

ETUC Position on the European Commission Proposal for an EU Talent Pool

Adopted at the Meeting of 6 and 7 December 2023

The ETUC rejects the Commission proposal for an EU Talent Pool as it stands. A number of improvements, not least to protect migrant workers' rights and to ensure equal treatment, will have to be made to make the Regulation acceptable. The proposal remains very limited for the real provision of labour migration opportunities for migrant workers across skills levels and sectors, as ETUC has long called for.

On 15 November 2023, the Commission presented its [Communication on Skills and Talent Mobility](#), which includes a proposal for a [Regulation establishing an EU Talent Pool](#) as well as a [Recommendation on the recognition of third country nationals' qualifications](#).

The Commission proposes a **Regulation to establish an EU-wide platform** aimed at "facilitating international recruitment and providing opportunities for jobseekers from third countries in [EU-wide shortage occupations](#)", mainly in the healthcare, construction, transport and ICT sectors.

The EU Talent Pool will be a **voluntary matching tool** for interested Member States, open to "low, medium and highly-skilled jobseekers". Only employers established in those MS will be able to publish their job vacancies. It will also support the implementation of **Talent Partnerships**, launched with **Morocco, Tunisia, Egypt, Pakistan and Bangladesh**.

The ETUC remains highly critical of the set-up of this matching pool, which takes us back to earlier models of labour migration designed for and driven by employers, and that the ETUC strongly rejects. European labour migration policies should instead **promote decent work, equal treatment, social inclusion** as well as prevent and **protect migrant workers from exploitation and abuse**. It is not only about 'matching' the skills but about the possibility to access work and residence permits, decent and quality jobs, based on the principle of equal treatment as well as access to healthcare, housing and education.

The ETUC welcomes the fact that, contrary to the Commission's original plans, the Talent Pool has been presented in the form of a formal proposal for a Regulation. Its set-up is a complex undertaking and before its implementation, all relevant legal, technical and practical issues must be clarified as part of the ordinary legislative process in order **to prevent migrants from being placed in precarious and exploitative employment relationships**.

The impact of **brain-drain and care-drain** in the migrants' countries of origin, many of which face an even more dramatic shortage of healthcare workers than the EU, needs to be taken into account. Increased remittances are unlikely to fully compensate for the ensuing brain drain.

In light of the ongoing revisions of the **Single Permit and the Long-term Residents Directive**, progress on the EU Talent Pool should build on this work, to improve access to work and residence permits for migrant workers as well as the enforcement of labour standards in the EU. Particular attention must be given to fraud-sensitive sectors, where migrant workers are particularly vulnerable and at high risk of labour exploitation and abuse.

The ETUC opposes the narrow focus on the causes and solutions to **labour shortages and/or skills** which are not necessarily related to a lack of 'skilled workers'. Labour shortages are due to **poor working conditions**, short-term and flexible employment relationships, low wages, lack of economic and social convergence in the EU, lack of Active Labour Market Policies (ALMPs) and their quality, industrial policies, underinvestment by public authorities and employers in education and training. It is up to employers to improve working conditions and wages, in

negotiation with trade unions, as well as to ensure a 'right to on-the-job-training', and up to governments to ensure effective ALMP and education and training policies, and not up to the migrant workers to bear the cost of their inaction. In the **sectors of healthcare and long-term care**, the lack of sufficient public investment drives down pay and working conditions and leads to privatisation of these essential services. The ETUC calls for a gender transformative approach, including equal pay for work of equal value, to labour migration.

The ETUC reiterates the key role of **EU social partners both at cross-industry and sectoral levels**, who should be part of the EU Talent Pool governance. Trade unions in both origin and EU countries at all relevant levels should be involved in the governance, implementation and monitoring of the Talent Pool, including the National Contact Points.

Data protection elements on how the data will be collected and processed should be part of the online platform. There should be strict safeguards for the migrant workers concerned and a meaningful communication of how their data is used therein.

The ETUC remains critical about the implementation of **Talent Partnerships** and is concerned about the trend towards the use of bilateral labour migration agreements and partnerships with third countries as a means of labour migration governance. Those Partnerships need enhanced **safeguards, protection, and rights for migrant workers**. It may never be an alternative route to circumvent safeguards in EU labour migration directives. A periodic monitoring and reporting system should be established.

Both the Talent Pool and Partnerships should address the need for **transparency, information and involvement of trade unions** both in the countries of origin and destination at relevant levels and sectors, coverage of recruitment fees and travel costs by employers (including quality accommodation), and **access to information** for workers in their own language, including **labour and trade union rights, complaints and redress mechanisms**. The Talent Pool should provide reliable information to migrant workers at all stages, including available support from trade unions and civil society organisations.

Fair recruitment standards, including bans on abusive practices, recruitment fees and deductions must be upheld. In fraud-sensitive sectors, intermediaries and agencies should be ban as well as a strict limitation of subcontracting. This should build on the fair recruitment policies and principles of the [ILO](#) and the [WHO Global Code on the International Recruitment of Healthcare workers](#), including social partner initiatives such as the [EPSU-HOSPEEM Code of Conduct](#). Tools such as the [ITUC Migrant Recruitment Advisor](#) should be considered.

The ETUC welcomes that the Recommendation proposes solutions that support access to employment for migrants by addressing the **validation and recognition of their skills and qualifications**. The latter should be assessed and recognised in a smooth, swift, and transparent manner, whether or not documentation is available. **Fair treatment** is key to achieve this, and the role and responsibility of employers is essential to have equal treatment in analysing the learning and work experience of migrants in case of unregulated professions.

For regulated professions, it is also key to ensure that working conditions for migrants are not lowered. Instead of reducing the requirements to access a regulated profession and providing migrants with temporary contracts and lower salaries, MSs should support them through training opportunities that will help bridge the gap between their skills and the required qualifications, ultimately ensuring that they benefit from **fair and equal employment opportunities**.

The Recommendation should be operational before the EU Talent Pool is in place.

The ETUC rejects the proposal as it stands. The ETUC will engage throughout the legislative process, to ensure that the above trade unions' demands are taken into account, **failing which the EU Talent Pool will not be supported**. The EU Talent Pool is expected to be operational as from the beginning of 2028, which leaves sufficient time to address its shortcomings.