

Manifesto 3 – WP3.2

Protect migrant workers, raise standards for all: strengthening enforcement in Farm-to-Fork sectors

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Core Reflections

- > There is a growing mismatch between economic realities, labour market needs and migration policies in agri-food sectors. While many of these sectors typically rely on foreign workers, restrictive policies create barriers to their employment, fuelling informal labour practices and heightening the risk of exploitation.
- > Significant gaps persist between EU legislation and policies on paper, including those protecting migrant workers, and their effective implementation in practice.
- > While exploitative and unsafe working conditions disproportionately affect migrant workers, particularly those in situations of irregularity, enforcement gaps, combined with broader economic and policy dynamics worsen standards for all.
- > The EU institutions, and the European Commission in particular, should take a more assertive role in closing implementation and enforcement gaps and ensure that legal provisions translate into tangible protections for workers.
- > Promoting fair working conditions and ensuring that migrant workers can legally access employment and essential services will strengthen retention, reduce precarity and enable contributions to tax systems and broader communities, strengthening social cohesion and economic resilience.

Introduction

Employers in Farm to Fork (F2F) sectors face growing economic uncertainties and value-chain pressures. At the same time, they are increasingly unable to meet labour demand with EU workers and turn to non-EU workers to fill the gaps.

Foreign workers have come to form a crucial part of the EU's F2F workforce, contributing vitally to the EU's economy and food security. Yet, while often grouped together, foreign nationals working in F2F sectors are a highly heterogeneous population. They use different channels to move to EU member states for work and fall under different policy and legal frameworks. Some already reside in and move from other member states. Others may be awaiting a decision on their asylum claim or are recruited seasonally. Others still may be in a situation of irregularity, move between irregular and regular stay, or transition from one type of residence status to another.

Whatever their channel of entry or resident status, the outcome is often the same: subsistence needs and precarity push many foreign workers in F2F sectors to accept substandard working conditions in the absence of better alternatives. Limited access to information on rights and safeguards aggravates their vulnerability to abuse, particularly for those in situations of irregularity, reinforcing a downward spiral in labour standards affecting all workers.

These dynamics underscore the need for more robust EU action to detect, prevent and remedy exploitation of foreign

workers. The current restrictive turn in EU migration policy suggests that, in the short-term, member states are unlikely to pursue ambitious labour migration agendas. Yet, persistent labour shortages and economic pressures signal that F2F sectors will continue to rely heavily on foreign labour.

Unless the EU ensures more effective measures that strengthen enforcement and address structural labour market realities, protection gaps will continue to generate negative spillover effects across the workforce, undermining social cohesion and food systems.

Rights on paper, gaps in practice: how EU frameworks leave foreign workers unprotected

Foreign workers in F2F sectors are disproportionately exposed to precarious employment, poor working and living conditions, and limited access to social protections. DignityFIRM research shows that migrant workers face systematic issues such as long working hours, low pay, inadequate housing, and weak enforcement of occupational health and safety standards. These are often compounded by limited access to reliable information on rights, union representation, and legal recourse.

Although several EU-level frameworks address the situation of foreign workers and include provisions relevant to their

protection, their effectiveness is undermined by insufficient implementation and weak enforcement. Illustrating this are the Seasonal Workers Directive ([SWD](#)), Posted Workers Directive ([PWD](#)), Employers Sanctions Directive ([ESD](#)) and Victims' Rights Directive ([VRD](#)) examined in detail by [DignityFIRM researchers](#).

With sectors such as agriculture and hospitality relying heavily on foreign seasonal labour, [SWD](#) was designed to address the demand. The SWD also aims to secure decent living and working conditions for migrant workers. However, the pathways created under the SWD remain narrow and temporary, and protections for workers patchy.

While the SWD in principle allows seasonal workers to change employers, strict conditions, time limits, and the discretion left to national authorities mean that [changing employer is difficult in practice](#). [Workers can remain dependent on employers](#), as their regular resident status hinges on maintaining an authorised seasonal work relationship. This can reduce workers' bargaining power and discourage both the reporting of abuses and departing from exploitative work relations. Moreover, while [most member states facilitate re-entry](#) in line with the Directive's provisions, [gaps remain](#). Where re-entry or renewal are perceived as uncertain, [analyses](#) suggest, this can weaken incentives for circularity and contribute to [overstaying](#). This risk is compounded by limited access to [long-term residence pathways at EU level](#).

Some F2F workers move across the EU and access EU labour markets through

arrangements regulated by the [PWD](#) which allows workers to be temporarily posted to another member state. The Directive also requires that posted workers benefit from a core set of employment conditions in the host country. These include remuneration, maximum working time and minimum rest periods, minimum paid annual leave, and occupational health and safety standards.

Originally designed to facilitate the free movement of services in the context of the internal market, the PWD applies to both EU citizens and, under certain conditions, non-EU nationals. In recent years, [reports](#) indicate the PWD is increasingly being used to post non-EU nationals, including in the [agri-food sector](#). [Research](#) has also documented abusing practices linked to posting non-EU nationals, such as fraudulent intra-EU posting and the circumvention of labour obligations and social security. Posted workers, particularly non-EU nationals, report problems such as [underpayment, excessive working hours, and limited access to leave](#).

Another instrument with an unfulfilled protective potential is the [ESD](#). Its [primary objective](#) is to combat the employment of irregularly staying migrants through dissuasive sanctions on employers. At the same time, it includes some protective provisions for affected workers, including to ensure the payment of outstanding wages and the ability to lodge complaints against their employer. In practice, however, foreign workers in an irregular situation face [significant barriers](#) to reporting substandard or exploitative working conditions. [Civil society](#) and the EU Fundamental Rights Agency ([FRA](#))

highlighted that where labour and immigration enforcement are entangled, fear of detection and removal can deter migrants from coming forward. Firewalls could address this problem, but these are often weak or absent.

In situations where a foreign worker becomes the victim of a conduct constituting a crime under national law, the VRD offers a more comprehensive protective framework than the ESD. It applies to all victims irrespective of nationality or residence status and establishes minimum standards on access to support as well as information on legal aid. It also obliges member states to ensure that competent authorities and victim support services provide these protections in a non-discriminatory and accessible manner. In practice, however, as with the ESD, the extent to which migrants in a situation of irregularity can benefit from these provisions varies considerably. This is due to differences in criminal systems and the absence of effective safe reporting mechanisms insulating access to support from immigration enforcement.

From implementation gaps to erosion of worker standards

DignityFIRM research demonstrates that the rights of migrant workers established in law often only exist on paper. This can lead to worsening conditions for all workers.

Migrant workers, particularly those in irregular or otherwise precarious situations, often face substantial barriers to

claiming their rights, making them more vulnerable to exploitation. Employers may deliberately assign the most demanding, hazardous, or low-paid tasks to those least able to enforce protections, in this context. This dual labour market, or workforce segmentation, leads to the experience of the most precarious workers setting implicit benchmarks.

Underreporting violations by migrant workers, often driven by fear of immigration enforcement, loss of legal status or livelihood, amplifies these effects. This can contribute to undermining the credibility and overall effectiveness of labour inspections and reporting mechanisms. Where inspections are less frequent and enforcement weak, violations affecting all workers may become more common as the likelihood of their detection is reduced.

In addition, complex subcontracting chains common in F2F sectors further dilute employer accountability, delaying remedies and amplifying negative effects across the workforce.

These gaps interact with broader economic pressures. Intense downstream price competition and margin pressures incentivise F2F employers to rely on labour cost reduction as a key adjustment mechanism. Some employers may even exploit weak enforcement to gain a competitive advantage by cutting labour costs and lowering investment into health and safety standards. Where the perceived risk of detection is low, some could consider that the economic benefits of a cheap, informal and irregular labour outweigh the potential costs of sanctions. In

labour-intensive sectors such as F2F, these dynamics can trigger a “race to the bottom”, where poor working conditions become the norm to remain competitive.

Without consistent enforcement, these structural pressures reinforce one another, producing negative spillover effects that lower standards for all workers in F2F sectors.

Protecting the EU’s workforce and food system requires a stronger Commission push on implementation

Closing implementation and enforcement gaps is essential not only to protect migrant workers but also to uphold the EU’s broader commitments to fair labour standards and sustainable food systems for all. Many of these gaps are widely recognised: the European Commission, alongside the EU Fundamental Rights Agency, social partners, and civil society organisations have all acknowledged some of these challenges.

In its 2024-2029 Political Guidelines, the Commission set out to tackle exploitation of migrant workers in the EU labour markets and ensure their decent working conditions. Building on these, the mission letter to the Commissioner for Internal Affairs and Migration, Magnus Brunner, lays the groundwork for a possible strengthening of the policies aimed at preventing the exploitation of workers in an irregular situation during this mandate. The current

political context suggests that there will be limited space for ambitious reforms.

Over one year into the new mandate, the roll-out of the Pact on Migration and Asylum and connected reforms, including of the return system, have dominated the migration agenda. Yet, if it is to close the gaps and deliver on all its commitments, the European Commission should prioritise the effective implementation and enforcement of existing frameworks.

Several initiatives could contribute to advancing this goal. The European Labour Authority (ELA) is undergoing a revision of its mandate. The EU Quality Jobs Roadmap highlighted that a strengthened ELA could contribute to tackling exploitative working conditions also affecting non-EU workers, enhancing efforts against undeclared work, and improving cooperation with law-enforcement bodies. To fulfil this potential, the reinforcement of ELA’s mandate should prioritise enabling the Agency to close gaps identified across member states, support safe reporting channels and bolster labour inspectorates.

Improvements could also come from the forthcoming Quality Jobs Act, expected in late 2026. The proposal should address occupational health and safety risks as well as abusive practices linked to subcontracting, both of which are prevalent in F2F sectors.

Further actions, including reports assessing the implementation and monitoring of the SWD and ESD may pave the way towards targeted revisions in the future.

The extent to which these initiatives will meaningfully improve the current situation remains uncertain, however. It will depend on the degree of prioritisation the Commission will give to implementation gaps and, simultaneously, [social policy objectives](#). Reflecting wider structural challenges, social considerations are neither at the top of the EU agenda nor the main EU policies adopted, suggesting that not all these goals will receive attention in the current cycle.

Yet, despite this political climate, the need to strengthen enforcement and implementation will not diminish, particularly considering labour market realities in F2F sectors. Employers will continue to struggle to meet [labour demand](#) through the recruitment of the domestic workforce, especially for low-wage, seasonal, or physically demanding roles (see Box 1).

Box 1: New EU tools, old exclusions: what SPD and the Talent Pool mean for F2F

The Single Permit Directive ([SPD](#)), due to be transposed into national legislation by 21 May 2026, will streamline access to work and residence permits under a single procedure. In contrast to the SWD, the SPD should facilitate changing employers during the validity of their permit. However, non-EU nationals recruited as seasonal or posted workers will not be able to apply for the single permit, nor convert or renew existing permits under this scheme, excluding many migrant workers in F2F sectors.

The recently adopted [EU Talent Pool](#) has the potential to facilitate recruitment into sectors facing labour shortages. The initiative could also enhance recruitment standards, as it foresees mandatory vetting of employers, including temporary agencies. The system will rely on the [list of EU-wide shortage occupations](#), which member states may adjust by notifying the Commission to reflect national labour-market needs. At present, most F2F occupations do not feature on this list, limiting the extent to which the Talent Pool will benefit these sectors, at least in its initial phase.

Limited availability of legal migration pathways and burdensome administrative procedures, including uncertainty around processing times, will likely continue to complicate the recruitment of non-EU nationals from abroad. Illustrating the latter, [procedural delays and narrow quotas](#) render the SWD an insufficient instrument to meet [shortages and sectoral needs](#), in addition to falling short of addressing the risks of abuse. Meanwhile, other potential sources of labour, such as [international students](#) or [asylum seekers](#), are also constrained by working-hour caps or delayed access, creating further barriers to addressing labour needs.

Against this background, informal and [undeclared work](#) will likely continue to fill the gaps, exposing workers to substandard conditions and heightened vulnerability to exploitation. In response to acute labour shortages in F2F sectors, some member states have resorted to ad hoc solutions, including [regularisation programmes](#) or the

issuance of temporary permits to workers already resident in the country. Illustrating this, in January 2026, the [Spanish government](#) approved a large-scale regularisation initiative providing a pathway to residency for irregularly staying migrants meeting basic criteria, as a pragmatic measure to reduce informality in the labour market and expand access to legal employment and social protections.

Although these initiatives are welcome and may improve conditions for some, they do not transform the structural issues that generate dependence on informal and precarious labour. They also remain subject to the discretion of member states.

Towards stronger enforcement and more resilient labour markets

While unable to address underlying structural conditions, closing enforcement gaps across F2F sectors and addressing unfair working practices will remain essential. Strengthening the implementation of existing legislative frameworks would reduce precarious and exploitative employment of the non-EU workforce while raising standards for all workers. It would also enable migrant workers to participate more fully in local communities and national tax systems. Ensuring effective access to rights and socio-economic inclusion is therefore not only a matter of dignity, but also an investment in social cohesion, sustainable food systems, and the EU's economic resilience.

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About DignityFIRM

Towards becoming sustainable and resilient societies we must address the structural contradictions between our societies' exclusion of migrant workers and their substantive role in producing our food.

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