation of workers. The recovery from the pandemic represents an opportunity to extract lessons learnt from the past weeks and to build better systems for the future with the goal of avoiding, as much as possible, disruptions to historical labour migration channels and protecting migrant workers and their families.

Watch the related video [HERE](#).

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