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Structural reliance on migrant labour in the Dutch agricultural and gastronomy sectors and the role of informal employment practices

WP6 Working Paper

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Table of contents

| | |
|---|-----------|
| 1. Introductory Remarks | 4 |
| 2. Scale of formal and informal migrant employment in the Farm to Fork (F2F) sectors | 5 |
| 2.1 Scale of formal employment of migrants | 5 |
| 2.2 Scale of (migrant) informal employment | 10 |
| 3. Employers' perspective: Determinants of formal and informal migrant employment in the F2F sectors | 13 |
| 3.1 The relevance of selected determinants of migrant employment | 13 |
| 4. Sectoral perspective: Business (irregular) employment strategies: The role of technological change and the legal framework | 20 |
| 4.1 The employment-technology nexus | 20 |
| 4.2 Laws and regulations disincentivizing irregular employment | 23 |
| 5. Employee's perspective: labour market vulnerabilities of workers due to informal employment and the importance of regulatory frameworks | 29 |
| 5.1 Labour market vulnerabilities of workers due to informal employment | 29 |
| 5.2 Changes in the regulatory framework that could reduce migrant labour market vulnerabilities | 33 |
| 6. Conclusion | 37 |
| 6.1 Scale of Formal and Informal Employment | 37 |
| 6.2 Determinants of Employment Patterns | 38 |
| 6.3 Business Strategies and Legal Framework | 38 |
| 6.4 Consequences for Migrant Vulnerabilities and Regulatory Responses | 38 |
| 6.5 Concluding remarks | 38 |
| References | 39 |

1. Introductory Remarks

This report presents the national findings for the Netherlands that were collected for work package 6 (Employers' reliance on irregular employment of migrants) of the DignityFIRM project. The overall aims of this work package are: (1) to identify and assess the main labour market-related conditions, policies and actors that are driving the irregularity of migrant labour in the food supply chain industries in Europe; (2) to assess the conditions resulting from the irregular status on the labour market; and (3) to analyse and to explain the structural effects (on the sectoral level) of the presence of irregular migrant labour. The research in the context of this work package and in this report focuses in particular on the sectors agriculture and gastronomy (bars, restaurants, food delivery).

The central research questions that this report seeks to address are:

1. What is the scale of formal and informal native and migrant employment in the F2F sectors? (Section 2)
2. What are the determinants of formal and informal native and migrant employment in the F2F sectors? (Section 3)
3. What are business (irregular) employment strategies and how do they relate to ongoing technological change and the Dutch legal framework? (Section 4)
4. What are the consequences of informal employment for migrant labour market vulnerabilities and what is the relevance of regulatory frameworks for shaping migrant vulnerabilities? (Sections 5 and 6)

The starting point of the presentation of findings for the Netherlands is provided by the general findings on (irregular) work of migrants in the country. Next to this, it particularly focuses on two sectoral case studies on the Dutch agriculture sector (in Northern-Limburg) and the Dutch gastronomy sector (in the Rotterdam region), which are also at the heart of work package 5 where we performed a local level analysis.

The findings are based on various sources of secondary and primary data as follows:

- A systematic mapping of the scale and structure of (irregular) migrant employment in the F2F labour markets in the Netherlands, which entailed the review of relevant literature (academic, reports, policy documents, investigative journalism), the analysis of available secondary data and 5 expert interviews to cross-check and complement the findings from the desk research. As said, there was a particular focus on migrant workers in the Dutch agricultural sector (in Northern-Limburg) and the Dutch gastronomy sector;
- Two sectoral focus groups with relevant stakeholders (representatives of employers, employer associations, and trade unions, labour market experts and government officials) in the agricultural and gastronomy sectors, to pinpoint (irregular) migrant workers' current labour market conditions, to identify the mechanisms of relevant labour market policies thereon, to gain a better understanding of the nature of the vast labour market demands for (irregular) migrants and the structural factors that drive it.

- A large scale (N=304) online employer survey (CATI with optional CAWI) implemented between 14 April and 19 May 2025. The sample includes the sectors Agriculture (N=110; Industry codes A01 and A03, except A01.15 – agriculture and fishing, except tobacco cultivation), Food processing (N=80; Industry codes C10 except C10.9: food processing, except for the production of feed and animal food), Bars and Restaurants (N=114; Industry code I56 gastronomy), hereafter “Gastronomy”. The aims of the survey were to: (1) identify the main economic and labour market factors that employers consider in their decisions to hire migrants and natives, in a compliant and non-compliant way; (2) assess the relative importance of these factors; and (3) verify whether there exists a trade-off value between formal and informal employment of migrant and native workers. To yield a better understanding of the mechanisms of irregular employment from the perspective of employers we also included revealed preferences experiments, as direct questions on this sensitive issue would not have yielded valid responses.
- 35 in-depth interviews with main stakeholders in the Dutch agricultural sector (representatives of 9 farmers and temp agencies, 2 active neighbours, 2 representatives of a housing company, 9 municipal and national civil servants, 3 people working for national enforcement, 1 NGO’s and 2 unionists and 1 legal aid representative and 2 auditors) implemented in person or online between March 2024 and March 2025.
- 39 in-depth interviews with main stakeholders in the Dutch gastronomy sector (business owners/managers, representatives of employers’ associations, migrant workers, local and national government officials, representatives of NGO’s, trade unions, chamber of commerce, regional training centre.

2. Scale of formal and informal migrant employment in the Farm to Fork (F2F) sectors

This section addresses the research question: What is the scale of formal and informal migrant employment in the F2F sectors? To start with, section 2.1 looks into the scale of formal employment of migrants in the F2F sectors. Sections 2.2 and 2.3 then present insights on informal native and migrant employment in the sectors.

2.1 Scale of formal employment of migrants

General overview

As of December 2022, there were around 1.541 million working migrants in the Netherlands ([CBS, 2022](#)). Given that many migrant workers in the country are employed not directly, but via employment agencies, it is difficult to get a clear picture in which sectors migrant workers are active. In the agricultural sector, which accounts for a substantial share of work done by migrants in the country, the number of directly hired migrant workers is just 25,380. These workers originate from the EU-27 countries (20,120) and from non-EU countries (5,220). The hospitality sector (food-related/gastronomy and non-food related) had 103,020 migrants working on direct hiring contracts. Here, only 27,840 migrants originate from EU-27 countries and 74,810 from

non-EU countries. Just less than half of these international workers in the hospitality sector worked in restaurants (43,770), of which 10,880 came from EU-27 countries and 32,740 from non-EU countries; the non-EU workers are predominantly international students, Ukrainians, other status-holding non-EU nationals, but only few are recruited from outside the EU and work on a work permit ([UWV, n.d.-a](#)).

As indicated, a substantial share of migrant workers in the Netherlands is employed via employment agencies. In 2019, 90% of the labour migrants in the Netherlands in agriculture and horticulture worked through employment agencies ([SEO Economisch Onderzoek, 2020](#)). The two largest associations of employment agencies in the country, ABU (Algemene Bond Uitzendondernemingen) and NBBU (Nederlandse Bond van Bemiddelings- en Uitzendondernemingen), represent around 65% (500+ members) and 25% (1300+ members) of the market of employment agencies and its members made available 461,431 migrant workers (predominantly EU mobile citizens) to the Dutch labour market in 2023. 21% of them worked in greenhouses, 3% in farming, 18% in the food industry, and 1% in the hospitality sector (ABU, 2024).

Data on work permits (*tewerkstellingsvergunning*, twv's) and single permits (*gecombineerde vergunning voor verblijf en arbeid*, GVVA's) can also give us some insights into the scale and nature of migrant work in the Netherlands, even though they only cover a fraction of the total migrant work carried out in the country (e.g. categories of EU mobile citizens, refugees, self-employed persons, highly-skilled migrants are exempted from the twv and/or GVVA and thus not included). In 2023, for all sectors combined, the Employment Insurance Agency (Uitvoeringsinstituut Werknemersverzekeringen, UWV) provided a total of 20,228 work permits and single permits (16,140 and 4,090 respectively; Ministerie van Justitie en Veiligheid, [2024](#)). The most prominent origin countries for these permits in 2023 were China, India, Ukraine, Great Britain and the USA. A large share of permits were granted for the hospitality sector (in particular for Asian gastronomy businesses via the Asian cook regulation).

The net labour participation rate of people with a migrant background other than EU mobile citizens, called migrant workers (arbeidsmigranten) in the Dutch context, remains low, in particular for family migrants and refugee status holders. Asylum seekers had limited access to the labour market until late 2023. Since the law on their labour market access changed, their labour market access has improved (De Lange & Van Oers, 2024), although the work permit requirement has remained in place. By contrast, displaced people from Ukraine have immediate labour market access in employment. Both Ukrainians and asylum seekers are mostly working through employment agencies (because of the temporariness of their stay employers do not dare offer them permanent contracts) and – more than asylum seekers – Ukrainians work in agriculture (UWV, n.d.-b).

Agriculture

The agricultural and horticultural sectors in the Netherlands have grown increasingly reliant on migrant labour to fulfil their workforce demands. As of 2019, migrant workers made up roughly one-third of all directly employed individuals in these industries. Additionally, an estimated 90% of those hired through temporary employment agencies were migrants. This trend coincides with a broader rise in the use of temporary agencies and other forms of non-standard employment within the sector (SEO Economisch Onderzoek, 2020). To date, the Netherlands has not issued—or, to our knowledge, received applications for—temporary visas for seasonal labour under the EU Seasonal Workers Directive 2014/66. Until now, the mobile workforce within the EU has adequately met the labour needs of the Dutch agricultural sector. However, as de Lange, van Meeteren & Naaktgeboren (2025) demonstrate, signs of strain are beginning to emerge in the labour supply after three decades of recruitment from Eastern Europe. A government advisory body, the WRR (Wetenschappelijke Raad voor het Regeringsbeleid, 2025), also expressed the need to start looking beyond recruitment from Eastern Europe as they will not be able to answer future labour demands due to demographic changes.

The majority of migrant workers in Dutch agriculture are mobile EU citizens. Since 2006, their registered presence in Dutch municipalities has increased fivefold (CBS, 2025b). Most originate from Eastern European countries and typically return home within six years, labelled as temporary. Nonetheless, a substantial share—around 40 percent—remain in the Netherlands for a longer period (CBS, 2025a). However, their availability is decreasing, suggesting an increased need to recruit workers for agriculture from outside the EU. Our respondents say intra-EU posting is not yet a common practice in agriculture or food processing industries. Yet the OECD reports (2025, p. 39) that a significant and increasing part of intra-EU/EFTA posted workers consists of third-country nationals. The Netherlands is one of the main destinations, and more than a third of postings are by third-country nationals, mostly Ukrainians and Belarusians posted from Poland and Lithuania to work in the transportation, agriculture, and road freight transport. Moreover, according to the ICMPSD: “Within the Dutch agricultural sector, some bottlenecks are expected for land and foresters and farmers. In the agriculture sector, demand for MBO-3, MBO-4 and Bachelor level educated persons is higher than supply. Employers' federations in the agricultural sector (e.g. LTO) also advocate for the horticulture sector to recruit migrants and representatives of the agricultural sector note their strong interest in labour immigration from outside the EU.” (ICMPD, 2025).

Our survey data based on 110 agricultural and horticultural businesses show that around half (53%) of the respondents had at least one migrant employee in 2024. About a third of these only

had 1-4 migrant employees and 30% of employers had more than 20 migrant employees. The number of businesses that employed 5-9 migrant employees or 10-19 was both 20%. The survey

results showed in almost all the agriculture and horticulture businesses that migrants filled positions that are untrained manual labour (93%). In much less cases they filled trained manual labour (22%). In almost no cases did migrants fill management or office positions. This differs strongly from (native) Dutch employees, who more often do management jobs (72%), office jobs (78%), or trained manual labour (48%), while less employers employed Dutch workers for untrained manual labour (78%).

Hospitality and Gastronomy¹

In 2022, the hospitality sector (food-related/gastronomy as well as non-food related businesses) in the Netherlands represented 474,570 full-time equivalent jobs. Of those employed in the sector, 35% had a migration background. This included 13% from Western countries, 8% from the Dutch Antilles, Aruba, Morocco, Suriname, and Turkey, and another 13% from other non-Western countries ([NBTC \(Nederlands Bureau voor Toerisme & Congressen\), 2025](#)).

In the first quarter of 2024, the Netherlands recorded 79,325 hospitality enterprises, encompassing both accommodation and food and beverage establishments. Of these, 67,625 were dedicated to gastronomy, making it the largest segment within the hospitality sector. Approximately half, 32,695 enterprises, belonged to gastronomy branches (CBS StatLine, 2026). The majority of these businesses are micro, small, or medium-sized enterprises (MSMEs), with many employing fewer than 10 people, classifying them as micro-enterprises. In contrast, identifying the number of businesses involved in food delivery and cleaning within gastronomy is more complex, as official statistics do not differentiate between various types of couriers and cleaning services. Existing data on migrant workers tends to cover either the hospitality sector as a whole or focus specifically on restaurants (CBS StatLine, 2025).

In 2024, the restaurant sector in the Netherlands recorded 186,295 employment contracts (CBS Microdata (SSB), as cited in Landelijke Data Alliantie, n.d.-a). Of those employed, approximately 43% had a migration background—either having migrated themselves or persons with second-generation migration background (CBS Microdata (SSB), as cited in Landelijke Data Alliantie, n.d.-b). As of December 2024, the majority of workers with a migration background in the restaurant branch originate from third countries, while roughly one-quarter come from within the European Union (Landelijke Data Alliantie, n.d.-b). A note of caution is in place here, as having a migration background in this data context does not mean that these individuals are labour

¹ Even though our research focuses particularly on food-related/gastronomy businesses in the hospitality sector accounting for about 85% of the total firms in the sector, much relevant information is only available at the level of the hospitality sector as a whole, which also includes non-food related businesses. We thus combine relevant insights from the hospitality sector and from the gastronomy sub-sectors.

migrants that were necessarily recruited for specific jobs, instead, this data rather captures workforce diversity.

Our survey was held among 111 Dutch cafes and restaurants. In our survey results we find that 41 percent of the respondents had at least one migrant employee in 2024, so the majority of cafes and restaurants in our study did not. Most respondents shared that they employ 1-4 migrant workers, a smaller part said to employ between 5 and 9 migrant workers. And only a few respondents employed more than 10 migrant workers. Contrary to the data by Statistics Netherlands above, in almost no cases did migrant workers fill a management or office position (2,2%). Most respondents shared that international workers performed untrained manual labour.

Reports and media commonly highlight three main groups of migrant workers in the hospitality sector: refugees (or status holders), Asian chefs, and international students. The first group, status holders, typically work under flexible contracts. A cohort study reveals that their participation in the hospitality sector tends to decline over time, while employment through temporary agencies increases. For example, six months after receiving residence permits in 2014, 40% of status holders were employed in hospitality and 11% in the temporary agency sector. Six years later, only 11% remained in hospitality, while 27% had shifted to temporary agency work (Centraal Bureau voor de Statistiek, 2022). This suggests that the length of stay influences employment patterns among status holders. More recently, temporarily displaced individuals from Ukraine have entered the hospitality workforce. In 2023, 6,265 employers reported hiring a refugee from Ukraine, compared with 3,433 notifications in 2024 and 4,817 in 2025.(UWV, n.d.-b).

The second frequently mentioned group of migrant workers in the hospitality sector are Asian hospitality professionals. Until July 2024, Asian specialty chefs were eligible for residence permits under the Asian Hospitality Regulation. On 1 January 2021, about 3,690 persons had a valid permit derived from this regulation (Parliamentary Documents, 2020-2021, Q&A nr. 3032). A third group includes international students, who are permitted to work up to 16 hours per week with a valid work permit. Survey data from Groningen, a prominent student city, indicates that 52.6% of international student respondents were employed in the hospitality sector, while 29.2% worked in food delivery services (Tessari & Boelens, 2023).

Finally, the gig economy is also relevant when discussing migrant labour in the gastronomy sector. Food couriers in the Netherlands are frequently migrant workers from a wide range of countries. Ethnographic research conducted by Van Doorn et al. (2022) in Amsterdam during 2018 and 2019 found that a significant portion of gig workers—including food couriers—were migrants. The Netherlands Labour Authority has also acknowledged the varied composition of flash couriers, identifying them as “(international) students, other Dutch people, and migrant workers” (Nederlandse Arbeidsinspectie, 2022b, p. 12). A media investigation spanning Nijmegen, Amsterdam, and Utrecht further revealed the diverse national backgrounds of food couriers, including individuals from Bulgaria, Nepal, Bangladesh, Pakistan, Nigeria, Albania, Gambia, and Brazil (Rengers & Houtekamer, 2022).

2.2 Scale of (migrant) informal employment

The Netherlands Labour Authority estimates that the size of the at-risk population for illegal employment (work without the required work permit) is 314,000 people (Fracic, Horodnic, & Williams, 2023; Nederlandse Arbeidsinspectie, 2022a). These 314,000 people fall in various categories, whereby a distinction is made between violations of employment conditions, abuses of employment schemes (e.g. 39,400 persons at risk of abuse of the knowledge migrant scheme; 4,300 persons at risk of abuse of the Asian cook scheme; 13,200 persons at risk of abuse of the work permits (twv's) and single permits (GVVA's)), illegal employment of migrants with residence permit (e.g. 25,000 foreign students with illegal employment; 12,300 asylum seekers in illegal employment) and illegal employment of migrants without a residence permit (40,500 employed foreign nationals residing illegally in the Netherlands (Nederlandse Arbeidsinspectie, 2023b, p. 579). Reflecting on these various categories of people of risk, it is important to note that the number of people at risk include both legally staying migrant workers (EU and non-EU citizens) and non-legally staying migrant workers (non-EU citizens). Also, the figures are highly uncertain. For comparison, in their review of prior statistical evidence, Berntsen et al. (2022, p.27-29) indicate that the estimate number of non-EU migrants (working and non-working) residing illegally in the Netherlands has declined from about 122,000 in 1997 to under 20,000 in 2017.

According to 2015 survey data, the Netherlands Labour Authority (Nederlandse Arbeidsinspectie, 2023b) identified F2F industries—including agriculture, hospitality, employment agencies, and retail—as high-risk sectors. An earlier employer survey revealed that 10% of agricultural employers and 19% of hospitality employers were reported to be in violation of regulations concerning illegal employment (Frouws, et al., 2010).

The Dutch tax authority assesses the scale of informal employment in the Netherlands in a different way, namely by focusing on 'undeclared work', which is work that is not reported for taxation purposes, typically work paid for in cash. Undeclared work is most prevalent in the sectors of housekeeping, construction, hospitality, and agriculture (European Labour Authority, 2023, p. 1). Using the Labour Input Method (LIM) estimates, undeclared work accounted for 4.8% of total labour input in the Dutch private sector in 2019, down from 5.2% in 2013: indicating a modest decline over that period. This figure remains below the EU-27 average. A 2018 study by CBS estimated that approximately 400,000 individuals engaged in undeclared work, with the hospitality sector ('Horeca') alone generating around EUR 249 million in undeclared revenue. Overall, undeclared work in the Netherlands is estimated to produce roughly EUR 4 billion annually, though these figures are inherently difficult to measure with precision (European Labour Authority, 2023, pp. 1-2).

The Netherlands also reports one of the lowest shares of undeclared waged employment in Europe, with only 0.5% of waged labour considered undeclared. Notably, the dominant form of undeclared work is (bogus) self-employment, particularly via digital platforms. An estimated 90%

of undeclared work in the country is carried out through self-employment arrangements (Franic, Horodnic, & Williams, 2023; European Labour Authority, 2023, p. 4).

In our employer survey covering firms in the agriculture, gastronomy and food processing sectors, three direct questions were included to inquire about informal employment practices: A question about the documents on the basis of which migrants were employed; a question about whether or not migrant workers have health insurance; and a question about whether it occurred in the firm that a person was employed before formalities were fulfilled in “urgent” cases. With regard to the types of documents on the basis of which migrants were employed, the majority of employers indicated documents signalling legal forms of migrant employment, with only marginal shares (0%-4%) indicating the “other” option, indirectly suggesting a possibility that employment may have been informal. These numbers are certainly biased, as in such a question, respondents may obviously be unwilling to disclose the truth.

When asked about the health insurance status of migrant workers, 84% of employers reported that all their migrant employees were insured (91% in agriculture, 76% in gastronomy, 84% in food processing, see Table 1). The remaining employers either acknowledged that not all migrant workers had health insurance (or “not yet”), which may indicate informal employment practices, or stated they were unsure. While uncertainty could be attributed to outsourcing through temporary employment agencies, the data does not support this explanation: firms using such agencies and those that do not reported similar levels of “don’t know” responses. Nonetheless, agency involvement may account for part of this uncertainty.

Table 1: Employer survey responses: Do the migrant employees of your organization have health insurance?

| | Agriculture | Food processing | Gastronomy | Total |
|--|-------------|-----------------|------------|--------|
| yes, all of them | 91.38 | 83.87 | 76.09 | 84.44 |
| yes, some of them | 0.00 | 6.45 | 2.17 | 2.22 |
| no, they do not, but an appropriate procedure is under way | 0.00 | 3.23 | 4.35 | 2.22 |
| no, they do not | 0.00 | 0.00 | 2.17 | 0.74 |
| I do not know | 8.62 | 6.45 | 15.22 | 10.37 |
| Total | 100.00 | 100.00 | 100.00 | 100.00 |

A separate question addressed instances of employment commencing “before all formalities were fulfilled,” applicable to both migrant and native workers. In standard employment arrangements, this should not occur. However, approximately 10% of firms employing migrants admitted to such practices (5% in agriculture, 16% in gastronomy, 11% in food processing, see Table 2). These responses suggest that around one in ten companies in the surveyed sectors engaged in employment that did not fully comply with formal regulatory requirements. Indeed, some hospitality interviewees in Rotterdam described how, during busy periods such as the summer holidays or major sporting events, they would “just call the next person on the list”, suggesting that verifying formal requirements, such as whether a work permit was needed e.g. for international students, was not always a priority.

Table 2: Employer survey responses: Did it happen in your company in 2024 that at peak season or in other moments quick help was needed, a new employee started working before all formalities were fulfilled?

| | Agriculture | Food processing | Gastronomy | Total |
|-------------|-------------|-----------------|------------|--------|
| yes | 4.55 | 11.39 | 16.22 | 10.67 |
| no | 94.55 | 87.34 | 83.78 | 88.67 |
| do not know | 0.91 | 1.27 | 0.00 | 0.67 |
| Total | 100.00 | 100.00 | 100.00 | 100.00 |

3. Employers' perspective: Determinants of formal and informal migrant employment in the F2F sectors

3.1 The relevance of selected determinants of migrant employment

Across the various face-to-face (F2F) sectors, we observe broadly similar factors driving the higher employment of migrant workers compared to native workers. The most frequently cited reason is persistent labour shortages, which employers struggle to address through local recruitment. This is attributed either to an actual scarcity of available workers in the labour market or to the reluctance of local workers to accept the substandard working conditions typically offered.

The upcoming sectoral case studies draw on a range of data sources to further reveal that Dutch employers often operate within an implicit ethnic hierarchy when selecting employees. This chapter explores in greater depth the underlying factors and motivations that influence employers' decisions to hire international rather than native workers, and, conversely, the reasons they may choose not to.

Agriculture and migrant employment

The importance of a shortage of native workers on the labour market as determinant for employing international workers in agriculture is stressed in multiple sources. First, the agricultural employer association LTO states in a position paper (Van Meer, 2022) that: *"We do our utmost to recruit employees through various channels in both the Netherlands and abroad, but for the past few years this has become increasingly difficult. The many vacancies are increasingly harder to fill: not only temporary seasonal work, but also for year-round permanent work. Tightness in agriculture and horticulture can be explained by a number of causes. For example, the seasonal peak for the different agricultural sectors is fairly the same: you fish together in the same pond during that period. The supply from the so-called card pools ('kaartenbakken') [of public employment services] cannot cope with the shortage either. Furthermore, we see that distribution centers are hijacking part of the supply. Finally, it is good to know that the need for Polish people, for example, to come here is becoming smaller and smaller because of rising prosperity there."*

Second, our survey data on 110 agri- and horticultural businesses shows (see Table 3 below) that 14 percent of respondents see the shortage in native Dutch workers on the Dutch labour market as the reason why international workers are hired. This was the most prevalent reason given. Other reasons for hiring international workers were their willingness to accept more flexible labour relations (8%) and their better work ethos (6%). However, 76 percent of the respondents indicated not to have any specific reason to hire international workers.



Table 3. Survey findings agri- and horticultural sector: Reasons why international workers are hired

| Reason | % |
|--|----|
| No specific reason to hire international workers | 76 |
| Too few Dutch job seekers available for the jobs | 14 |
| International workers accept more flexible work arrangements | 8 |
| Lower labour costs | 2 |
| Belief that international workers have a better work ethic | 6 |
| Mainly receiving applications from international candidates | 5 |
| International workers possess specific qualifications (e.g. language or intercultural skills or difficult to find expertise) | 4 |

Our fieldwork in the agricultural sector in the region of Venlo also demonstrates that international workers are hired given the lack of ‘suitable’ or ‘willing’ native workers as the following citations of employers in the sector illustrate:

“...with all due respect to Dutch employees, they want to work from Monday morning – and I’m exaggerating a bit and generalizing enormously (...) They want to work from 8:30 Monday morning to 3:00 Friday afternoon.”

“I’ve also had periods where we were open to hiring Dutch people. Well, that often lasts for a short time. Because they’re not interested in the work at all. They don’t want to be on a sorting belt or anything like that, so that quickly comes to an end.”

In other words, employers feel they have no other choice but to work with migrant workers in the short-term (see also [Van Meer, 2022](#)). It became clear that the alternatives, such as robotization, were deemed too costly as short-term solutions and not fast or precise enough (yet). Some employers and the branch organization LTO remark that it has become increasingly more difficult to recruit international workers from EU countries such as Poland given competition from other sectors in the Netherlands with more attractive employment conditions (e.g. logistics) and less EU labour migrants coming to the Netherlands given more interesting opportunities elsewhere, which is why the recruitment of non-EU labour migrants is viewed as becoming more relevant in coming years to fill labour market shortages. As labour costs go up, in 2025 8,4% in the collective labour agreement for the open cultivation and 4,2% for green house labour, automation is however becoming a more interesting alternative to recruiting international workers, as the gap in the costs of investments decreases (Hiddink, 2025 & Ramaker, 2025).



The survey respondents were also asked what possible reasons they had for *not* hiring international workers. The most relevant motivations were: Language problems between international and Dutch colleagues (68%), cultural differences (7%), bad previous experiences with international workers (6%) and the unwillingness of native workers to work alongside international workers (5%). Only 3% stated that the costs of arranging the required paperwork for hiring international workers was relevant (likely, because most workers are EU citizens not requiring work permits). Also, and somewhat surprising, problems in finding housing for international workers was hardly mentioned (2%). 23% percent of the respondents did not state any specific reason why not to hire international workers.

The fieldwork in the region of Venlo provided some insight into the ethnic hierarchy in the hiring preferences of employers, which is also documented in prior Dutch studies (e.g. [Thijssen et al. 2020](#)).

Employers in the agricultural sector around Venlo—including temp agencies—expressed a clear preference for hiring mobile workers from within the EU, rather than third-country nationals such as asylum seekers or those with refugee status. A key reason for this is the dominant use of the Polish language on the work floor, where even supervisory roles are typically filled by Polish migrant workers. The Dutch language is primarily used by management personnel working in the office.

An interviewed cooperative—responsible for sorting, packaging, transport, and related tasks—employs its own staff and collaborates with a single temp agency for flexible labour. The interviewee noted distinct experiences with Romanian and Bulgarian workers compared to Polish and Ukrainian employees, attributing this to the latter group's generally higher education levels and differing attitudes. According to her, Romanians and Bulgarians tend to come primarily to earn money and then return home, pointing to a pattern of segmented labour relations based on country of origin (see also Timmerman, 2025).

In line with Thijssen et al. (2020), this may help explain why for instance asylum seekers often face greater challenges in securing employment, whereas individuals from Eastern Europe or Asia tend to find jobs more easily. It also illustrates how the labour market is divided along ethnic lines.

3.2 Gastronomy

A quarter of our respondents representing 111 cafés and restaurants indicate that they have lower labour costs for international workers than for Dutch workers. However, both in the survey and expert focus group, we find that this is not the most important reason to hire international migrants, it is even of rather marginal relevance. Table 4 shows the reasons why international workers are hired.

Table 4. Survey findings gastronomy sector: Reasons why international workers are hired

| Reason | % |
|--|----|
| There is no specific reason to hire international employees | 66 |
| There are too few Dutch job seekers for the available jobs | 21 |
| International employees are willing to accept more flexible forms of employment | 9 |
| Lower labour costs | 4 |
| International employees have a better work ethic | 4 |
| Mainly receiving applications from international candidates | 5 |
| International workers have specific qualifications (e.g. language skills, intercultural abilities, rare expertise) | 11 |

Similar to employers’ responses in the agricultural case, a substantial share of employers (66%) stated that they had no specific reason for hiring international workers. While this response may partly reflect an attempt to complete the survey quickly, thereby limiting the validity of this figure, it nevertheless echoes the accounts of hospitality owners and managers in Rotterdam. As noted in the WP5 country report on the hospitality sector in Rotterdam, various interviewees regarded someone’s migration history as a relatively insignificant factor, emphasizing that, particularly in a highly diverse city such as Rotterdam, individuals are simply viewed as workers like any others. Some employers even indicated that they were unaware of whether their employees were born abroad or held a different nationality, underscoring their perception that such distinctions were neither salient nor operationally relevant in their hiring practices (Naaktgeboren et al., forthcoming). Nevertheless, this may point to a lack of awareness among employers of the additional steps required for certain categories of migrant workers (for example, work permit requirements for third-country national students), potentially resulting in “illegal employment”, that is, non-compliance with the Foreign Nationals Employment Act.

Although almost no respondent indicated to be specifically searching for international workers (1% only; 25 % specifically looked for Dutch workers; 74% did not care about origin), they did state some reasons as to why they would hire international workers. 21 percent of the respondents said that they would do so because there are too little native job seekers for jobs in the sector. This was the most often named reason, followed by ‘international workers have specific qualifications like knowledge of languages, intercultural competencies or other ‘hard-to-find’ abilities’ (11%, which

might be relevant in specific subsectors – like Chinese restaurants – search for qualified workers/cooks) and their willingness to accept more flexible employment conditions (9%).

Respondents were also asked what possible reasons they had to not hire international employees. The two most often named reasons were related to language; 84 percent of respondents said language problems between the international employees and customers was a reason, while 79 percent named language problems between international and native employees as reason. Other reasons were cultural differences (11%) and difficulties with housing international employees (10%).

Rather few respondents (4.5%) mentioned the time and costs required to arrange documentation as an obstacle. This may be because most respondents in the survey hired EU citizens, for whom no work permit is needed. In interviews conducted in Rotterdam, many employers stated that they do not hire international workers who require a work permit, due to the complexity and administrative burden involved.

In an interview we conducted with the chair of the gastronomy labour union De Horecabond, the chairperson stated that large labour shortages are a main reason why hospitality employers hire migrant workers. He stated that, even if we increase wages and have more permanent contracts, vacancies will be there. He also said that the reputation of the job needs to be improved and that hospitality work needs to be made more attractive to reduce some of the labour shortages.

Several participants of the gastronomy focus group noted that the hospitality sector is particularly facing a shortage of skilled or trained personnel (e.g. cooks). Participants indicate that the hospitality sector in the Netherlands faces persistent labour shortages due to the loss of experienced staff during the COVID-19 pandemic, long training timelines, and poor personnel management. Interest in hospitality work has declined, especially among younger people, due to low wages, unsociable hours, and competition from other sectors, leaving a workforce that increasingly consists of older individuals who require more guidance in starting on the job. While wages and interest may be stabilizing, international labour is also becoming scarce as countries of origin improve working conditions and promote return mobility. Employers are often hesitant to hire labour migrants due to regulatory uncertainty and fear of penalties. However, the sector's demand for flexible labour aligns well with international workers who plan short-term stays and are less concerned with job stability, making them a potentially suitable, though not long-term, solution.

Finally, our desk research covered the Chinese restaurant study by Hiah & Staring (2016) that provides some interesting insights into the specific employment context and dynamics of this ethnic niche market in the Netherlands. Owners in this market overwhelmingly preferred to hire co-ethnic Chinese workers due to a combination of market, biographical, and cultural factors. Economically, employers aimed to minimize labour costs through unpaid family labour, lower wages, and hiring undocumented migrants, while also struggling to find suitable non-Chinese

candidates through formal channels. Biographically, the Chinese catering industry is deeply embedded within the Chinese community, making it easier for newcomers to enter through personal networks. Culturally, shared language, culinary knowledge, and a perceived stronger work ethic among Chinese workers reinforced this preference, as employers in this study believed non-Chinese staff lack the necessary skills, cultural understanding, and willingness to work long hours.

3.3 The relevance of selected determinants of informal migrant employment

Some respondents in the interviews and the focus group have pointed to the substantial increase in wage rates in recent years potentially inducing informal migrant hiring to save on labour costs in the low margin and highly competitive markets. Data from Statistics Netherlands ([CBS Statline, n.d.](#)) indeed shows a significant annual median gross hourly wage increase over the 5-year period from 2017-2022 for most of the occupations in the F2F sectors surmounting to 21% and 26% for kitchen assistants and cooks respectively and 22% for agricultural workers and in the 13%-18% range for waiters and bar personnel, cleaners and drivers. The annual changes are rather jumpy, likely reflecting developments in supply-demand dynamics and collective labour agreements made in the respective occupations. Despite this increase, as of 2024, the hourly minimum wages for agriculture, forestry and fishing (22.03 euros per hour), and for hotels, restaurants and cafes (17.63 euros per hour) were still amongst the lowest of any sectors in the Netherlands in 2024.

Agriculture

The agriculture and horticulture sector provides a unique case showcasing the mechanisms inducing employers to utilize informal migrant employment. The sector is characterized by great financial pressure and operational risk due to constantly changing market prices dictated by some dominant customers (e.g. Wholesalers, auctions and supermarkets) and high (international) competition. Additionally, some subsectors (like open crop horticulture) are facing highly fluctuating demand for labour due to the seasonality of their produce, which is why there is a high prevalence of hired migrant workers through employment agencies and informal networks (Nederlandse Arbeidsinspectie, 2023a). These characteristics might create stimuli for hiring employees informally as our focus group with sectoral experts has revealed and which aligns with prior insights from e.g. Frouws et al. (2010). The authors have also pointed out that the lack of employers' knowledge that certain migrant employment schemes (e.g. the sell-on-stem scheme for Polish workers in mushroom cultivation) were not legal may have induced irregular employment practices. Clear government rules, communication and enforcement are key to create a level playing field in the sector. The Dutch Labour Inspectorate recognizes that the combination of vulnerable (many flexible contracts and low-skilled) staff, the cultivation-related labour peaks, and the continuous attention to cost reduction means that fair working conditions are constantly under pressure.

Our survey results show that by-and-large businesses in the agricultural sector have done well in their business operations in recent years (a substantial increase in revenues and profits), even more so than their counterparts in Poland, Spain and Italy. However, despite these positive developments, businesses are facing substantial risk due to strong increases in production prices (e.g. wages, energy, material goods), which is considered a prime obstacle in business operations. Depending on the balance between these profits and the increasing pressure of production costs, there may be a greater tendency to hire informal labour. Alternatively, increased automation may be a solution to reduce risk of increasing labour costs, however, this would in many cases require substantial investments in technology that may only be an option for some businesses.

Several interviewees and focus group participants pointed to rogue employers and exploitative practices as key factors undermining fair competition within the sector. Simultaneously, employers emphasized the intense market pressures stemming from other actors in the supply chain, which make it increasingly difficult to maintain ethical standards. In such a climate, the drive to offer the lowest possible price can lead some to compromise on compliance, making corner-cutting by less scrupulous operators a regrettable but understandable response.

Gastronomy

Within the gastronomy sector, sources on determinants of informal employment were rather scarce. Next to this, the sectoral expert focus group did not provide relevant additional information on this specific topic. A representative of the Dutch employer association Koninklijke Horeca Nederland, however, did mention that the increasing statutory minimum wage leads to more informal work in the hospitality sector:

“Look, over the past 15 to 20 years, we have made tremendous efforts in the Netherlands to combat undeclared work, and these efforts have been quite successful. Because there was a moderate statutory minimum wage, at a certain point it really wasn't that interesting anymore to pay employees under the table. However, I am hearing more and more reports and increasingly get the impression that the percentage of undeclared work is on the rise again, which I find to be a worrying development (...). I do believe that the increase in the statutory minimum wage has made people, both employers and employees, more willing to withdraw from the system. To earn their living, their money, in this way. I find that worrying.”

Other than this quote, the findings here are mostly based on the desk research insights obtained from prior publications discussing general motivations for informal migrant hiring, e.g. Frouws et al. (2010) and Hiah & Staring (2016) with a focus on Chinese restaurants. The first motivation for informal migrant hiring is to save on costs of labour (ability to pay undocumented workers less and not arrange sick leave) (Hiah & Staring, 2016). Also, Hiah and Staring (2016) find that (for Chinese restaurants/restaurant owners) the perceived work ethic is higher for informally/illegally employed international (in this case Chinese) workers than native or formally/legally employed

international workers. Another reason is the shortage of regular (Chinese) workers (who are specialised). However, most of these mainly discussed Chinese restaurants/restaurant owners. The generalizability of these motivations of informal migrant hiring to the 'broader' gastronomy sub-sector thus cannot be made.

4. Sectoral perspective: Business (irregular) employment strategies: The role of technological change and the legal framework

In the above sections the scale and nature of migrant employment were discussed as well as employer preferences for or against (irregularly) hiring migrant workers. This section looks into employers' strategies in the employment-technology nexus and discusses how Dutch laws and regulations aim to disincentivize irregular employment strategies.

4.1 The employment-technology nexus

It is now evident that digitization significantly influences companies' labour demand and employment conditions. Yet, many uncertainties remain regarding which sectors, roles, and skill sets will be affected and how. On one hand, digitization can reduce labour needs, particularly through automating tasks previously performed by humans. On the other hand, it can generate new tasks and professions. Additionally, digitization can boost productivity and expand market potential, which may increase overall labour demand—though not necessarily for the same tasks that have been automated (CBS 2023d, Acemoglu et al. 2023). CBS (2023d, p.99) concludes that with the exception of the use of teleworking, no evidence is found in any of the Dutch sectors studied (industry, trade, services) of lower employment in companies that use ICT. Companies that automate (in the form of robotics or AI) or use ICT for sales and marketing (in the form of e-commerce or social media) actually have higher employment than comparable companies that do not use these technologies. Digitization can also indirectly reduce labour demand by increasing productivity. Overall, however, no major negative employment effects are to be expected from the indirect effect.

Companies in the Netherlands make extensive use of digital applications. At 97 percent, virtually all companies had access to the Internet in 2022; 93 percent had their own website. Companies use a variety of digital applications in business operations, including software for customer management (CRM software; 53 percent of companies) and for business processes (ERP software; 46 percent), artificial intelligence (16 percent) and robotics (6 percent). Robotics (industrial mostly, but also service robots) are by-and-large used in the industrial sector and still little to date in other sectors. Digitization also enables employees at many companies to work

(partly) remotely; telecommuting occurred at 84 percent of companies based in the Netherlands (CBS, 2023d). In a recent policy advice on labour migration to the Dutch government, the Social and Economic Council (SER) of the Netherlands (SER, 2025b) discusses labor-saving technology with a view to reduce dependence on labour migrants from abroad working in low-paying and highly repetitive jobs. Even though, many sectoral examples are presented to illustrate how technology can be used effectively in this sense, these examples do not detract from the fact that there are substantial obstacles inhibiting the widespread application of such technology in the coming years: “Firstly, many companies lack knowledge about the possibilities and implementation of technology (SER, 2025a). In addition, companies are confronted with high initial costs and long payback periods (SEO Economisch Onderzoek, 2023). The necessary preconditions are also often lacking, such as sufficiently trained personnel, available financial resources, access to data, modern IT infrastructure, and a stable energy supply, which is hampered by grid congestion (SER, 2025a). In particular, many of these conditions are often not met by small and medium-sized enterprises. Furthermore, legislation and regulations do not always keep pace with technological developments. This can have a dampening effect, as in the case of the use of drones in precision agriculture (SER, 2023). Existing tax regulations can also slow down the deployment of technology and, at the same time, encourage the use of international labor (IBO Arbeidsmigratie, 2025).” (SER, 2025a, p.18-19)

Table 5 below shows the most important measures that entrepreneurs in the Farm2Fork sectors have recently taken to increase labour productivity. Investments in technology and automation are the most important measures taken in the agricultural sector (38,4%), but also in the industrial sector (40,7%) but are less relevant by entrepreneurs in the hospitality sector (13,5%).

Table 5: Measures taken by entrepreneurs to increase labour productivity

| | Investment in technology and automation (% firms) | Implementation of more efficient work processes (% firms) | Optimisation of work environment and facilities (% firms) | Offering employees trainings and development programs (% firms) | Other (% firms) |
|-------------|---|---|---|---|-----------------|
| Total | 35,7 | 35,2 | 24 | 21,5 | 7,1 |
| Industry | 40,7 | 40,7 | 27,5 | 24,4 | 6,8 |
| Agriculture | 38,4 | 25,6 | 24,8 | 6 | 9,6 |
| Hospitality | 13,5 | 24,6 | 28,7 | 23 | 7,9 |

Source: CBS, EIB, KVK, MKB-Nederland, VNO-NCW
<https://www.cbs.nl/nl-nl/nieuws/2024/21/drie-kwart-van-de-ondernemers-probeer-productiviteit-te-verhogen>
 Note: Entrepreneurs could select max. 2 answers from above categories.

Source: Statistics Netherlands (CBS) 2024

Alongside increasing labour productivity, technology has also made work in these sectors easier, physically lighter and more fun, as is shown in table 6 below. The nature of work in the agricultural sector has been particularly affected by technological innovations.

Table 6: Employee experiences of technology impact on their work (% of employees who use technology report that work has become...)

| Sector | Easier | Physically lighter | More fun |
|-------------|--------|--------------------|----------|
| Agriculture | 61,8 | 41,1 | 31,6 |
| Hospitality | 57,9 | 23,7 | 19,4 |
| Industrial | 48,3 | 24,3 | 23,9 |

Source: Statistics Netherlands (CBS) 2023a: [Werk van bijna helft werknemers gemakkelijker door nieuwe technologie | CBS](#)

Agriculture

Participants in the focus group discussed the employment-technology nexus in the greenhouse horticulture sector, for which long-term plans emphasize extensive automation and robotization. However, progress remains slow due to technical complexities, particularly in automating crop care, and a shortage of qualified technical personnel. Consequently, current operations continue to rely heavily on international labour, primarily from Eastern Europe, as hiring migrant workers remains more cost-effective than implementing automation. This reliance is expected to persist for at least 10–15 years. Nevertheless, demographic trends across Europe indicate a shrinking labour pool, which is increasing pressure on the sector to accelerate automation and reduce dependency on migrant labour.

Gastronomy

Participants in the focus group on the hospitality sector have discussed the employment-technology nexus expressing concern about the shrinking workforce, fewer young entrants, and declining interest in hospitality education, making it particularly challenging to fill fast-service and kitchen roles. While flexible contracts are increasingly discouraged in the Netherlands, participants indicated that they remain essential for this industry. Larger companies are exploring robotization and standardization to adjust labour requirements, but smaller businesses lack the resources for such investments, creating a widening gap. A trend toward de-skilling is emerging, reducing training requirements for certain roles and enabling greater reliance on unskilled labour, especially for basic (but not skilled) kitchen tasks. In larger cities, migrant workers are increasingly common in this sector.

Digital platform work

According to the pilot-module of digital platform work of the Dutch Labour Force Survey (Dutch-LFS), in the first half of 2022, an estimated 0.7 percent of the population (86,000 people) aged 15 to 75 years of age were platform workers in the Netherlands (Klijs et al. 2022). (Digital) platform workers are defined by Eurostat as persons who, for payment, performed tasks organized by an Internet platform or an app for phones or tablets, for at least 1 hour during the last month before the interview.

Platform work is highly diverse, with the most common activity being the sale of self-made or purchased items (20%), followed by creating vlogs or blogs (17%). Other notable activities include IT services (12%), teaching or tutoring (11%), and household or odd jobs (9%). The workforce is predominantly male (64%) and relatively young, with 61% under 30. For most workers, platform work provides only a small share of income—54% earn less than a quarter of their income this way, and 44% work fewer than 10 hours per month—though for 12%, it is their sole source of income. This indicates that platform work largely consists of small, supplementary jobs.

It is unclear what the (irregular) migrant share of platform workers in the Netherlands is. A potentially relevant finding by Klijs et al. (2022) in this regard is that online platforms have rather little requirements for platform workers to meet to use its services, which might make them more suited for migrants seeking irregular employment opportunities vis-a-vis employment in non-digitally mediated employment relations. 28% of online platforms require a valid proof of identity, 19% an employment permit for the Netherlands, 17% a permanent residential address, and 10% a residence permit for the Netherlands.

4.2 Laws and regulations disincentivizing irregular employment

Relevant laws and regulations

When discussing fines for irregular employment practices, it is important to distinguish between fines for illegally staying and illegally employed migrants as defined at the EU level based under the Employer Sanctions Directive 2009/52/EC and the Dutch legislation, which defines illegally employed as wider, including the illegal employment of legally staying migrant workers. [illegale tewerkstelling, working without the required work and/or residence permit]. Another form of labour market fraud is informal/undeclared work (related to tax and social security evasion). Berntsen et al. (2022) connect the legislation and regulations on the national and international level with the socio-economic reality of this vulnerable group of migrants. Here, we connect this legislation with employers' perspectives.

We note that the definition of ‘employer’ in the *Wet arbeid vreemdelingen* (Foreign Nationals Employment Act, hereafter WAV) is rather wide, as De Lange explains (2023): “The legal definition of ‘employer’ in the WAV is also broader than in standard employment law (...). The WAV-employer includes anyone – a company, natural person, or governmental organisation – who has a migrant perform a job, however marginal the job, and irrespective of an employment contract or remuneration being paid. Awareness of enabling a migrant to perform the job on their behalf is irrelevant to qualification as a WAV-employer. Moreover, administrative fines may be imposed on all subcontracting parties in a chain, as they all qualify as WAV-employers.”

- **Illegal employment**

Employers in the Netherlands face significant consequences for employing irregularly staying migrants or migrant workers without the required work permit or single permit, or for hiring national workers or migrants with regular status informally. These consequences span legal and financial consequences. Employers may also face criminal charges. Hiring irregular migrants is an offence in Dutch law according to articles 197b and 197c of the Dutch Criminal code. Before 2005, there was also a mandatory option to punish employers for illegally employing employees. This involved two criminal routes instead of the current administrative law route: via the Economic Offenses Act (WED) and via Article 197b of the Criminal Code. Article 197b was little used and as compared to the route via the WED. It often proved difficult to prove that a criminal offense was limited and, if this was possible, the criminal court could impose low fines. The Minister of Social Affairs and Employment hoped that strong punishment could be imposed through administrative law, and chose to abolish the criminal route via the WED and to enforce the laws regulating employment of foreigners (WAV) via the administrative fine (Krop, 2014). In 2025 fines have become more refined (de Lange, Naaktgeboren & van Meeteren, 2025) and especially the threat of business closure appears to be a functioning disincentive (Krop & Meeuwssen, 2025).

However, the little-used route through article 197b Sr still exists. Article 197b criminalizes individuals who employ migrants residing unlawfully in the Netherlands. There is a maximum penalty for the offense of imprisonment for up to one year or a fifth-category fine. Moreover, article 197c of the Criminal Code stipulates that employers who make a habit of this can be punished more severely and can even receive a prison sentence of 3 years. Legally, therefore, there are already possibilities to punish employers more severely. This can be done, as mentioned, by imposing a prison sentence instead of a fine. Moreover, fines of the fifth category in criminal law are much higher than the 8,000 euros that can be imposed with an administrative fine. If there are aggravating circumstances such as repeated offenses, the fine can be increased to up to €12,000 per illegal employee. If the same or replacement of the Wav is repeated within 5 years, the fine can be increased by 50 percent, 100 percent or 200 percent. Since Jan. 1, 2024, the maximum amount of a fifth-category fine is 103,000 euros. In addition, employers will then be given a criminal record and will no longer be able to travel to countries requiring visas, for

example. The consequences of a criminal record are also heavily felt in other areas (Van 't Zand-Kurtovic & Boone, 2023) and thus have a different deterrent effect than an administrative fine. In certain mitigating circumstances, the fine may be reduced depending on the circumstances. In [a court ruling](#) on July 13, 2022 (ECLI:NL:RVS:2022:1973), the Council of State indicated that when imposing a fine for illegal employment, fine differentiation must take place according to the degree of culpability [verwijtbaarheid] (ABRvS, 2022). Since that ruling, [a temporary working method](#) has been used since that time (Ministerie van Sociale Zaken en Werkgelegenheid, 2025). In case of normal culpability, 4,000 euros will be imposed, where previously this was 8,000 euros. Within the Inspectorate had long been in doubt as to whether the administrative fine would act as a sufficient deterrent, given the relationship between fine height on the one hand and financial gain on the other hand. In [the annual report of 2023 of the Dutch Labour Inspection](#), it can be seen that most fines are mitigated. In 2022, 73 percent of the fines was mitigated and in 2023, 97 percent of the fines was mitigated following the Council of State's decision (Nederlandse Arbeidsinspectie, 2024a). In 2025, a new fines policy was established, according to Krop & Meeuwsen (2025) likely to be more acceptable to employers if applied by the labour inspectorate in a proportionate fashion. Whatever the height of the sanctions, Berntsen & De Lange (2018) questioned the underlying logic of employer sanctions and found the policy and its implementation does little to protect migrant worker.

- **Informal/undeclared work**

Article 68, first paragraph, of the AWR contains offenses relating to the failure to comply with obligations under the Tax Act. It seems to be the case that employees need to pay back the taxes that they have not paid. Moreover, when they purposely concealed income from the Tax Administration, they can receive an additional fine. The height of the fine depends on culpability. If the Tax Administration thinks it is fraud, you can also be persecuted via criminal law. Employers can receive a fine of 8,000 euro per employee. The Tax Administration has different approaches when dealing with tax fraud (Ministerie van Financiën, n.d.; Ministerie van Algemene Zaken, 2024).

- **Municipal enforcement**

In addition to the possibility of imposing an administrative fine or prosecution for violation of Article 197b of the Criminal Code, there is also a municipal sanction option. Municipalities can take action against individuals who employ illegal workers within the municipality's territory by revoking municipal permits, see e.g. the case study on Rotterdam (Naaktgeboren et al., forthcoming).

- **Inspections by the Dutch Labour Inspection**

The publicly available database on inspections by the Dutch Labour Inspectorate (Nederlandse Arbeidsinspectie, n.d.) from 2016 onwards, provides a first overview on legal violations relating to the Minimum Wage and Holiday Allowance Act (WML), the Law Regulating Employment of Foreigners (WAV), and the Law on the Allocation of Labour by Intermediaries (Besluit Waadi). Unfortunately, no information is provided on the sector in which a fine has been given (although this can sometimes be deduced from the company name e.g. pizzeria). The database does however show the sector where no fine has been given. The following data can be extracted from this database ([Nederlandse Arbeidsinspectie, n.d.](#)): In 2023, 1651 inspections occurred, and violations were found in 453 of these cases. In the two years before that, however, almost half of the inspected companies were in violation.

With regards to migrant workers specifically, according to the website of the Dutch government Ministerie van Sociale Zaken en Werkgelegenheid, 2021), relatively many migrant workers work illegally (without required work permit or single permit) in sectors such as horticulture, catering and construction. It points to evidence from inspections by the Dutch Labour Inspectorate. In the fight against illegal labour, the government indicates to have increased the fines and the chance of being caught and to have simplified legal procedures.

Figures from the Dutch Labour Inspectorate (Nederlandse Arbeidsinspectie, 2023a) indicate a different perspective on the prevalence of unregistered migrant workers in the agricultural sector compared to the information provided on the government.nl website. According to the Dutch Labour Inspectorate figures, the proportion of establishments with WAV violations or suspicions of illegal employment in agriculture (75 inspections) is relatively low, with only 1% having suspicions of illegal employment and no establishments reported for WAV violations. For the catering industry the proportion of establishments (77 inspections) with WAV violations (1%) is also low, but the cases of suspicions of illegal employment are higher (5%).

The above figures – in particularly for the agricultural sector – contrast with the general narrative on government.nl, which suggests a significant issue with illegal labour in sectors like horticulture, catering, and construction. The site highlights increased fines, improved chances of detection, and simplified legal procedures as part of the government's efforts to combat illegal labour across various sectors. This low percentage of suspected illegal employment in agriculture, as indicated by the inspections from the Dutch Labour Inspection, may suggest challenges in accurately detecting and reporting illegal labour practices despite government efforts. The annual figures presented by the Labour Inspection could be more detailed on sectors, number of fines or other sanctions (business closure), administrative procedures following sanctions and the outcome etc.

- **Assessing the costs and burden of potential labour inspections for employers**

Even though the above discussed legal and economic consequences for illegal employment and informal/undeclared work may disincentivize employers to play false, it must also be acknowledged that employers may realize substantial cost-savings on personnel-related costs through non-compliant employment practices. For some employers this may be worth taking the risk and given that the Labour Inspectorate and the Tax Authorities inspect only a small number of companies – as participants in our agricultural sector focus group explain, the chance of being caught is low increasing the economic incentives of non-compliant behaviour.

The Dutch Labour Inspectorate (Nederlandse [Arbeidsinspectie, 2024b](#)) has revealed 13 commonly used cost and burden reducing employment practices that it encountered during its inspections and that range in their economic impact depending on the prevalence and severity of the non-compliant practices. Table 7 below lists these practices alongside their possible cost saving advantage for employers as mapped by the Labour Inspectorate (Nederlandse [Arbeidsinspectie, 2024b; p.3](#)).

Table 7: Non-compliant employer practices and potential cost-savings (in %)

| |
|---|
| 1: Lowering barriers for migrant labour supply by providing housing to employees: Employment agencies/employers generate as much income as possible through mandatory rent of limited living space in a building or house in a holiday park. 10-25 % |
| 2: Working off the books: Employers employ workers, who sometimes receive benefits, without officially documenting it and pay them under the table. 15-40 % |
| 3: Posting from an EEA country to the Netherlands: Employers obtain an A1 certificate for their employees, allowing them to pay the lower social premiums of that EEA country. 10-40 % |
| 4 Methods to reduce absenteeism costs (sickness, disability) and healthcare costs. 5-15 % |
| 5: Employers do not pay for the (extra) hours worked. 25-50 % |
| 6: 24-hour care: not all hours worked are paid. 20-60 % |
| 7: Disguised forms of piecework where the actual hours worked are not paid. 25-40 % |
| 8: Paying wages by bank transfer, but requiring partial cash repayment or transferring money to an account that is not the employee's. 10-40 % |
| 9: Employers and intermediaries fake work experience or internship positions, while in fact regular work is being done. 40-75 % |
| 10: False self-employment: employers let freelancers perform work, while in fact there is an employer/employee relationship. 15-30 % |
| 11: Pseudo-partners who appear to work as independent entrepreneurs while in fact they are employees. 10-50 % |
| 12: Employers keep temporary workers in the cheaper initial phase of their temporary contract. 15-20 % |
| 13: Labour exploitation as defined in Article 273f of the Criminal Code: employers infringe on the personal freedom of workers with the aim of exploiting them. 50-100 % |

Source: Nederlandse Arbeidsinspectie, 2024b

Participants in our gastronomy focus group have pointed to the problem that migrant employees often lack sufficient knowledge of Dutch laws, regulations, and collective labour agreements, which may induce non-compliant employment practices in the sector. The latter in turn poses a potential risk to fair competition within the sector, though it is generally attributed to ignorance

rather than deliberate employer actions. Ensuring proper information and good employment practices is therefore perceived to be crucial to maintaining a level playing field in the sector.

5. Employee's perspective: labour market vulnerabilities of workers due to informal employment and the importance of regulatory frameworks

5.1 Labour market vulnerabilities of workers due to informal employment

Agriculture

The desk research and field work on the agricultural sector in particular focusing on the Venlo region of the Netherlands, provide a rich account of the structural and institutional precarity experienced by migrant workers—predominantly from Central and Eastern Europe (CEE)—in this sector. Despite EU accession granting legal status and free movement rights, these workers remain largely "invisible" in policy and social, operating under conditions of systemic vulnerability defined by instability, economic insecurity, and limited social protection discourse (see also Berntsen et al. 2022; Siegmann et al. 2022; Timmerman 2025).

Our study identifies five interrelated dimensions of precarity: migration status, employment insecurity, income insecurity, rights and protection, and living and working conditions. In the Venlo Greenport area, the majority of migrant workers are EU citizens, yet their legal status is rendered precarious through employment arrangements that are often temporary, fragmented, and opaque. The dominance of temporary employment agencies (TEAs) underpins much of this vulnerability. These agencies operate through layered, multi-tiered "constructions" models—where workers are deployed via nested agency networks—resulting in blurred employer identities, obscured contractual obligations, and diminished accountability as is illustrated by the following citation of an NGO assisting migrant workers:

“complicated constructions are being made, whereby people are put to work from a Polish employment agency, via a Dutch employment agency, to another Dutch employment agency. And then they do not know who their employer is (...)”

A key mechanism of this systemic precarity is the phase-based contract system (Phases A–C; Böcker & De Lange, 2023). While Phase B and C contracts offer greater protection and stability, in practice, most migrant workers fail to transition beyond Phase A. Switching agencies frequently

resets their contractual status, effectively reinstating precarity. The 2025 Collective Labour Agreement (CLA) introduces limited safeguards—such as income guarantees for the first two months post-arrival and a cumulative count of Phase B months—yet these remain insufficient in addressing real-world dynamics. Furthermore, the absence of enforceable minimum working hours beyond this period, combined with informal workplace hierarchies, results in significant income insecurity. Empirical data from Timmerman (2025) reveal that working conditions are mediated by informal power structures, where temp agency coordinators and managerial discretion determine access to stable hours and fair treatment.

Housing insecurity is equally pronounced. Despite historical employer-provided housing, current legislation mandates separation of employment and housing, reducing employer control and increasing worker dependency on the private rental market. However, as our fieldwork has shown, access to quality housing remains severely constrained due to high deposits, language barriers, and discriminatory practices (see also Timmerman 2025). Migrant workers are disproportionately forced into substandard accommodations, informal arrangements, or temporary shelters—including tents in wooded areas—due to both cost and structural exclusion. Some of our respondents actually argue that the separation of employment and housing has given rise to a formalized market for temporary migrant housing, which exploits labour vulnerability for profit.

The SNA certification system—introduced in 2006 and now de facto mandatory—has become a critical mechanism of risk mitigation for employers, reducing liability for labour and tax violations. With over 4,800 certified agencies, SNA has expanded beyond fiscal compliance to include wage standards and worker identity checks (Stichting Normering Arbeid, 2025a). However, its audits are non-invasive and do not involve workplace inspections, limiting its effectiveness in identifying or preventing exploitative practices.

Collective representation remains weak. Union density in agriculture is low (8.6% in 2022; Centraal Bureau voor de Statistiek, 2023c), and traditional trade unions exhibit limited outreach to CEE migrant workers. The absence of works councils and sectoral representation further marginalizes migrant workers, despite their high exposure to labour abuses. However, emerging strategies—such as peer-led, culturally grounded outreach via CEE community mobilization and training of "shop stewards"—offer promising pathways for strengthening worker agency and awareness (Siegmann et al. 2022).

Policy implications are urgent. The 2024–2025 CLA updates in greenhouse horticulture, including wage increases and climate-related safety provisions, signal a shift toward improved conditions. However, without broader structural reforms—such as enhanced legal access, mandatory transparency in agency networks, equitable housing policies, and inclusive union engagement—migrant workers will remain embedded in a hyper-flexibilized system that prioritizes employer adaptability over worker protection (CNV Vakmensen, 2024).

In our agricultural sector focus group, participants have discussed how government measures and evolving legislation are reshaping labour practices in greenhouse horticulture, particularly regarding migrant workers and flexible employment. While self-employed constructions are legally possible, participants indicate that they remain uncommon due to the nature of seasonal work, this sometimes resulting in wages below the legal minimum. Contrasting this, 26% of employers in our survey did report using self-employment “labour constructions” for low-skilled tasks. In the focus group attention was also paid to the complex chains of subcontractors and temporary agencies creating compliance risks and room for negligence, while housing challenges further incentivize reliance on intermediaries. Undeclared work persists, disproportionately affecting migrant workers who fear job loss if they report violations. Enforcement by the Netherlands Labour Authority is resource-intensive but increasingly risk-based and more effective, underscoring the need for clear guidelines and proactive monitoring to ensure fair labour practices.

In conclusion, the precarity of migrant labour in Dutch agri-food sectors is not a result of individual mismanagement but is deeply rooted in institutional design, labour market flexibility, and fragmented regulatory enforcement. Addressing this requires a multi-level intervention: strengthening legal visibility, reforming agency governance, improving housing access, and expanding worker empowerment through inclusive, identity-sensitive organisational models.

Gastronomy

The hospitality sector employs a substantial proportion of individuals classified by the Dutch Labour Inspectorate (NLA) as being in a vulnerable position within the labour market. According to the NLA, workers are considered vulnerable if their earnings fall below 130% of the statutory minimum wage and if they hold a flexible employment contract. In 2017, approximately 45% of hospitality employees met these criteria (Inspectie SZW, 2020b; Nederlandse Arbeidsinspectie, 2023d). Furthermore, in 2022, the average annual salary in the hospitality sector was lower than that of any other industry. More than half of migrant workers employed in the restaurant segment earn less than 130% of the statutory minimum wage.

In addition to low wages, employment in the hospitality sector is predominantly characterized by flexible contractual arrangements. Notably, the proportion of on-call workers in this sector is significantly higher compared to all other sectors in the Netherlands (Centraal Bureau voor de Statistiek, n.d.). Migrants originating from European Union (EU) member states or countries within the European Free Trade Association (EFTA) are more frequently employed under flexible contracts than migrants from third countries (Centraal Bureau voor de Statistiek, 2023b). This disparity can be explained by differences in residency requirements: EU mobile citizens are not

subject to income conditions for residence, whereas other migrant groups—such as third-country nationals seeking family reunification—must demonstrate a “sustainable income.”

The specific type of job within the hospitality sector is an important factor to consider, as it likely influences employment vulnerabilities among migrant workers by affecting wages and contractual arrangements. Between 2017 and 2021, the majority of employees in food-related hospitality branches were waiters, support staff, cooks, and fast-service workers, while only a small proportion occupied managerial positions (van Huijsduijnen, 2022). Certain roles—such as bartenders, kitchen assistants, waiters/waitresses, and hotel cleaners—are particularly associated with earnings below 130% of the statutory minimum wage and with flexible contracts (Nederlandse Arbeidsinspectie, 2023d). The job type also correlates with the wage level, but also with job prestige, skill requirements (and thus replaceability), and bargaining power, all of which shape workers’ ability to renegotiate employment conditions.

Moreover, although direct customer interaction is a defining characteristic of the hospitality sector, visibility varies across roles. For instance, waiters/waitresses are more visible than kitchen assistants. Limited visibility can exacerbate worker vulnerability (Inspectie SZW, 2020a; Nederlandse Arbeidsinspectie, 2023d). Consequently, employees in establishments without dine-in or takeaway options—such as delivery-only kitchens—may be particularly at risk (Giousmpasoglou et al., 2023). Cleaners represent another group of relatively invisible workers. According to the NLA, this invisibility, combined with evening or nighttime work schedules, increases the likelihood of illegal employment practices (Inspectie SZW, 2021).

The NLA perceives labour exploitation, underpayment, illegal employment (in restaurants), too long working hours, and unsafe and unhealthy work conditions as key employment risks of the sector (Inspectie SZW, 2019a, 2020a; Nederlandse Arbeidsinspectie, 2021, 2022a). Not paying social security contributions (informal employment) and working alongside benefits are other sectoral employment risks (Inspectie SZW, 2020b).

Key risks associated specifically with food delivery include the employment of underage workers, unsafe working conditions, bogus self-employment, and illegal employment through platform-based arrangements (Nederlandse Arbeidsinspectie, 2022b, 2023d). Two relatively recent business models—dark kitchens (restaurants without dine-in facilities) and dark stores (retail outlets exclusively serving online orders)—are entirely dependent on delivery services. A related development is the emergence of rapid grocery delivery, commonly referred to as flash delivery [flitsbezorging]. The NLA has examined these models and identified them as environments conducive to complex and multifaceted risks (Nederlandse Arbeidsinspectie, 2021).

The NLA also highlights that cleaning activities within the hospitality sector entail specific risks. Prior to 2018, these risks were primarily associated with exploitative practices in cleaning services for fast-food establishments. Following targeted interventions, the NLA reported that it no longer received notifications of fraud or labour law violations in this context (Inspectie SZW, 2018, 2019b). However, subsequent inspections in March 2024 revealed renewed concerns: checks at

fast-food chains and smaller hospitality businesses indicated that cleaners were frequently employed illegally [illegale tewerkstelling], underpaid, and in breach of working time regulations (Basekin, 2024).

5.2 Changes in the regulatory framework that could reduce migrant labour market vulnerabilities

In this section we flag four changes in the regulatory framework that are being implemented or could be implemented to reduce migrant labour market vulnerabilities through better regulating employer responsibilities. These are a) obligatory registration of temp agencies; b) open legal migration pathways; c) create local support initiatives; and d) improve union representation of migrant workers and rights enforcement by labour unions.

a) Obligatory registration of temp agencies and relevant additional measures

A key regulatory change that is expected to reduce labour market vulnerabilities of workers employed via labour agencies is the Authorization of the Provision of Labour Act (Wet toelating terbeschikkingstelling van arbeidskrachten (Wtta), 2025) that was passed by the Dutch Senate on 11 November 2025. With a view to implementing this law, a new government agency, the Dutch Labour Market Authority (NAU), will be established and charged with a new authorization system for temporary employment agencies and other companies that supply workers. The intention is for the new law to come into force on January 1, 2027, and for the licensing requirement for companies that provide temporary workers to take effect on January 1, 2028. The SNA standards will form an important basis for the standards framework used for the licensing requirement for labour agencies (Stichting Normering Arbeid, 2025b).

Under the new authorization system, temporary employment agencies will only be allowed to operate on the market if they have been admitted to do so. To this end, they must, among other things, submit a Certificate of Good Conduct (Verklaring Omtrent het Gedrag, VOG), pay a deposit of €100,000, demonstrate that they pay the correct wages, and pay their taxes. Temporary employment agencies will be checked periodically to ensure that they continue to comply with the rules. Companies that use temporary employment agencies, known as hirers (“inleners”), may only do business with temporary employment agencies that are licensed to operate in the market. The Labour Inspectorate will monitor the obligations of hirers and lenders (“uitleners”).

Several of our respondents in the agriculture sector anticipate that the implementation of the Wtta law will lead to an increase in newly established ‘constructions’, potentially exacerbating employment insecurity and uncertainties related to migration status. Conversely, some stakeholders express optimism that the regulation will eliminate non-compliant actors within the industry. For example, the requirement of a €100,000 bank guarantee to obtain registration as a temporary employment agency may serve as a barrier for smaller agencies. These agencies

might lack the financial capacity to meet this requirement and could consequently transition to alternative arrangements, such as contracting, commonly known as pay-rolling.

Participants of our focus group in the agricultural sector view the arrival of the Wtta law rather positively as indicated by the following quotes:

“... with the WTTA, migrant workers will soon be better protected. Lenders (‘uitleners’) engaging in malpractice can be revoked authorization to operate. It can also ensure that malpractice is not only noticed at the end of the chain by the hirer (‘inlener’).”

“... they [the NAU] can also ensure that temporary employment agencies do not simply continue under a different name by no longer granting them a license. It will now also be easier for hirers (‘inleners’) to check, because you must have an SNA certificate.”

A focus group participant in the agriculture sector also pointed out that, next to the Wtta law, a number of relevant additional measures may be taken to (self-)regulate the labour market, as announced in the letter by the Dutch Minister of Social Affairs and Employment to the Dutch Senate on 20 June 2025 (Minister van Sociale Zaken en Werkgelegenheid, [2025](#)). According to him:

“For example, it also includes public-private enforcement arrangements, or the exchange of information. And a number of other actions that sectors themselves can actually take. I think sectors also know exactly where the pain lies for those who are lagging behind. And that's what makes it so great that a client can also set requirements (...) you don't have to leave it up to a Wtta to disallow business operations in the [new authorization] system. So you can also take action in advance in your role as a client (‘inlener’).”

On a critical note, as was also indicated by the minister, such additional measures may at the earliest be implemented by 2030, following the first evaluation of the Wtta, should there be specific indications justifying such measures. These measures may entail: (1) A mandatory minimum share of hired workers in specific sectors (so not working via temp agencies); and (2) the prohibition for specific sectors or individual firms to use temporary employment agencies to provide its workers.

b) Legal migration pathways for specific sector needs of employers and workers

Participants in the gastronomy sector focus group emphasized the necessity of involving both employers and employees in the development of laws and regulations to ensure practical applicability. They highlighted the importance of tailoring regulatory approaches to the specific characteristics of each sector, as sectoral differences require differentiated strategies. Furthermore, most employers were not perceived as engaging in informal employment relationships intentionally or with malicious intent. In this context, the provision of clear and accessible information to employers was considered crucial—potentially more effective than strict

enforcement measures—since it is perceived as addressing underlying issues more comprehensively.

As a measure to curb bogus self-employment, participants in our gastronomy focus group suggested simplifying procedures for work permits in labour shortage sectors. One participant indicated: “Obtaining a work permit in the Netherlands takes a long time and involves complicated procedures, but you can quickly become an entrepreneur, so migrants do this because they just want to earn money and then become self-employed. (...) But things often go wrong with self-employment.”

c) Local support initiatives for migrant workers

Since the commencement of our research, significant local support measures have been implemented to mitigate the precarious conditions faced by migrant workers. For example, during our fieldwork in the Venlo region, initiatives were introduced to support migrant workers who had lost both employment and housing. Street-level outreach workers and medical practitioners—operating as non-state actors on behalf of the municipality—were deployed under the mandate of safeguarding public order and public health for both the workers and the neighborhoods where they reside. Additionally, legal aid officers (Juridisch Loket), which established an office in Venlo in March 2025, constitute another category of non-state actors assisting workers in asserting their rights. These services provide multilingual information tailored to the linguistic diversity of EU mobile workers in the area and, when necessary, refer individuals to specialized legal professionals. Despite the good intentions, migrant workers we have interviewed in the Venlo region perceive the location in Venlo as too far away from their place of residence. Alternatively, migrant workers have the option to hire a lawyer on their own, but few actually do. Help and legal assistance is hardly offered by the employer. In principle, also the Dutch Labour Inspectorate is a party that migrants can turn to for help in case of violation of their labour rights. For irregularly staying migrants this is however risky, because the Inspectorate does joint inspections or informs the immigration authorities of the irregularly stay.

d) Migrant worker representation and labour rights enforcement by labour unions

No sector-specific numbers on unionization for the gastronomy and for the agricultural sectors are available, nor are numbers available on migrant worker representation by labour unions in these sectors. However, from more aggregate statistics on unionization, we can infer that unionization in our target sectors is very low in general (e.g. the industry ‘trade, transport and hospitality is one of the industries with the lowest level of unionization at 11,3 %, Centraal Bureau voor de Statistiek, 2023c). As stated by DeHorecabond (2021), the largest labour union in the gastronomy sector, the high employment fluctuation is considered a key challenge to effective union representation. Moreover, as stated in the DignityFIRM report on the hospitality sector (Naaktgeboren et al., forthcoming), the image that unions have in their countries of origin can make it difficult to reach migrant workers. Besides the lack of trust in unions, De Horecabond

explained that migrant workers often seek help only after a problem has already become serious. Many realise too late that they were underpaid or misinformed because essential documents, such as collective labour agreements and employment contracts, are written in Dutch, while they typically speak Polish. Limited access to information, combined with uncertainty about which organisations can support them, means they approach unions only after difficulties have escalated.

When they finally reach the union, the situation is usually already advanced. At that stage, only retroactive claims are possible, and pursuing them almost always puts the worker's job at risk. Many therefore decide not to proceed, prioritising job security or fearing consequences. This allows problematic employer practices to continue: when workers do not speak up, employers can keep pushing boundaries.

These dynamics are not limited to migrant workers. Dutch workers face similar vulnerabilities. The structural dependency on employers, especially when paired with limited knowledge of labour-related rights, increases the likelihood of exploitation. In a [congress with members \(FNV Horecabond 2021\)](#); name of the union was changed to De Horecabond in 2024), members have questioned whether the labour union sufficiently reaches and represents people with a migration background in particular. The board of the union responded that it is trying to stimulate diversity and it is trying to reach everyone, amongst other things by planning to create an English version of the website (FNV Horecabond, 2021). The current version [[Lidmaatschap van De Horecabond, visited 1 December 2025](#)] of the website, however, is fully in Dutch. Through membership, migrant workers can benefit from better employment conditions included in the collective labour agreements (CLA), such as substantial raises in wages in the past years, but also by capping overtime hours they are obliged to workers and related compensation with money or free time.

An interesting case for labour union support of migrant worker rights is the food delivery sector, where also unionization remains notably low (Nijssen, 2024). From 2017 onwards, trade unions primarily adopted strategies centered on mobilization and protest, which generated media attention and fostered public momentum. This visibility facilitated political debate concerning the safety and employment status of couriers, many of whom are migrant workers. However, regulatory changes regarding platform work evolved slowly (Vandaele, 2020). In addition to advocacy, unions initiated multiple legal proceedings related to platform labour. A landmark case against Deliveroo resulted in the judicial determination that Deliveroo couriers qualify as employees (Deliveroo Netherlands BV v. Federatie Nederlandse Vakbeweging, 2023).

An interview with the Radical Riders union revealed a divergent approach compared to the traditional FNV union. Radical Riders, a rider-led organization, prioritized "direct actions," such as visiting the headquarters of Thuisbezorgd, Deliveroo, and Uber Eats to secure compensation for accidents and similar issues. Their strategy focused less on influencing public policy and more on pressuring platforms to adopt fair practices and resolving individual disputes.

6. Conclusion

Above, we presented the national findings for the Netherlands collected within Work Package 6, (*Employers' reliance on irregular employment of migrants*, of the DignityFIRM project. Related to our fieldwork, the findings focused in particular on the agriculture and gastronomy sectors, the latter including bars, restaurants, and food delivery services. The starting point of the presentation of findings for the Netherlands is provided by the general findings on (irregular) work of migrants in the country. Next to this, it particularly focuses on two sectoral case studies on the Dutch agriculture sector (in Northern-Limburg) and the Dutch gastronomy sector (in the Rotterdam region).

Below, we briefly recap the main research findings in light of our research questions:

1. What is the scale of formal and informal native and migrant employment in the F2F sectors? (Section 2)
2. What are the determinants of formal and informal native and migrant employment in the F2F sectors? (Section 3)
3. What are business (irregular) employment strategies and how do they relate to ongoing technological change and the Dutch legal framework? (Section 4)
4. What are the consequences of informal employment for migrant labour market vulnerabilities and what is the relevance of regulatory frameworks for shaping migrant vulnerabilities? (Sections 5 and 6)

6.1 Scale of Formal and Informal Employment

The analysis indicates that migrant labour constitutes a significant share of employment in the Netherlands, with approximately 1.5 million migrants active in 2022. Within the sectors examined—agriculture and gastronomy—the reliance on employment agencies is particularly pronounced, especially in agriculture where an estimated 90% of international workers are agency-employed. However, the extent of informal employment remains difficult to quantify. Current estimates suggest that around 314,000 individuals are at risk of illegal employment, a figure that has grown substantially over recent decades. F2F industries, including agriculture, gastronomy, and food delivery, are consistently identified as high-risk sectors for informal labour practices.

6.2 Determinants of Employment Patterns

The primary driver for employing migrant workers rather than native workers is the persistent labour shortage in these sectors. Native workers often exhibit low willingness to accept jobs in agriculture or gastronomy, particularly given the lack of job security and unfavourable working conditions. Migrant workers, especially those with temporary or insecure migration status, tend to accept these conditions, creating a structural match between employer needs and migrant labour supply. Informal employment is further incentivized by cost-saving strategies, knowledge gaps regarding legal obligations, and the need to address seasonal or peak labour demands. In

agriculture, competitive pressures and fluctuating labour requirements exacerbate these dynamics, despite rising revenues and costs in the sector.

6.3 Business Strategies and Legal Framework

Employers employ a range of strategies to navigate labour shortages and cost pressures, including informal hiring practices. While the Dutch legal framework provides mechanisms to regulate employment, enforcement remains insufficient, particularly in sectors characterized by high flexibility and fragmented employment relationships. Technological change, such as automation in agriculture, is unlikely to replace human labour in the short term due to technological limitations and the continued availability of low-cost informal labour, which creates disincentives for investment in automation.

6.4 Consequences for Migrant Vulnerabilities and Regulatory Responses

Informal employment amplifies vulnerabilities among migrant workers, who often operate within opaque agency networks that obscure contractual clarity and hinder labour rights enforcement. These vulnerabilities are systemic, rooted in flexibilized labour markets and cost-driven supply chains, and manifest in risks such as underpayment, excessive working hours, unsafe conditions, and bogus self-employment. While regulatory interventions—such as the forthcoming Wtta law mandating agency registration and financial guarantees—aim to curb exploitative practices, their effectiveness remains contested. Additional measures, including improved access to legal aid and enhanced union representation, could strengthen migrant agency, though unionization rates remain low in the studied sectors.

6.5 Concluding remarks

The findings of this study underscore the structural reliance on migrant labour within Dutch F2F sectors and the persistent interplay between labour shortages, cost pressures, and regulatory gaps. Informal employment practices, while shaped by economic incentives and knowledge deficits, contribute to systemic vulnerabilities for migrant workers. Addressing these challenges requires a multi-pronged approach that combines robust enforcement, sector-specific regulatory strategies, improved information provision, and mechanisms to enhance worker representation. Without such interventions, the persistence of irregular employment and associated risks is likely to continue, despite ongoing policy reforms.

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WP6 Working Paper

Structural reliance on migrant labour in the Dutch agricultural and gastronomy sectors and the role of informal employment practices

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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