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## *I01/A4 National Report (SPAIN)*

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## Introduction

This report presents a gap analysis on existing support and information on labour laws and employment policy in Spain. The research conducted and findings presented in this report form part of the Intellectual Output 1 of the Erasmus+ programme “Know Your Rights” [KYR].

### Aims/Objectives of the Report

The aim of this report is to offer information on the situation of migrant workers and their knowledge about their workers’ rights, while at the same time identify gaps in existing processes and practices. In so doing, the report has the following objectives:

- To support and enhance processes acknowledged as existing “good practices”.
- To identify relevant resources and available support to migrant workers.
- To examine existing processes in order to identify gaps and needs.
- To provide a valid scientific background for the development of trainings and open educational resources that will aim to address existing gaps.

### Scope of Research

The scope of the research conducted for the purpose of this report is the national context of Spain. The scope of the report is also defined by the overall aims and purpose of the KYR project. Namely, the report examines the level of knowledge of national and EU laws and regulations on workers’ rights by migrant workers who are employed in Spain. As such, the focus of the report is primarily directed on assessing, addressing and responding to the gaps, needs and challenges that exist in relation to this issue.

### Method

The method used in this report blends desk-based research and field-based research. The desk-based research makes use of quantitative material (i.e. statistical data), relevant legal sources, as well as qualitative analyses (literature review, policy and practices review) dealing with the topic of migrant workers’ rights. The field-based research comprises interviews with representatives from three stakeholders, whose work and



expertise are pertinent to the issue at hand. It is worth noting that even though the desk- and field-based work are methodologically different, they were not conducted as two entirely separate stages of research. Rather, they were understood to be *mutually reinforcing* processes. For instance, desk-based research provided important leads for finding organisations and individuals who could be interviewed. Similarly, the interviews done as part of the field-based research offered crucial insights regarding existing “good practices”; these insights often might not be visible from a desk-based perspective.

### Contribution to existing Literature

This report contributes to the existing literature in the following three ways:

- It informs and updates existing research on the topic by performing its analysis of recent and relevant data and resources through the specific lens of the regulatory context (e.g. laws, policies, and practices) which surrounds the employment of migrant workers in Spain.
- Its methodological blending of desk- and field-based research enriches studies that are grounded on only one of the two types of methods.
- Finally, in their selection of interviewees, the authors of this report contacted stakeholders who have dissimilar administrative relations to (and, therefore, experience of) the topic of migrant workers’ rights. Even though there were commonalities between the interviewees’ views on the key needs and challenges in creating awareness about workers’ rights in migrant communities, there were also crucial differences. Taking multiple perspectives into consideration was important because it demonstrated that existing gaps and needs are not a fixed category – instead, what these gaps and needs are can also depend on each stakeholders’ relation to the topic under examination.



## Desk Review – Key Findings

### National Context – Literature Review

Spain has established a series of administrative requirements for the residence, entry, and exercise of a work activity in the country, either on behalf of others or on their own. That is, to enter and reside in Spain you need an authorization, as well as to carry out a work activity.

Despite the global economic crisis that began in 2008 and hit Spain in a rather hard way, the country has continued to receive immigrants. According to data from the Ministry of Labour, Migration and Social Security, in November 2019 the number of people employed in Spain was 19,376,878 million.

When migrant workers arrive in Spain and start working, rights and obligations are automatically granted, although everything depends on whether or not they have the administrative authorizations that allow them to work in the country. If they have an authorization, their situation is practically the same as Spanish workers; if they don't have these authorizations, the situation becomes a little more complicated.

### LEGISLATION

We must keep in mind that migrant workers who come from another country of the European Union, those belonging to the European Economic Area, those from a country that signed the Schengen Agreement, or those who come from Switzerland start from an advantageous situation in comparison to migrant workers from third countries, since different regulations apply to them.

In Spain, even lacking the duly approved work and residence permit, if someone is hired verbally or outside the law without the employer paying Social Security, the migrant worker can access labour rights, because he is protected by constitutional legislation and labour legislation. The migrant worker in question can hire a lawyer and file a lawsuit, the difficulty will be in proving that employment relationship because it has been

established only verbally. Contrary to what many people think, the fact that a migrant worker is in an irregular situation in the country does not equate to the fact that he cannot assert his labour rights, but rather that whoever hires him has to assume the reality of the relationship and the consequences of that labour reality. Even if there is no physical work contract, there will be an employment relationship if the worker voluntarily provides paid services as an employee within the scope and organization of a third party.

The right to work would not belong equally to Spaniards and foreigners, since it is not considered a fundamental right inherent to human dignity, but it wouldn't be an exclusive right of Spaniards either. The Treaties and the Law determine the conditions and, in any case, once a person is working, differentiations cannot be made in labour matters regardless of the nationality of the worker. Both the Spanish Constitution and international regulations try to ensure the equality of working conditions of the migrant worker and those of the Spaniards to avoid discrimination against migrant workers' conditions.

In the Spanish legislation, foreigner's right to work is recognized, either as an employed person or as a self-employed worker. He can also access the Social Security System and has the possibility of being able to work as labour personnel in the Public Administration - as long as the requirement of legal residence is a reality. The problem is usually that in many cases a migrant worker does not know the law that protects him and does not have enough information to enforce his rights, especially if he does not understand the language of the country where he lives. That increases the risk of suffering labour exploitation in many occasions, but the theory - as in the case of a national worker- is as follows: a maximum of 40 hours of work per week; 2.5 days of vacation per month worked; migrant workers can file a legal claim in case they are owed a salary; after a dismissal, compensation and settlement can be claimed; and right to unemployment benefit.



The Spanish Constitutional Court recognizes migrant workers the following collective rights - whatever their administrative situation is - on equal terms as to the Spaniards: basic labour right of assembly; right of association; right of trade union; right of representation and collective negotiation; right to strike; and Social Security Protection.

Regarding the access of migrant workers to Social Security, in order to enjoy a pension, they have to register and contribute a certain amount of time, and of course they are protected in the case of accidents at work or any other professional eventualities.

The right to health protection is included in art. 43 of the Spanish Constitution as one of the fundamental rights and duties of all citizens. Although it had been more limited for some years, since summer 2018 Spain once again guarantees universal health care for the usual groups plus irregular immigrants in the country. This political measure especially protects the most vulnerable sectors of the foreign population, such as minors and pregnant women. On the other hand, article 12 of Organic Act 4/2000 confirms that foreigners who are registered in a Spanish municipality are entitled to health care, as are Spaniards.

In summary, in Spain the recognition of rights to migrants is very close to being identical to Spaniards', being totally equal if the migrant worker in the country has all the documentation in order. Therefore, the legislation exists, but what is needed is transferring the information to migrant workers in an easy and effective way. Besides, the problem of the absence of resources to litigate constitutes one of the main obstacles to the defence of migrant workers' rights.

### Issues/Challenges

Reality differs somewhat from the theory we have discussed. The data confirm that migrant workers are mostly hired for jobs that require low qualification and, in addition, in worse conditions and with low job stability, which does not help their inclusion in the host society and the development of their lifetime project.



The Spanish welfare system does not discriminate based on the origin of its potential beneficiaries, but is based on contributory criteria (in the case of economic benefits of this nature) or residence (in the case of non-contributory or welfare economic benefits and access to services such as health, education or social services). And unlike other European countries, the accreditation of residence through registration in the municipalities is usually sufficient to access the main public services, except for some exceptions.

The truth is that the average annual earnings of workers in Spain barely reach 80% of the European Union countries' earnings, it is reduced to 68% for workers from other parts of Europe, to 62% for Latin American workers, and 59% for migrant workers from other parts of the world. Besides, the wage reduction recorded since the beginning of the crisis has affected workers with lower wages more negatively, where immigrants are overrepresented.

There is a widespread problem among women migrant workers, as a large part of them work as domestic workers, which means that they are not entitled to unemployment protection. On the other hand, there are also gender wage gaps among migrant workers: if the profit of men is 100, women's is 71.7. Female migrant workers from third countries have the worst situation if we compare them with Spanish men, if the salary income of Spanish men is 100, female migrant workers' would be 41.

We can cite public initiatives that tried to encourage the return of migrants to their countries of origin at the beginning of the crisis but had very little success. In the Immigration Portal of the ministry in charge of the area, we can find a line of grants co-financed by the European Union. Among them, we see one for the integration of immigrants, aimed at promoting equality and acquiring knowledge and skills necessary to function in Spanish society (information, guidance and advice on the host society, and learning Spanish and/or other official languages). There is another one about employment issues, to encourage the incorporation of quality systems as well as the



training and improvement of professionals. Finally, one for the empowerment of foreigners with comprehensive care needs, to provide resources and tools to migrants in order to support their access to standardized protection systems. Regardless of state measures, regions, municipalities and even independent organizations can have their own programs and plans aimed at the integration of migrants.

As for groups that need special protection, we can find two programs at state level:

**SARA:** it aims to improve immigrant women's quality of life through better training for social participation and, in particular, for employment. It is developed through agreements with two non-profit organizations, Red Cross and Fundación CEPAIM.

**CLARA:** it aims to increase the employability of women at risk of exclusion who have special difficulties for labour insertion (victims of gender violence, over 45, young people, ethnic minorities, disabled...), through a better qualification for employment.

Regarding the housing issue, migrant workers have tended to concentrate on residential areas that have previously been known as problematic, since due to the low income of the majority, these are the most affordable areas. It is necessary to create and implement policies that address this problem effectively to end the segregation and exclusion of these people. In the best scenario they can afford to rent a house for themselves and their families but if their situation is very precarious, they are forced to live with people that they don't know, to sublet or, even in the worst case, live like squatters or in overcrowded houses. These latter situations are sadly too frequent in Spain, especially among migrant workers who carry out temporary agricultural work in the south of the country. Sometimes, it may even be impossible for them to register in the houses where they live, which can cause more problems than we can think at first glance because registering in a municipality is an indispensable requirement to qualify for multiple economic benefits and enjoy some public services.



In Spain there are plans for housing at national and regional level, aimed especially towards vulnerable groups such as migrant workers, but during the years of the crisis the budgets have been reduced, so they have not been effective.

On the other hand, in terms of health services and contrary to what many people think, migrant workers -despite their worst living conditions, in general- go less often to the doctor than Spaniards. The reason for this is the extreme right movements that have lately arisen in the wake of the crisis. Additionally, the balance between what they contribute to the system and the public services that they use is positive, despite having suffered more unemployment in recent years and having worse jobs. We can assume that this is due, in part, to the language barrier or the difficulty of making work hours compatible with health care hours. However, it is necessary to mention that even though the birth rate is higher among migrant women, they go less to medical programs dedicated exclusively to the early health of babies.

## CONCLUSIONS

Migrant workers are more vulnerable than Spanish workers, but the categories of migrant workers from African and Asian countries are in a worse situation, especially in the case of women. This is why public and social policies should focus especially on these groups.

On the other hand, as it has been seen throughout the document, there are hardly any specific programs at national level for the migrant working population in Spain. There are programs aimed at the immigrant population as a whole, but focused on inclusion and coexistence, not employment. In any case, they are co-financed by the European Union or carried out by non-governmental organizations because aid and integration programs usually work according to people's income. However, despite the fact that migrant workers, in general terms, have a low income, they gain little benefit from this type of tools, mainly due to ignorance of administrative procedures, which also vary greatly



depending on the region in which they live, since those tools are not centralized in the State.

In conclusion, public institutions need to be more involved in addressing the inclusion of migrant workers and advising them about their rights, specifically labour rights, rather than offering very general information, nothing innovative and not accessible - both in regards to the channels used to do it and the language. It is time for them to take a step forward and accept their responsibility, instead of referring it -normally by omission- to non-governmental organizations, or simply grant subsidies, because direct, useful, effective and committed policies are needed to advise migrant workers so that they can live a more dignified life in Spain. And within this challenge, it is very necessary to make specific policies for migrant workers from Asia and Africa, especially for women, the most disadvantaged group of all.

## Research Results I: Good Practices

This section provides information about existing good practices which seek to redress issues regarding migrants' lack of knowledge regarding their workers' rights.

### Good Practice 1 - Red Acoge

Red Acoge, whose name means "Embrace Network" is a Federation formed by 20 organizations that emerged in 1991 to promote the rights of migrants in Spain.

This Federation is aimed to combine efforts and promote joint projects in a social context characterized by a dispersed population and atomization in the intervention with migrants. Currently, Red Acoge is focused on working with immigrants, refugees and stateless persons, giving special importance to their social integration and a work approach in favour of decent, protected, safe and regulated migration.

This network provides specialized legal guidance and management services in accordance with immigration regulations as renewals, family reunification, exceptional circumstances, nationality and also, discriminatory acts and sanctioning regime in labour



terms. After a personal interview and an initial diagnosis, the organization will study the different intervention alternatives and actions to be carried out, including the referral to a specialized care program. The Legal Area is responsible for making an intervention and a monitoring plan for each personal case through the study of the complaint of discriminatory situations and coordination with standardized resources (social services, educational resources, health, housing, employment ...) as key elements in the process of social integration.

Through personal interviews, lawyers distributed in each territory offer the information, guidance and support necessary to ensure the fulfilment of rights in migration processes and integration into society and labour market. Among these processes, it should be noted the accompaniment in the presentation of the file to the corresponding agency, in the cases in which it is necessary because of the migrants' difficulties (language, displacements, illness or disabilities ...) or because they can pose problems regarding the process, bringing them the support and confidence they need.

### [Good Practice 2 - Portal migrar.com](#)

Migrate Foundation was created by the Spanish Red Cross in order to interact in the field of migration in Spain by analysing its causes and consequences. This idea comes from the challenge of the new migratory movements in Spain, a country that has experienced a remarkable social and economic development which has made it in the last decades a receiving State of immigrant population.

In order to favour the full social, labour and cultural integration of migrants in Spain and to take advantage of the great potential that new information technologies offer in today's knowledge society, the Migrate Foundation launched, as the main axis of its activity, the Portal [www.migrar.org](http://www.migrar.org) as a channel of communication to have access to information regarding key issues for migrants.



In this portal, the strength falls on the advisory service, a space reserved for people who, due to their knowledge, can provide advice on immigration matters, answering user queries on various topics:

- Sanctions
- Regulations
- Rights
- Employment
- Employment guidance

To make an inquiry, users must be registered. In addition, they can search the queries resolved by Fundación Migrar. If they do not find any that answers their needs, they also can formulate their own one through an easy and intuitive interface.

### Good Practice 3 - Diversity Charter

As a result of various Directives adopted by the European Union in 2000, based on equality and non-discrimination, the Diversity Charter initiative was created as a dissemination tool in the countries of the European Union. Currently, this initiative exists in 24 member states, Spain is the third one (2009), after Belgium (2005) and Germany (2006).

The European Commission order one institution per country to develop and implement this tool, with the Foundation for Diversity being as exclusive manager of that mission in Spain.

The Diversity Charter is a commitment letter / code voluntarily signed by companies and institutions of the same country, regardless of size, to promote their commitment to:

- Respect for the right of inclusion of all people regardless of their diverse profiles, in the work environment and society.
- Implementation of specific policies to favour a work environment free from prejudices regarding employment, training and promotion.



- Promotion of non-discrimination programs towards disadvantaged groups, especially migrants.
- To raise awareness: the principles of equal opportunities and respect for diversity must be included in the company's values and be disseminated among employees.
- To consider diversity in all people management policies: diversity management should not be another human resource practice, but a transversal factor, which is at the base of all decisions.
- To extend and communicate this commitment to administrations, business organizations, trade unions and other social agents.

## Research Results II: Interviews with Stakeholders

### Interview 1: Miriam del Olmo

Q1. The interviewee, Miriam del Olmo Morena, has been working in an organisation providing work related training and counselling for migrants to find work; They worked with people residing in Spain for 5-6 years and provided information on labour rights for migrants and counselling for enterprises.

Q2. Regarding the situation in Spain, workers are not really aware of their rights; they are vulnerable as they lack information in regard to working hours, holidays and days off, amount of salaries, collective agreements on wages. The lower their educational level the higher their problems and risks of discrimination. In Malaga there are many migrants working in tourism and cleaning sector.

Q3. Actually, there are only some cases reported about potential violation of their rights as workers. They miss information and fear repressions and losing their job. They also do not know where to get counselling for free.

Q4. A special training program should inform on their rights, holidays or medical treatment for example, it could be a kind of exchange on good practice, very participative within the peer group.



Q5. Actually, the interviewee is not aware of any training program/course/class on migrant workers' rights. There are trainings in general by different entities, like for example "Instituto de la Mujer" but not specifically on labour rights.

Q6. One of the main obstacles to promote knowledge on migrant workers' rights is the lack of information of enterprises, they are lacking the interest to help and to support migrant workers. Public administration in Spain is complicated and even Spanish natives are not really informed on their rights.

There is a lack of trust in trade unions and such representatives in general.

Q7. The biggest labour market challenges and obstacles that migrant workers face most are the language, cultural obstacles and discrimination.

Q8. As examples of "good practices" that work towards supporting and ensuring migrant workers' rights in your country, the interviewee is not really aware of such in Andalucía. There are good practices for work in general, for example Málaga Acoge is doing a lot of work with unaccompanied minors or the red cross, but they are individual cases providing support in general not only labour rights.

Q9. Vulnerable groups are especially migrant women with family duties or handicapped migrants, migrants with mental illnesses or depressions are especially at risk. They are at risk because of their fear, mistrust, the lack of information and lack of humanity on part of the host society.

Q10. Regarding initiatives of promoting information on the rights of foreign workers through actions in the field of labour relations, safety and health at work, equality and no gender discrimination, the interviewee is not actually aware.

Q11. If the interviewees were responsible for raising awareness among relevant bodies (for instance, business trade unions, hospitals and the general public) about the existence, nature, and features of labour exploitation and also the need to ensure the rights of migrant workers, she would conduct a campaign involving the important



stakeholders of all involved parts, enterprises, public administration. Staff there has to be sensitized and spoken to to show up importance. This participation in training and campaign should be mandatory.

## Interview 2: Laura González

Q1. Laura González works in an organization that responds to the needs of people in vulnerable situations, especially migrant population. From the employment area, they help migrants find a job through training actions and personalized itineraries in order to know each other's situation and identify needs beyond employment advice.

Q2. Regarding the situation in Spain, migrant workers in an irregular situation are the most vulnerable ones, because they cannot sign an employment contract, working illegally in very precarious jobs and with very bad conditions. Many of them arrive with a tourist visa, and when their visa expires, they have to wait 3 years to regularize their employment status. Most of them do not know what that means and from Red Incola they must help them because they are not aware that for 3 years, they will not be able to work with a legal employment contract and that they have to gather documentation to justify that they have been irregularly in Spain for 3 years.

Q3. Although many times they are aware of their rights because they come with a lot of information from their countries or have the support in Spain of migrants already established, they are not in a position to report the violation of their rights. They are afraid of reprisals or the need to keep the job because it is their only source of income.

Q4. All free training provided for migrants to know their rights will always be positive.

Q5. Concerning any special training programs/courses/classes on migrant workers' rights, Red Íncola teaches a specific training on labour rights and duties within the integration course for migrants, with the objective of informing them of the functioning of the Spanish Employment System. All courses are completely free.

Take a look here: <https://redincola.org/>



Q6. One of the main obstacles to promote knowledge on migrant workers' rights is that all entities offer subsidized free training, and by requiring some controls, this training is not accessible to migrants in an irregular situation. In addition, these people live in a state of vulnerability that prevents them from enrolling in training courses, because they have several jobs or a difficult family situation and they have to take care of it and other situations derived from that vulnerability.

Q7. Among the labour market challenges and obstacles that migrant workers most often face, we have to highlight that the Spanish labour market is currently very precarious and that limits job opportunities for everyone. The problems of homologation of educational qualifications makes migrants with high qualifications take positions of low qualification.

Q8. As example of "good practice", Red Íncola is part of several local groups and commissions that aim to improve the working conditions of migrant workers. The religious entity "The Company of Jesus" (Jesuits) has a welfare network called "Jesuit Migrant Service", with a research group on the working conditions of domestic work that seeks to defend their working conditions and bring to light their bad practices.

Q9. Those who are in an irregular administrative situation, women and groups that have more problems with Spanish or a very low educational level are the most vulnerable. Moroccan women have problems because of nationalities, because of the veil, which causes rejection among the population.

Q10. As a initiatives of promoting information on the rights of foreign workers, the Spanish trade union, CC.OO, has an overseas service, where they receive legal advice on labour rights.

Q11. If the interviewee were responsible for raising awareness among relevant bodies about the existence, nature, and features of labour exploitation and also the need to ensure the rights of migrant workers, she would remark:



- Awareness on the riches of diversity and the benefits that migration offers to Spanish society, facing all those rumours and false hoaxes that exist about migrants.
- Visibility of the labour exploitation that migrants suffer, because many times the Spanish citizens do not know that they are developing abusive practices or labour exploitation, especially with domestic workers where conditions are completely illegal, without a contract and with completely abusive working times.

### Interview 3: Sara Fernández

Q1. The San Vicente de Paul Society has an employment guidance service, where they manage a job board, and during the itineraries of insertion, migrants are informed about their labour rights. The entity also participates in a local network of entities that work with immigrants and address issues related to the employment and labour rights of migrants, not only to inform them, but also to sensitize the general population.

Q2. Sara thinks that the majority of migrants arriving in Spain know their rights as workers, but it depends on the origin of the migrants. Migrants who come from Europe or America know their rights perfectly, however, those who come from sub-Saharan Africa in many cases ignore the Spanish labour reality.

Q3. It depends on the situation in which they find themselves. If migrants are in an irregular situation, they do not have the capacity to report a potential violation of their rights as workers. Although they have the way through Trade Unions and other entities that give legal advice, and sometimes accompany them in a complaint process, but if they are in an irregular situation, they are very limited.

Q4. Migrants can be helped with an informational program aimed especially at those most vulnerable migrants and those who have less information about labour rights and obligations in Spain, teaching them all that information they need to prevent the violation of their rights.



It would also be interesting to develop a training and information program for employers, because in many cases it is they who must avoid abusive and labour exploitation practices.

Q5. Sara mentions as an example of specific training on labour rights for migrants the informative talks about the conditions of access to employment that they make within the itineraries of insertion. In these talks, from the entity they show migrants all their rights, but also their obligations, because sometimes cultural differences do not take into consideration pre-established norms in European culture, such as complying with the schedule or justifying the lack of assistance, which in other cultures is not as common and it is necessary to also insist on these aspects to prevent problems with employers.

Q6. The main obstacles to promote knowledge on migrant workers' rights is the lack of time that migrants have to attend the informative talks, because although they are unemployed, they move a lot looking for jobs and attend many job interviews, which makes only attend these talks if they are in any other specific training.

Q7 - In your opinion, what are the labour market challenges and obstacles that migrant workers most often face.

The challenges and obstacles of the labour market that migrant workers face most frequently is the regularization of their situation, since in many cases they find offers that match the demands of employment, but migrants cannot access the offer because they are in an irregular administrative situation in Spain.

Q8 - Sara mentions as an example of good practices, the development of a salary table to regulate domestic service, and try to end the situation of vulnerability in which many migrant women are in Spain. The salary table has been developed jointly with other entities that work with immigrants and with the Public Administration, through the local network to which they belong. 90% of the offers of domestic employment in Valladolid are now regulated by this salary table, and also the people who request this service are



informed of the conditions they must offer to domestic workers, who are mainly migrant women.

Q9 - Among the most vulnerable groups, Sara highlights the group of women because of her situation of inequality, especially if they are in an irregular situation. Mainly it is because they are in a circle where they accept to work without a contract (mainly in domestic service), given their irregular situation and then it is very difficult to get out of that situation.

Q10 - Sara considers that she has already answered in the previous questions. It would be the example of the informative talks and the initiative of development of the salary table of the domestic service.

Q11 - Sara believes that to raise awareness about the situation of labour exploitation that migrants suffer, the Public Administration should be much more serious and rigorous in labour inspections, especially in those sectors where it is known that there is a labour exploitation of migrants, as in the agricultural sector.

## Conclusion and Recommendations

### Key results

Migrant workers are more vulnerable than Spanish workers, mainly because they work in sectors where there is less control by the Government, which facilitates situations of labour exploitation. The categories of migrant workers in African and Asian countries are in a worse situation, mainly because they have a greater ignorance of their rights as workers, which added to the lack of legal contracts makes their situation of vulnerability grows. Especially worrying is the case of migrant women, especially those who find work in the domestic sector, where the lack of contracts and exploitation practices are very frequent. Women are one of the most vulnerable groups, since leaving the circle of illegal work is very complicated for them, especially if they have a low educational level.



As seen in the report, there are hardly any specific official programs at the national level for the migrant working population in Spain. There are programs aimed at the immigrant population as a whole, but focused on inclusion and coexistence, not employment.

The lack of knowledge about their rights and duties as workers makes the migrant population very vulnerable, although migrants who come from Europe or America normally do know their rights, in many cases they cannot leave abusive jobs because it is their only source of income.

To this problem is added that in many cases migrants are in an irregular situation in Spain, which means they have to wait 3 years to be able to regularize their situation, which makes them depending on jobs that do not respect their rights and that also cannot report their abuse situation.

The situation of the Spanish labour market, where the quality of employment after the economic crisis has declined greatly, means that migrants cannot obtain better jobs and are relegated to lower-paying jobs with worse conditions in many cases.

### Recommendations for future action

Emphasize the need for inform the population of the real situation of migrant workers, especially those who are in an irregular situation. Many people in Spain are unaware that irregular migrants must wait 3 years to regularize their situation, which allows them to accept abusive jobs in sectors such as agriculture, where there are hardly any controls and employers take advantage to enrich themselves at the expense of migrant labour.

Focus training on rights as a worker in those most vulnerable groups, both sub-Saharan migrants and women in general. Since sub-Saharan are unaware of their rights and duties due to cultural differences and language; and migrant women for being engaged in domestic service jobs, where abusive practices and lack of contracts is a common practice.



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