



## Trade unions and the protection of migrant workers in Europe: barriers, approaches and interventions\*

### LOS SINDICATOS Y LA PROTECCIÓN DE LOS TRABAJADORES INMIGRANTES EN EUROPA: BARRERAS, ENFOQUES E INTERVENCIONES

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#### ABSTRACT

Migrant workers in Europe, particularly those from third countries, often encounter challenging working conditions that could significantly benefit from the support and protection provided by trade unions. This study explores the substantial obstacles that migrant workers must overcome to unionise, emphasising the structural disadvantages they face in the process. It also examines the attitudes of European trade unions towards migrant workers, revealing a growing pro-immigration trend despite certain setbacks. The study concludes by shedding light on intriguing strategies and initiatives used by trade unions to support migrant workers. The effort to integrate migrant workers into trade unions is worthwhile, despite the many difficulties involved. Unionisation stands as one of the most effective means of improving the working and living conditions of migrant workers.

#### RESUMEN

Los trabajadores migrantes en Europa, en particular los de terceros países, a menudo enfrentan condiciones laborales desafiantes que podrían beneficiarse significativamente del apoyo y la protección brindados por los sindicatos. Este estudio explora los obstáculos sustanciales que los trabajadores migrantes deben superar para sindicalizarse, enfatizando las desventajas estructurales que enfrentan en el proceso. También examina las actitudes de los sindicatos europeos hacia los trabajadores inmigrantes, revelando una tendencia creciente a favor de la inmigración a pesar de ciertos reveses. El estudio concluye arrojando luz sobre estrategias e iniciativas intrigantes utilizadas por los sindicatos para apoyar a los trabajadores migrantes. El esfuerzo por integrar a los trabajadores migrantes en los sindicatos vale la pena, a pesar de las muchas dificultades que implica. La sindicalización es uno de los medios más eficaces para mejorar las condiciones de vida y de trabajo de los trabajadores inmigrantes.

#### KEYWORDS

Migrant workers  
Working conditions  
Trade unions  
Barriers  
Interventions

#### PALABRAS CLAVE

Trabajadores migrantes  
Condiciones de trabajo  
Sindicatos  
Barreras  
Intervenciones

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## I. INTRODUCTION

The trend of migration in Europe is on the rise. The European Union's (EU) core principle of the free movement of people within its borders enabled EU citizens to live and work in other member states without needing a visa or work permit. This facilitated considerably internal migration. In 2021, around 13.7 million EU citizens lived in an EU state other than their own, while in 2022, there were 7.1 million EU citizens aged 15 and above employed in fellow EU nations where they had not obtained citizenship<sup>1</sup>. Apart from internal migration, the EU attracts migrants from outside the union, also known as third-country nationals (TNCs). In 2022, there were 23.8 million non-EU citizens living in EU countries, with 9.93 million of them employed in the EU labour market<sup>2</sup>.

Migrants in the EU experience wide a range of working conditions influenced by many factors, foremost of which whether they are EU citizens or TNCs. Internal migrants are protected by EU laws meant to give them similar working conditions and social protection to the citizens of their host country. On the other hand, TNCs have lower legal and social protection and are more easily affected by their host country's socio-economic and labour market changes. The COVID-19 pandemic has brought

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1. Delpero, C.: "European Union. In numbers: How many non-EU citizens live in European Union countries?", *The Local*, 19 April 2022. Accessible in: <https://www.thelocal.com/20220419/in-numbers-how-many-non-eu-citizens-live-in-european-union-countries/>, last accessed: September 28, 2023; Destatis: *Europe. 7.1 million EU citizens working in other EU Member States*, 20 June 2023. Accessible in: [https://www.destatis.de/Europa/EN/Topic/Population-Labour-Social-Issues/Labour-market/Labour\\_Mobility.html](https://www.destatis.de/Europa/EN/Topic/Population-Labour-Social-Issues/Labour-market/Labour_Mobility.html), last accessed: September 28, 2023.

2. European Commission: *Statistics on migration to Europe. Overall figures of immigrants in European society*, May 2023. Accessible in: [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe_en), last accessed: September 28, 2023.

attention to the vulnerabilities of migrant workers in Europe, many of whom working in essential sectors without the necessary protections and assistance. Concerns have also been raised on forced labour, human trafficking, and other forms of exploitation that may be perpetrated against these workers<sup>3</sup>. Refugees tend to be at greater risk of exploitation than other TNCs. Research has also emphasised how intersectionality affects migrants. Given the interconnectedness of their various social identities, such as race, gender, class, sexual orientation, disability, and so on, an individual (or group) may simultaneously experience multiple forms of social categorization, discrimination, and disadvantage<sup>4</sup>. While internal migrants often experience better working and living conditions than TNCs, they nonetheless still encounter specific work-related challenges attributable to their migrant status<sup>5</sup>.

Unionisation holds the potential to notably enhance the working conditions of migrants, bringing them on par with those of native workers. The trade union movement plays a vital role in safeguarding the rights and well-being of workers across Europe. Trade unions operate on multiple levels and employ a diverse array of strategies and tools. Their collective efforts encompass negotiations, advocacy, and mobilisation, all aimed at promoting fair treatment, better wages, and safer working environments. But to what extent are migrants being assisted by trade unions? This study will review and discuss important evidence on the relationship between migrants and trade unions in Europe. It will analyse some of the major barriers faced by migrant workers to be unionised in their host country, and the approaches and interventions that unions adopt in relation to migrants.

## II. BARRIERS TO UNIONISATION FACED BY MIGRANTS

“Nothing reflects the problematic nature of the relationship between unions and migrants more than the simple, and highly significant, fact that unionisation rates for the latter consistently lag behind those of native-born”<sup>6</sup>. While comprehensive data regarding unionisation rates for migrants, especially on a cross-national scale, remains limited, there is a widely shared consensus that within advanced capitalist economies, these rates tend to be disproportionately low<sup>7</sup>. Ample research confirms a variety of barriers that reduce migrants’ participation in trade unions. The following is a discussion of some of these.

3. Corbanese, V.; Rosas, G.: *Policies to prevent and tackle labour exploitation and forced labour in Europe*, International Labour Organization, Rome, 2021. Accessible in: [https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-rome/documents/publication/wcms\\_842406.pdf](https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-rome/documents/publication/wcms_842406.pdf), last accessed: September 28, 2023.

4. Alberti, G.; Però, D.: “Migrating industrial relations: Migrant workers’ initiative within and outside trade unions”, *British Journal of Industrial Relations*, vol. 56, n. 4, 2018, pp. 693-715; Castles, S.: “Labour migration and the trade unions in Western Europe”, *Centre for Multicultural Studies, University of Wollongong*, Occasional Paper 18, 1990.

5. Johns, M.: *The new minorities of Europe: social cohesion in the European Union*, Lexington Books, Lanham, Maryland, 2014.

6. Gorodzeisky, A.; Richards, A.: “Do immigrants trust trade unions? A study of 18 European Countries”, *British Journal of Industrial Relations*, vol. 58, n. 1, 2020, p. 4.

7. Gorodzeisky, A.; Richards, A.: “Trade unions and migrant workers in Western Europe”, *European Journal of Industrial Relations*, vol. 19, n. 3, 2013, pp. 239-254.

## A. Labour market segregation and length of stay

TNCs are over-represented in specific economic sectors which tend to be non-unionised, such as: accommodation and food services; construction, administrative and support services, domestic work and agriculture<sup>8</sup>. Many TNCs are employed on atypical contracts such as temporary work or on a seasonal basis, which again makes it difficult for them to come together and form a collective voice. Quantitative data about unionisation in several Western European countries also indicates that migrant workers are less likely to encounter trade unions within their workplace<sup>9</sup>. Migrants who work illegally are particularly fearful of complaining about their working conditions due to a greater risk of deportation. Having said that, the gap in union membership cannot be entirely attributed to the segregation of the labour market, because even when they work in the same industrial sectors as natives, they do not attain the same degree of union membership<sup>10</sup>.

Migrants are also less likely to join a union if they do not plan to remain in the host country for an extended period of time<sup>11</sup>. They might have less interest, be less knowledgeable about the benefits of unionisation, have less trust in institutions, or be more challenging for trade unions to reach. For instance, research carried out in Malta, a country that has experienced a relatively large influx of migrants in recent years, found that about half of the foreign workers leave the labour market within a period of two years or less<sup>12</sup>. When compared to other migrants, “EU nationals, younger individuals, and lower-skilled foreign workers exhibit a relatively shorter length of stay”<sup>13</sup>. These individuals are probably even less likely to join unions than other migrants.

## B. Language, culture, knowledge and trust

Insufficient ability to speak the language (or languages) of the host country may make it difficult for migrants to understand the workings of unions and their rights, and may impede their participation in trade unions<sup>14</sup>. A study focusing on Polish workers in the UK indicated that language barriers deter the transformation of passive union

8. European Commission: *Statistics on migration to Europe. Overall figures of immigrants in European society*, ob. cit.

9. Gorodzeisky, A.; Richards, A.: “Trade unions and migrant workers in Western Europe”, ob. cit.

10. *Ibid.*

11. Kranendonk, M.; De Beer, P.: “What explains the union membership gap between migrants and natives?”, *British Journal of Industrial Relations*, vol. 54, n. 4, 2016, pp. 846-869.

12. Borg, I.: “The length of stay of foreign workers in Malta”, *Central Bank of Malta*, January 2019, p. 1. Accessible in: <https://www.centralbankmalta.org/file.aspx?f=72312>, last accessed: September 28, 2023.

13. *Ibid.*

14. Hardy, J.; Fitzgerald, I.: “Cross border trade union collaboration in the context of competition and arbitrating labour in an enlarged Europe”, *ESRC Research Seminar Series Changing Cultures of Competitiveness*, 2008; Dundon, T.; González-Pérez, M.; McDonough, T.: “Bitten by the Celtic Tiger: Immigrant workers and industrial relations in the new ‘globalized’ Ireland”, *Economic and Industrial Democracy*, vol. 28, n. 4, 2007, pp. 501-522; Bertone, S.; Griffin, G.; Iverson, R.: “Immigrant workers and Australian trade unions: Participation and attitudes”, *The International Migration Review*, vol. 29, n. 3, 1995, pp. 722-744; Wallinder, Y.: “Otherness in the workplace among highly skilled labour migrants: Swedes in Germany and the UK”, *Work, Employment and Society*, vol. 36, n. 2, 2022, pp. 253-270.



members into active and engaged ones<sup>15</sup>. Cultural differences may similarly hinder communication and make interaction with trade unions difficult<sup>16</sup>. Low language proficiency hinders effective communication and interpretation of cultural nuances even among skilled migrants in developed economies, particularly in the early stages after migration<sup>17</sup>.

In addition, migrant workers may lack knowledge of their legal protections and may be uncertain about their immigration status, which can lead to fear and reluctance to participate in trade unions. For example, the absence of institutional understanding of the host country's labour traditions was highlighted as an obstacle to union participation among Polish migrants in the UK<sup>18</sup>. Another study indicated that a significant challenge in mobilising migrant workers in Spain arises from their pervasive lack of trust in unions which are often perceived as integral components of the national establishment<sup>19</sup>. In the same vein, research in Ireland showed the existence of scepticism about unions in particular among immigrants from former Communist states<sup>20</sup>, a phenomenon that has also been registered in other host countries<sup>21</sup>. An analysis of case studies carried out in a fish processing plant and a demolition company in Denmark found that precariously employed migrant interviewees from Central and Eastern European countries were "routinely told by employers or co-workers that they should not trust the unions"<sup>22</sup>. Another interesting finding from this study is that such workers often initially experienced difficulty in distinguishing union officials from government representatives<sup>23</sup>. Despite these findings, an analysis of an extensive dataset from the European Values Survey revealed that in general, migrants tend to trust trade unions more than native-born individuals, and that such trust decreases slowly with time<sup>24</sup>. The same study found that migrants from countries with lower-quality political and civic systems tend to trust trade unions more than migrants from countries with higher-quality institutions<sup>25</sup>.

15. Fitzgerald, I.; Hardy, J.: "Thinking outside the box? Trade union organizing strategies and Polish migrant workers in the United Kingdom", *British Journal of Industrial Relations*, vol. 48, n. 1, 2010, pp. 131-150.

16. Castles, S.: "Labour migration and the trade unions in Western Europe", ob. cit.; Dundon, T.; González-Pérez, M.; McDonough, T.: "Bitten by the Celtic Tiger: Immigrant workers and industrial relations in the new 'glocalized' Ireland", ob. cit.

17. Tharenou, P.; Kulik, C.: "Skilled migrants employed in developed, mature economies: From newcomers to organizational insiders", *Journal of Management*, vol. 46, n. 6, 2020, pp. 1156-1181.

18. Hardy, J.; Fitzgerald, I.: "Cross border trade union collaboration in the context of competition and arbitrating labour in an enlarged Europe", ob. cit.

19. Kahmann, M.: "Trade unions and migrant workers: Examples from the United States, South Africa and Spain", *European Trade Union Institute*, 2002.

20. Dundon, T.; González-Pérez, M.; McDonough, T.: "Bitten by the Celtic Tiger: Immigrant workers and industrial relations in the new 'glocalized' Ireland", ob. cit.

21. Danaj, S.; Caro, E.; Mankki, L.; Sippola, M.; Lillie, N.: "Unions and migrant workers. The perspective of Estonians in Finland and Albanians in Italy and Greece", in Doellgast, V.; Lillie, N.; Pulignano, V.(eds.): *Reconstructing solidarity: Labour unions, precarious work, and the politics of institutional change in Europe*, Oxford University Press, Oxford, 2018, pp. 207-225; Refslund, B.: "When strong unions meet precarious migrants: Building trustful relations to unionise labour migrants in a high union-density setting", *Economic and Industrial Democracy*, vol. 42, n. 2, 2021, pp. 314-335.

22. *Ibid.*, p. 320.

23. *Ibid.*

24. Gorodzeisky, A.; Richards, A.: "Do immigrants trust trade unions? A study of 18 European Countries", ob. cit.

25. *Ibid.*

## C. Laws and institutions

Lack of support from laws and institutions may inhibit some groups of migrants from joining unions. On the one hand, European provisions on freedom of movement and social security coordination establish a common legal framework for migrant EU citizens<sup>26</sup>. This may facilitate trade unions' interventions. For instance, trade unions in Luxembourg utilise such framework as a legal basis to offer support services to the majority of migrant workers in the country<sup>27</sup>. However, as suggested earlier, European laws and institutions treat TNCs less favourably than EU nationals. For example, it has been argued that the Maltese legal framework imposes various barriers to labour migration of TNCs and does not provide them equal treatment to Maltese/EU nationals as a general rule, but only limits equality to specific areas<sup>28</sup>. The situation appears to be similar across many European countries. A central obstacle to organising migrant workers in Spain is "the conditional connection between the holding of a work contract and the residence rights that makes any employer resistance by the migrant worker a highly risky task"<sup>29</sup>. Indeed, host countries' legal frameworks may increase the vulnerability of migrants by making them dependent on a particular employer, consequently diminishing their ability to protect themselves from employer mistreatment<sup>30</sup>. Such laws support the role of transnational labour mobility as a structural solution to European challenges regarding the balancing of flexibility and security. They achieve this by establishing a highly flexible group of migrant workers who act as a buffer, readily expendable during economic downturns, thus shouldering the majority of the uncertainty without triggering political problems<sup>31</sup>.

## D. Previous experience with trade unionism

Migrants' unionisation may be influenced by their familiarity with trade unions from their home country. According to a study that examined unionisation in 23 European countries, immigrants from countries with low unionisation rates are less likely to join unions in their new country<sup>32</sup>. Interestingly, in relation to the notion of 'familiarity', migrants also had a higher probability of becoming union members in the destination

26. Thomas, A.: "Cross-border labour markets and the role of trade unions in representing migrant workers' interests", *Journal of Industrial Relations*, vol. 62, n. 2, 2020, pp. 235-255.

27. *Ibid.*

28. Cauchi, A.: *Labour immigration of third-country nationals to Malta: A critical appraisal of the current regulatory framework*, Master's dissertation, University of Malta, 2018. Accessible in: <https://www.um.edu.mt/library/oar/handle/123456789/38712>, last accessed: September 28, 2023; Debono, M.: "Migrants and the challenge of decent work in Malta", *e-Revista Internacional de la Protección Social*, vol. 6, n. 2, 2021, pp. 272-293.

29. Kahmann, M.: "Trade unions and migrant workers: Examples from the United States, South Africa and Spain", *ob. cit.*, p. 25.

30. Castles, S.: "Labour migration and the trade unions in Western Europe", *ob. cit.*

31. Meardi, G.; Martín, A.; Riera, M.: "Constructing uncertainty: Unions and migrant labour in construction in Spain and the UK", *Journal of Industrial Relations*, vol. 54, n. 1, 2012, p. 5.

32. Kranendonk, M.; De Beer, P.: "What explains the union membership gap between migrants and natives?", *ob. cit.*

country if they originated from its former colonies<sup>33</sup>. However, other studies do not support the idea that familiarity with trade unions leads to unionisation. For instance, a study analysing the challenges of Polish workers in the UK and in Switzerland concludes “that previous membership in Polish trade unions was not a significant factor influencing their involvement in British and Swiss workers’ movements”<sup>34</sup>. Besides, research in both the EU and Australia indicated that the country or region of origin did not have significant effects on unionisation<sup>35</sup>.

## E. Stereotypes and discrimination

Migrant workers may experience stereotyping and discrimination from employers, fellow workers, and even union officials, which might discourage them from joining trade unions. Native workers who feel vulnerable and threatened are more prone to exclude migrants as they view them as a competitive threat<sup>36</sup>. The aforementioned legalised unequal power dynamic in favour of employers might enable them to intimidate migrant workers by using the threat of retaliation or job termination if these workers choose to join labour unions. Stereotypes and discrimination can also take place within the unions themselves. Trade union leaders may sometimes stereotypically label migrants from specific countries, affecting the way they are treated and consequently their participation in unions. For example, Portuguese migrant workers are sometimes seen as passive consumers of union services by trade union leaders in Luxembourg, while French cross-border workers are viewed as more conflict-oriented<sup>37</sup>. There is also some indication that the pandemic might have increased trade union members’ stereotyping of foreign workers, especially TNCs<sup>38</sup>.

The relation between attitudes towards migrants and the latter’s unionisation appears to be a complex one. An examination of unionisation rates among migrant and native-born workers in several European countries revealed an intriguing trend that seems to contradict the previous findings: migrants were found to be less likely to unionise when residing in countries that exhibit more favourable attitudes towards migrants. This phenomenon could stem from the fact that migrants perceive a stronger necessity to come together and organise in nations where they directly experience

33. *Ibid.*

34. Rogalewski, A.: “Trade unions challenges in organising Polish workers: A comparative case study of British and Swiss trade union strategies”, *European Journal of Industrial Relations*, vol. 28, n. 4, 2022, p. 385.

35. Kranendonk, M.; De Beer, P.: “What explains the union membership gap between migrants and natives?”, *ob. cit.*; Bertone, S.; Griffin, G.; Iverson, R.: “Immigrant workers and Australian trade unions: Participation and attitudes”, *ob. cit.*

36. Gorodzeisky, A.; Richards, A.: “Union members’ attitudes towards immigrant workers: A 14-country study”, *European Journal of Industrial Relations*, vol. 22, n. 1, 2016, pp. 23-38.

37. Thomas, A.: “Degrees of inclusion: Free movement of labour and the unionization of migrant workers in the European Union”, *Journal of Common Market Studies*, vol. 54, n. 2, 2016, pp. 408-425.

38. Debono, M.; Garzia, C.: *Covid-19 impact on the employment conditions of women, youth, people with disabilities, and atypical workers*, 2022. Accessible in: <https://gwu.org/wp-content/uploads/2022/09/Report-%E2%80%93-COVID-19-Impact-on-Employment-Conditions-1.pdf>, last accessed: September 28, 2023.

the adverse effects of negative attitudes towards migrants, such as workplace discrimination<sup>39</sup>.

This section delved into research about major challenges encountered by migrant workers in participating in trade unions. While the list of barriers discussed is not exhaustive, it serves to highlight the challenges faced by migrant workers to join unions. These challenges often overlap and influence one another. They underscore the significance of unions taking proactive steps to assist migrants overcome these barriers. The subsequent section will discuss how European trade unions perceive the issue of migrant workers and the general positions they take on such matter.

### III. EUROPEAN TRADE UNIONS' APPROACHES TO MIGRANT WORKERS

Trade unions were established to fight for the rights and better working conditions of workers. While, as will be discussed further down, they have consistently encountered internal and external challenges in addressing the topic of migration, the most crucial difficulty has traditionally derived from the basic economic principle of supply and demand<sup>40</sup>. It has often been argued that an influx of foreign workers into the labour market tends to negatively impact local workers' conditions, especially their wages. "While unions have historically been committed to the ideals of international solidarity, in practice their members often fear competition by immigrants on labour markets"<sup>41</sup>. The ambivalent traditional position of European trade unions towards migrant workers has been aptly summarised as follows: "Unions are at the core of left-wing politics in most European countries, and support for immigration is usually a left-wing position. However, many of the core constituents of unions are those whose interests are most likely to be adversely affected by an increase in the supply of labour"<sup>42</sup>. Indeed, conflicts between local workers and those from distant places are common throughout the history of trade unionism<sup>43</sup>.

In 2000, Penninx and Roosblad developed three seminal dilemmas that trade unions face regarding migrant workers. The first dilemma is whether they should oppose or collaborate with government and employers when it comes to immigration and the hiring of migrant workers (cooperation vs resistance). The second dilemma is whether established migrants should be integrated or excluded from trade union membership (inclusion vs exclusion). The third dilemma is whether trade unions should create

39. Kranendonk, M.; De Beer, P.: "What explains the union membership gap between migrants and natives?", ob. cit.

40. Pajares, M.: "Foreign workers and trade unions: The challenges posed", *Transfer*, vol. 14, n. 4, 2008, pp. 607-624; Afonso, A.; Negash, S.; Wolff, E.: "Closure, equality or organisation: Trade union responses to EU labour migration", *Journal of European Social Policy*, vol. 30, n. 5, 2020, pp. 528-542; Donnelly, M.: "Competition and solidarity: Union members and immigration in Europe", *West European Politics*, vol. 39, n. 4, 2016, pp. 688-709.

41. Afonso, A.; Negash, S.; Wolff, E.: "Closure, equality or organisation: Trade union responses to EU labour migration", ob. cit., p. 528.

42. Donnelly, M.: "Competition and solidarity: Union members and immigration in Europe", ob. cit., p. 688.

43. Pajares, M.: "Foreign workers and trade unions: The challenges posed", ob. cit.



comprehensive policies for all workers or specific policies aimed at achieving economic equality for migrants (equal treatment vs special strategies)<sup>44</sup>. These dilemmas have shaped the discourse on the unionisation of migrants for more than two decades, and despite the evolution of social, economic and political circumstances, they are still relevant today<sup>45</sup>.

The following subsections will reflect on the emerging attitudes, roles and challenges of trade unions in relation to migrants, taking into consideration the afore-mentioned dilemmas.

## A. General trends supporting migrant workers

The European Trade Union Confederation (ETUC), with its large membership of trade union organisations across the continent, has been on the forefront in promoting the rights of migrant workers. The ETUC believes that the EU needs to have a more holistic “migration policy based on solidarity, integration and inclusiveness for the benefit of all”<sup>46</sup>. It sustains that well-managed immigration can help Europe overcome its socioeconomic challenges<sup>47</sup>. Among others, the organisation embarked on initiatives promoting the rights of undocumented migrant workers, advocating their recognition as workers irrespective of their job status and type of work, and their organisation and recruitment in trade unions<sup>48</sup>. In its efforts to encourage and sustain cross-border cooperation to support and organise migrants, ETUC launched UnionMigrantNet in 2015, which “comprises a network of trade union contact points across the EU, where new arrivals and their families can obtain information and support on issues like employment, documentation, housing and integration”<sup>49</sup>.

Nowadays, European trade unions generally take a pro-immigration stance, advocating for policies that embrace immigration and cultural diversity<sup>50</sup>. Unions generally believe that immigrants are vital members of the workforce and that their rights and interests must be protected<sup>51</sup>. Indeed, in recent years, especially during the first decade of the new millennium, there has been a strengthening of the trend of

44. Penninx, R.; Roosblad, J. (eds.): *Trade unions, immigration, and immigrants in Europe, 1960-1993: A comparative study of the attitudes and actions of trade unions in seven West European countries*, Berghahn Books, New York/Oxford, 2000.

45. Marino, S.; Penninx, R.; Roosblad, J.: “Trade unions, immigration and immigrants in Europe revisited: Unions’ attitudes and actions under new conditions”, *Comparative Migration Studies*, vol. 3, n. 1, 2015.

46. European Trade Union Confederation (ETUC). *ETUC final strategy on migration and inclusion, ETUC mid-term strategy on migration, asylum and inclusion*. Adopted at the meeting of the Executive Committee on 8–9 June, 2016, p. 3. Accessible in: <https://www.etuc.org/en/document/etuc-final-strategy-migration-and-inclusion>, last accessed: September 28, 2023.

47. *Ibid.*

48. European Trade Union Confederation (ETUC). *Trade unions: Organising and promoting undocumented migrant workers’ rights; Migrant workers’ rights are human rights*. Accessible in: [etuc.org/en/publication/trade-unions-organising-and-promoting-undocumented-migrant-workers-rights-migrant](https://www.etuc.org/en/publication/trade-unions-organising-and-promoting-undocumented-migrant-workers-rights-migrant), last accessed: September 28, 2023.; Pajares, M.: “Foreign workers and trade unions: The challenges posed”, *ob. cit.*

49. European Trade Union Confederation (ETUC). *Union Migrant Network*. Accessible in: <https://www.etuc.org/en/issue/union-migrant-network>, last accessed: September 28, 2023.

50. Donnelly, M.: “Competition and solidarity: Union members and immigration in Europe”, *ob. cit.*

51. Pajares, M.: “Foreign workers and trade unions: The challenges posed”, *ob. cit.*

European trade union leaders endorsing open immigration policies. Their positions increasingly influenced union members, encouraging them to embrace the cultural diversity brought about by immigration<sup>52</sup>. A cross-national analysis of a European Social Survey comprising data from 14 countries, surprisingly revealed that unionised workers tend to have more positive views on immigration compared to non-union members<sup>53</sup>. Apart from the afore-mentioned influence of union leaders, this finding is possibly due to the unionised workers' improved socio-economic status, which provides them with greater job security and better working conditions.

## **B. The impact of the industrial relations system on membership and working conditions**

Several European studies link union membership of migrant workers to the industrial relations system existing in the host country. In countries characterised by an organised corporatist regime, such as the Nordic countries, there tends to be a more pronounced disparity in unionisation rates between migrants and native workers compared to countries with a more fragmented regime, such as those in Central and Eastern Europe<sup>54</sup>. Another study argued that when trade unions enjoy a high level of organisational security, for example by receiving state funding or being the sole dominant trade union confederation, they might exert less effort to organise migrant workers<sup>55</sup>. A study that delved into the situation in Denmark, where unions can legally negotiate agreements with companies in which they do not have members, provided yet another perspective on the potential effects of a corporatist regime on migrant membership. The study concluded that such system may have traditionally led unions to prioritise collective agreements rather than actively involving migrant workers<sup>56</sup>.

Despite the above, it is worth emphasising that in countries with a corporatist regime, the overall migrant membership level remains higher than in any other regime. This suggests that the rate of unionisation among migrants is primarily influenced by the host country's overall unionisation rate<sup>57</sup>.

## **C. Examples of unions' restrictive attitudes and policies**

Notwithstanding the general pro-immigration trend outlined above, research indicates considerable differences across trade unions in different European countries.

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52. Donnelly, M.: "Competition and solidarity: Union members and immigration in Europe", ob. cit.  
53. Gorodzeisky, A.; Richards, A.: "Union members' attitudes towards immigrant workers: A 14-country study", ob. cit.  
54. Kranendonk, M.; De Beer, P.: "What explains the union membership gap between migrants and natives?", ob. cit.  
55. Gorodzeisky, A.; Richards, A.: "Trade unions and migrant workers in Western Europe", ob. cit.  
56. Refslund, B.: "When strong unions meet precarious migrants: Building trustful relations to unionise labour migrants in a high union-density setting", ob. cit.  
57. Kranendonk, M.; De Beer, P.: "What explains the union membership gap between migrants and natives?", ob. cit.

Indeed, the approach of different trade unions towards migrant workers' rights and discriminatory policies ranges from proactively inclusive to reluctant or restrictive<sup>58</sup>.

The following are a few examples of restrictive attitudes and policies. Austrian unions have a strongly restrictive policy against migrants, allegedly resulting in their tolerance and acceptance of conditions of significant inequality for migrants, such as their constant risk of deportation, limited job stability, lower working conditions, and specific constraints on their eligibility for unemployment benefits among others<sup>59</sup>. While Spanish trade unions have generally been critical of restrictive policies in both Spain and Europe as a whole, there are recent indications of a shift in discourse, with some Spanish trade union leaders expressing concerns about the impact of immigration on native workers' wages<sup>60</sup>. In yet another example of the complex dynamics of trade union's stances, trade unions in Luxembourg are reluctant "to actively participate in the campaign for political citizenship rights for immigrants" as the unions perceived such issue as "too divisive and a threat to union cohesion"<sup>61</sup>.

The above are just a few examples to underscore that trade unions' position towards migration is not straightforward and is inevitably influenced by the existing social attitudes. Migration in Europe has become contentious, with immigrants frequently blamed for societal problems like job scarcity and welfare strain<sup>62</sup>. Economic downturns and the worsening of work arrangements strengthened these tensions, leading to nationalist rhetoric, labour conflicts, and in some cases, violence, that may have an impact on trade union positions and actions<sup>63</sup>.

Nevertheless, despite sometimes going against public sentiment, many unions adopted supportive responses towards migrant workers, as will be discussed in the next section.

#### IV. TRADE UNIONS' WIDENING REMIT AND INTERVENTIONS

Historically, trade unions have prioritised improving working conditions and pay for workers<sup>64</sup>. But in response to migration, they are increasingly engaging in socio-political matters beyond their traditional core functions and adopting a wider commitment to social justice<sup>65</sup>. Unions are also diversifying their structures to represent a more extensive range of interests and are increasingly collaborating with civil society groups

58. Pajares, M.: "Foreign workers and trade unions: The challenges posed", ob. cit.

59. *Ibid.*

60. *Ibid.*

61. Thomas, A.: "Cross-border labour markets and the role of trade unions in representing migrant workers' interests", ob. cit., p. 252.

62. Marino, S.; Penninx, R.; Roosblad, J.: "Trade unions, immigration and immigrants in Europe revisited: Unions' attitudes and actions under new conditions", ob. cit.

63. *Ibid.*

64. Castles, S.: "Labour migration and the trade unions in Western Europe", ob. cit.

65. Thomas, A.: "Cross-border labour markets and the role of trade unions in representing migrant workers' interests", ob. cit.

to develop inclusive policies<sup>66</sup>. Embracing a more comprehensive “social movement approach” and assisting migrant workers with non-labour market concerns, may contribute significantly to building trust with migrants<sup>67</sup>. However, this diversification can also pose challenges to the cohesion of trade unions and their ability to develop a unified policy agenda, as it difficult to balance the interests of different member groups<sup>68</sup>.

There are a variety of ways through which trade unions reach out to migrant workers. This section will briefly discuss four strategies, namely structural changes and the active inclusion of migrants, training, collaborations, and the establishment of new unions.

### A. Structural changes and the active inclusion of migrants

Trade unions in Europe are undergoing significant transformations in their internal structures to better support migrant workers. Some unions have established specialised sections or committees focused on migrant workers. For instance, the UK GMB union set up a migrant workers’ branch in Southampton in response to the needs of the Polish community. The branch has been very successful in recruiting and organising both male and female members<sup>69</sup>. Another example is that of the Swiss union Unia, which has national and regional migrant workers committees that support the inclusion and organisation of foreign workers. Through such committees and dedicated resources, such as the funding of a permanent post for a Polish-speaking officer, Unia was very successful in the inclusion of Polish workers<sup>70</sup>.

Some unions set up particularly creative structures and methods to reach out and organise migrant workers, as shown in the following case. Seasonal migrant labourers in the agricultural sector in Southern Italy often face severe exploitation and mistreatment. To combat this, the Confederazione Generale Italiana del Lavoro (CGIL), through its agricultural branch Federazione Lavoratori Agroindustria (FLAI-CGIL), has pursued a strategy called ‘Sindacato di strada’ (trade union on the road). This initiative involves union representatives travelling throughout the country on campers or vans to meet workers at their gathering points or hiring places, informing them about their rights, advising on employment contracts, and promoting union awareness by disseminating information material in different languages. Trade union officials, make

66. Castles, S.: “Labour migration and the trade unions in Western Europe”, ob. cit.; Thomas, A.: “Cross-border labour markets and the role of trade unions in representing migrant workers’ interests”, ob. cit.

67. Refslund, B.: “When strong unions meet precarious migrants: Building trustful relations to unionise labour migrants in a high union-density setting”, ob. cit.

68. Thomas, A.: “Cross-border labour markets and the role of trade unions in representing migrant workers’ interests”, ob. cit.

69. Hardy, J.; Fitzgerald, I.: “Cross border trade union collaboration in the context of competition and arbitraging labour in an enlarged Europe”, ob. cit., p. 25.

70. Rogalewski, A.: *Organising Polish workers: A comparative case study of British (Unison) and Swiss (Unia) trade union strategies*. Thesis submitted for the degree of Professional Doctorate in Researching Work, August 2019, London Metropolitan University, UK.



use of social media technology to find these workers. The strategy has not only resulted in an expansion of union members, but also in their greater union involvement<sup>71</sup>.

Initiatives such as that of FLAI-CGIL, highlight another aspect through which unions actively reach out for migrant workers. The union recruits foreigners to work with it, and even undocumented workers can become CGIL delegates<sup>72</sup>. Thus, many of the officials participating in the '*Sindacato di strada*' are foreign in origin, and this enables them to communicate with the workers in the latter's native language. Other unions across Europe have similarly hired workers with a foreign background to help them organise migrant workers. For instance, the United Federation of Danish Workers not only hired several workers with a foreign background to strengthen its dialogue with migrant workers, but also provides access to interpreters to all local union branches<sup>73</sup>.

Despite the above, there remain numerous impediments that hinder the effective participation of migrant workers in trade union structures, especially in relation to decision making and opportunities to assume leadership roles<sup>74</sup>. Research suggests that trade unions emphasising 'participatory democracy', which includes decentralisation, strong grassroots coordination, and the active engagement of shop stewards in policy shaping, may be more receptive to actively including migrant members in their organisation, in contrast to unions that rely on top-down and centralised approaches<sup>75</sup>.

## B. Training programmes

Training (or learning) initiatives have become essential for engaging vulnerable workers such as migrant workers<sup>76</sup>. Unions have adopted a variety of strategies in this regard, including their involvement in learning in the workplace, directly organising training themselves, or collaborating with the community to provide such training. Among the different types of training that is given, language training has proved to be an important means of empowerment and involvement of migrant workers, contributing to a more diverse membership and activist base<sup>77</sup>. Training may support broad union organising

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71. European Trade Union Institute (ETUI): "A worker is a worker": the trade unions organising migrants", *HesaMag*, n. 20, special report 3/33, Autumn-winter 2019. Accessible in: <https://www.etui.org/topics/health-safety-working-conditions/hesamag/migrant-workers-in-fortress-europe/a-worker-is-a-worker-the-trade-unions-organising-migrants>, last accessed: September 28, 2023.

72. *Ibid.*

73. Refslund, B.: "When strong unions meet precarious migrants: Building trustful relations to unionise labour migrants in a high union-density setting", *ob. cit.*

74. Thomas, A.: "Degrees of inclusion: Free movement of labour and the unionization of migrant workers in the European Union", *ob. cit.*

75. Marino, S.: "Trade unions, special structures and the inclusion of migrant workers", *Work, Employment and Society*, vol. 29, n. 5, 2015, pp. 826-842.

76. Connolly, H.; Marino, S.; Martínez Lucio, M.: *Trade unions and immigration in the UK: Equality and immigrant worker engagement without collective rights*, Manchester Business School, University of Manchester, Manchester, Project Funded by the Leverhulme Trust, 2012. Accessible in: <https://documents.manchester.ac.uk/display.aspx?DocID=48497>, last accessed: September 28, 2023.

77. Mustchin, S.: "Unions, learning, migrant Workers and union revitalization in Britain", *Work, Employment and Society*, vol. 26, n. 6, 2012, pp. 951-967.

goals such as recruitment, activist development, securing recognition agreements, and enabling migrant workers to represent themselves effectively at work<sup>78</sup>.

Despite their utility, training initiatives face several challenges. For example, trade union training to migrants in the UK was found to often be separated from daily trade union activities, creating strategy fragmentation. Besides, access to learning services was geographically uneven, there was limited accessibility to learning centres, and inter-union coordination was lacking<sup>79</sup>. Another study in the same country found that “the process of organising migrant workers with support from union learning initiatives led to a plethora of institutional tensions within and between unions and other affiliated organisations, including community organisations, and the state”<sup>80</sup>. The study also mentioned that “some union members had expressed resentment that resources were being, in their view, directed towards newly recruited migrant workers as opposed to the more established membership”<sup>81</sup>. Such tensions arise from differing approaches and priorities and strategies within unions and the challenges of sustaining such initiatives due to limited funding and changing government priorities<sup>82</sup>.

### C. Collaborations

Trade unions in Europe have long been establishing international collaborative relations with other unions in order to facilitate their support to migrant workers. For example, since the 1950s, the Belgian and Luxembourg Confederations of Christian Trade Unions have maintained a bilateral membership arrangement for cross-border employees, in which individuals residing in Belgium and employed in Luxembourg are granted membership of both unions and so have the opportunity to engage in trade union activities in both countries<sup>83</sup>. With the expansion of the EU, such cross-border collaborations became more common. For example, in 2019, an agreement was signed by Malta’s General Workers union and Italy’s CGIL, allowing Italian members of CGIL working in Malta to receive assistance from the GWU through a contact point that was established for such purpose<sup>84</sup>.

While international collaborations tend to be initiated at the highest institutional echelons, numerous additional collaborations take place at the grassroots level, often involving trade union officials at lower hierarchical levels who participate in community activism. For example, a multitude of local initiatives emerged organically throughout

78. *Ibid.*

79. Connolly, H.; Marino, S.; Martínez Lucio, M.: *Trade unions and immigration in the UK: Equality and immigrant worker engagement without collective rights*, ob. cit.

80. Mustchin, S.: “Unions, learning, migrant Workers and union revitalization in Britain”, ob. cit., p. 963.

81. *Ibid.*, p. 964.

82. *Ibid.*

83. Thomas, A.: “Cross-border labour markets and the role of trade unions in representing migrant workers’ interests”, ob. cit.

84. General Workers’ Union: *A strong cross-border trade union alliance collaboration agreement between General Workers Union and CGIL*, 2021. Accessible in: <https://gwu.org/mt/en/a-strong-cross-border-trade-union-alliance-collaboration-agreement-between-general-workers-union-and-cgil/>, last accessed: September 28, 2023.

the UK, frequently operating independently from national strategies, to assist migrant workers after the EU enlargement in 2004<sup>85</sup>. Community activism was often employed in these interventions, with trade unions collaborating with other social actors, including local councils, churches, NGOs, and community groups, to offer new services to migrants. These included fishing trips meant to impart English language skills and connecting with a broader group of workers, music lessons as a way of teaching English, and family outings in order to engage with the wider migrant community<sup>86</sup>. It has been argued that while unions often have limited support for grassroots initiatives led by migrants, successful campaigns and initiatives led by migrant workers do not always require top-down institutional support or significant material resources<sup>87</sup>.

#### D. The establishment of new unions

The internal politics, organisational structures, and political culture within trade unions can present major obstacles to devising innovative strategies to improve the lives of migrant workers<sup>88</sup>. Sometimes it is more effective to establish new purpose-built unions that focus on migrant workers, rather than trying to make changes in traditional ones. The Independent Workers' Union of Great Britain (IWGB) is one such union founded in 2012 by Latin American cleaners. It forms part of a number of new "small, agile, and confrontational" unions, sometimes called 'tiny unions' or 'indie unions', recently set up in the UK to organise and represent migrant workers in precarious jobs<sup>89</sup>. Indie unions lean more towards a radical approach compared to traditional unions, and they are more inclined to embrace confrontational methods, including participating in unauthorised strikes, demonstrations, and pursuing legal actions<sup>90</sup>. The IWGB gained prominence by successfully bringing employment tribunal cases addressing the issue of 'worker status' of individuals engaged in the gig economy<sup>91</sup>. Indie unions are particularly committed and effective at community organising, bypassing difficulties encountered in organising at the place of work<sup>92</sup>.

85. Hardy, J.; Fitzgerald, I.: "Cross border trade union collaboration in the context of competition and arbitrating labour in an enlarged Europe", ob. cit.

86. *Ibid.*; Fitzgerald, I.; Hardy, J.: "Thinking outside the box? Trade union organizing strategies and Polish migrant workers in the United Kingdom", ob. cit.

87. Alberti, G.; Però, D.: "Migrating industrial relations: Migrant workers' initiative within and outside trade unions", ob. cit.

88. Castles, S.: "Labour migration and the trade unions in Western Europe", ob. cit.

89. Dias-Abey, M.: "Legal mobilization and identity formation in British trade unions: Bridging the spaces-in-between", in Boutcher, S; Shdaimah, C.; Yarbrough, M. (Eds.): *Research handbook on law, social movements and social change*, Edward Elgar, UK, 2021, p. 286.

90. *Ibid.*

91. Roberts, Y.: "The tiny union beating the gig economy giants", *The Guardian*, 1 July 2018. Accessible in: <https://www.theguardian.com/politics/2018/jul/01/union-beating-gig-economy-giants-iwgb-zero-hours-workers>, last accessed: September 28, 2023.

92. Dias-Abey, M.: "Legal mobilization and identity formation in British trade unions: Bridging the spaces-in-between", ob. cit.

The Ukrainian Workers' Trade Union in Poland is another example of a union created to assist migrant workers. The union was founded during a period of increased immigration from Ukraine due to the conflict and political instability in their home country. With many Poles moving to Western Europe, there was a labour shortage in Poland, leading many Ukrainian newcomers to work in sectors lacking proper regulation, labour protection, or union representation. Additionally, language barriers hindered their recruitment by major unions. To address these challenges, the union provides free legal advice to members regarding work and residence permits, reports abusive employers to labour inspectorates, and collaborates with fair employers and factories to help new Ukrainian immigrants find employment. Although it operates independently, the union receives support from the All-Poland Alliance of Trade Unions (OPZZ)<sup>93</sup>.

## V. CONCLUSION

This study discussed major challenges preventing migrants from joining trade unions, and then focused on how trade unions in Europe respond to the phenomenon of migrant workers. Several intriguing and innovative initiatives were highlighted.

While trade union attitudes towards migrants have evolved over time, becoming more pro-immigration over the years, the internal debate within unions on how to effectively address migrants' issues persists. Unions continue to grapple with internal resistance to migration, as well as resistance to cultural and structural change. Indeed, as unions diversify their membership, reaching consensus on policies, strategies, and resource allocation becomes increasingly complex. These challenges may prevent migrants from becoming union members, or may stifle their active participation and growth within union structures.

"The tensions and organisational dilemmas in the relationship between migrant workers and trade unions, as well as the different integration strategies, reveal that integrating migrant workers into trade unions is not a natural process"<sup>94</sup>. But trade unions need to continue striving to recruit, organise and empower migrant workers, as this is one of the most effective means through which migrant workers can improve their working and living conditions.

93. European Trade Union Institute (ETUI): "A worker is a worker": the trade unions organising migrants", ob. cit.

94. Thomas, A.: "Cross-border labour markets and the role of trade unions in representing migrant workers' interests", ob. cit.



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