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**SEASONAL WORKERS
IN EUROPEAN AGRICULTURE**

GEOPA INQUIRY

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TABLE OF CONTENTS

INTRODUCTION

1. THE SEASONAL LABOUR MARKET	2
1.1 PLACEMENT OF SEASONAL WORKERS	
1.1.1 Building up relations	
1.1.2 Labour shortage	3
1.2 SEASONAL IMMIGRATION	4
1.2.1. Immigration policy	5
1.2.2. Statistics on seasonal migratory trends	
1.3 OTHER SEASONAL WORKING CONDITIONS	6
1.3.1. Agricultural contractors	
1.3.2. Enterprises providing temporary work	
1.3.3. Other availabilities	7
1.3.4. Permanent workers undertaking seasonal work	
1.4 STATISTICAL OVERVIEW	9
2. WORKING CONDITIONS AND REMUNERATION	10
2.1. LABOUR CONTRACT	
2.1.1. Legal nature of working relations	
2.1.2. Recruitment procedures	11
2.2. WORKING TIME	12
2.2.1. Weekly hours and overtime	13
2.2.2. Paid holiday and other paid leave	
2.3. REMUNERATION OF SEASONAL WORKERS	14
2.3.1. Types of remuneration	
2.3.2. Amount of wages	15
2.4. COST OF LABOUR	16
2.4.1. Social security contributions	
2.4.2. Cost of an hour's work by seasonal workers	19

INTRODUCTION

Agricultural activities are essentially seasonal in nature. Ploughing, sowing, harvesting, etc. are all done at different times of the year.

A number of seasonal activities require extra work which cannot be mechanised and which the farmer, members of his family and, where appropriate, permanent workers cannot carry out without bringing in seasonal labour.

This extra work mainly concerns harvesting: fruit and vegetable picking, grape harvesting, reaping, etc. Harvesting is a crucial period for farmers, it is the outcome of a whole year's work.

The issue of seasonal labour is therefore essential for a large part of the agricultural sector in Europe. This is the case in particular for many small farmers, who had to give up the traditional mixed cropping and livestock farming system and launch into specialised production to survive.

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The European strategy for employment was defined in 2000 by the European Lisbon Council. The objective was for the European Union "to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion". This is undoubtedly a necessary and ambitious objective, but it would be regrettable if it concealed the fact that every year European agriculture requires four million seasonal workers for low-qualified manual work which is not carried out in air-conditioned offices.

The COPA (GEOPA) group of employers examined the problems posed by the immigration of non-EU seasonal workers at a seminar held in July 2000. The present inquiry has extended the scope of investigation to the employment of seasonal workers in general.

Questionnaires were sent to the GEOPA-COPA national member organisations. The replies obtained are unequal in value, because of the difficulty of asking the right questions and correctly interpreting the answers. In addition, there is a clear lack of meaningful statistics in the employment field in several Member States, while a careful record has been kept of the number of hectares, quintals, chickens and cows! Efforts have been undertaken in various countries, however, to improve statistical knowledge, but the "European strategy for employment" will clearly remain a theoretical notion as long as there are no specific, harmonised data at a European level per country, per profession, per level of qualification about the number of freelance workers, the number of enterprises employing salaried workers, the number of employees with a full-time or part-time open-ended contract, the number of employees with a fixed-term contract as a result of extra seasonal work or for another reason, etc.

* * *

This report has been checked by representatives of the GEOPA member organisations at a meeting held in Brussels on June 18, 2002. Though it still has failings and deficiencies, it will hopefully bring a positive contribution to the development of the European social dialogue.

The European Commission has agreed to contribute to the financing of the GEOPA inquiry which has been used for drawing up this report. We are most grateful for this.

It should be pointed out that this report is only a kind of snapshot, as paid employment is constantly evolving in European agriculture. Social legislation and collective agreements keep being amended in all European Union countries. The GEOPA will not fail to ask the Commission to co-finance a new inquiry in order to update this report on an annual basis.

1. THE SEASONAL LABOUR MARKET

1.1 PLACEMENT OF SEASONAL WORKERS

Despite a persistently high unemployment rate in most European Union countries, agricultural employers have difficulty in recruiting the seasonal workers that they need.

1.1.1. Building up relations

Table 1 gives a generally approximate idea of the role played by employment agencies and the share represented by agricultural employers' direct recruitment of seasonal workers.

TABLE 1

PROPORTION OF SEASONAL PLACINGS PER COUNTRY	TYPES OF PLACEMENT OF AGRICULTURAL SEASONAL WORKERS				
	PUBLIC EMPLOYMENT SERVICES	PRIVATE EMPLOYMENT AGENCIES	AGRICULTURAL ORGANISATIONS	OTHER BODIES	DIRECT RECRUITMENT BY EMPLOYERS
AUSTRIA	3.5 %	-	-	-	96.5 %
BELGIUM	3 %	2 %	-	-	95 %
GERMANY	80 %	-	-	-	20 %
DENMARK	15 %	10 %	25 %	10 %	40 %
SPAIN	5 %	-	-	-	95 %
FRANCE	10 %	-	10 %	-	80 %
FINLAND	40 %	-	-	-	60 %
GREECE	-	-	-	-	100 %
ITALY	-	-	-	-	100 %
NETHERLANDS	5 %	20 %	5 %	-	70 %
PORTUGAL	-	-	-	-	100 %
SWEDEN	25 %	-	-	-	75 %
UNITED KINGDOM	-	30 %	"gangmasters" (see section 1.3.2.): 70 %		

Direct recruitment. In the vast majority of cases, seasonal workers are directly recruited by employers. This mostly concerns people known by the employer and living in the vicinity of his agricultural holding, salaried workers who have already worked at the farm during previous seasons, people recommended by these workers and applicants that just turn up. Some workers are also recruited by means of job ads published in the local or trade press.

Public employment services. Employment agencies or public labour offices do not seem to be very efficient for placing seasonal workers and they are only used as a rule for recruiting non-EU workers.

- **In Germany**, 80% of seasonal workers are non-EU workers (see 1.2.1.) who can only be recruited via the labour office.
- **In Austria**, on the other hand, employers may directly recruit migrant workers, who make up almost all of the seasonal workers, without going through the labour office.
- **In Italy**, public employment services have not played an active role for several years in building up relations between job offerers and seekers. Employment centres merely draw up lists of people interested in a job in agriculture and make these lists available to employers, who directly recruit all their salaried workers, either from these lists or by other means, and notify the employment centres about any hiring.
- **In Sweden and in France**, public employment services have some degree of efficiency for placing national seasonal workers, but it is thanks to an active collaboration with agricultural organisations.

Private employment agencies are banned in most countries.

- **In the Netherlands**, however, the placement of workers through private agencies is allowed. These agencies are commercial companies and their services are paid for by employers. They carry out around 20% of placings of seasonal workers.
- **In the United Kingdom**, around 70% of seasonal workers are supplied by "gangmasters" (see section 1.3.2.). Most other seasonal workers are foreign students, mainly from Central and Eastern European countries, who stay in the country to attend courses and are allowed to work for a maximum of six weeks. Placement in agricultural holdings is done through seven approved private bodies.
- **In Italy**, the government has envisaged to allow placement through private offices and joint bodies.

Agricultural organisations can play an active role in the placement procedure for seasonal workers.

- **In Denmark**, the "JobStafetten" is a placement service whereby farmers can submit their job offers and job seekers can be registered in a database. Farmers must pay a subscription fee to consult the database. If the job seeker does not want his or her name to be included in the list that employers can consult, relations are established by the local youth counsellor who has access to information.
- **In France**, agricultural organisations take a direct part in placement operations. Usually, they are associations set up at a departmental level by the farmers' federation representing employers and the trade unions representing wage earners (see section 1.1.2). Placement is done in collaboration with the National Employment Agency. This agency, which has lists of job seekers at its disposal, selects the workers likely to carry out agricultural work during the periods indicated by employers. The association collects job offers in order to inform the agency of the number of workers required and the nature of the work proposed for the various periods in the year. The actual relations between employers and workers are established by the agency or by the association, depending on circumstances.
- **In the Netherlands**, the agricultural employers' organisation has started a programme to recruit workers in the horticultural field.

1.1.2. Labour shortage

All agricultural employers in the European Union state there is a lack of seasonal labour. This is even felt in **Spain** and **Portugal**, which have traditionally been lands of seasonal migration and still are to some extent. **Sweden** and **Finland** have noted that the labour shortage also concerns permanent agricultural workers. In all Western European countries, it is noted that national labour

is not motivated by manual outdoor work. The lack of fitness of an increasingly urban population partly accounts for this loss of interest, but the small difference between low wages and unemployment benefits and other welfare allowances is undoubtedly a barrier to taking up jobs.

The immediate reaction of employers is naturally to ask for immigrant workers (see 1.2.1.). The use of the EURES network for recruiting seasonal workers within the European Economic Area is only recorded in **Denmark** and in the **Netherlands**. Other solutions may be used to compensate for the lack of seasonal workers, such as going through agricultural contractors (1.3.1), experimenting with new types of labour contracts (1.3.3.) or performing an annualization of the labour period for permanent workers (1.3.4.).

Apart from these solutions, the efforts made by public employment services and agricultural organisations to mobilise national labour are rare and their efficiency is rather chancy:

- **In Germany**, the information campaigns undertaken by labour offices and agricultural organisations have limited success.
- **In Sweden**, local public employment services organise training sessions for the unemployed in cooperation with prospective agricultural employers.
- **In Spain**, a three-party national agreement governs the migration of Spanish workers within Spain, from one region to another.
- **In Austria**, the employment services have initiated the setting-up of an association making long-term, over-50 unemployed workers at the disposal of agricultural and horticultural enterprises. However, the limited success of this experience has been short-lived.
- **In the Netherlands**, the agricultural employers' organisation is starting a project in 2002 to find 7,500 seasonal workers for 2,000 horticultural enterprises. This initiative is subsidised by the Dutch government, but remains insufficient and over 10,000 seasonal vacancies might not be filled.
- **In Italy**, emphasis is laid on vocational training through a joint body, "Agriform". A 0.30% employer's contribution will be established in the near future.
- **In France**, where the shortage of seasonal workers represents tens of thousands of jobs, important initiatives have been taken for several years to remedy the situation.

The French experience can only be briefly summed up within the framework of this report.

The policy for paid employment in agriculture results from consultations within a three-party national committee based at the Agriculture Ministry. The social partners define common strategies under the National Agricultural Employment Committee and regional employment committees.

Regulatory measures have been taken to foster the development of seasonal work: "Titre Emploi Simplifié" (simplified employment form), which facilitates the administrative formalities to be undertaken by employers, partial exemption of employers' social security contributions for low wages and occasional workers, right for the unemployed to cumulate unemployment benefits or the minimum national wage – within certain limits – with the wages resulting from going back to work.

Practical measures have been taken in the field, thanks to collaboration with the regional employment directorates of the agriculture ministry and the national employment agency. The action of the social partners must be particularly highlighted. Agricultural employers' organisations and trade unions of wage earners have set up departmental and regional joint associations for employment and training throughout the country. The action of these associations is coordinated by the national association for employment and training in agriculture (ANEFA) in collaboration with the insurance fund for the training of employees in agricultural holdings and enterprises (FAFSEA). Let us mention by way of an example:

- **information activities** about seasonal jobs, targeting the unemployed, students, etc. via press conferences, radio and television programmes, printed material, video presentations in fairs and exhibitions, etc.

- **training programmes.** The FAFSEA has operated a training programme for becoming a team leader for the past ten years. The people concerned are permanent salaried workers who are called to carry out team leader duties when seasonal workers arrive. They are therefore trained in welcoming and communication techniques, specific methods for training, evaluation and supervision, and dispute management. About 1,400 team leaders have been trained so far. Every year, around 25,000 seasonal workers are trained by these team leaders. At the end of the period of employment, the skills of seasonal workers are assessed on the basis of a reference set of skills for seasonal work; an "employment passport" acknowledging the skills acquired is also given to the workers. These operations are financed by the FAFSEA and the national employment agency.
- **organisation of transport** for seasonal workers between cities and agricultural holdings by coach, car pooling, etc.

The FAFSEA resources come from compulsory employers' contributions for the financing of vocational training. The ANEFA is financed by a contribution of 0.02% of the wages which has been established by a national agreement. The departmental and regional joint associations are financed by contributions and subsidies from local authorities to varying degrees.

1.2. SEASONAL IMMIGRATION

The labour shortage can be remedied by the immigration of non-EU seasonal workers, but the situation varies a lot from one country to another.

1.2.1. Immigration policies

The immigration policies conducted by the European Union Member States have not evolved much since 2000, when the GEOPA drew up a report after the Tenerife seminar. Regarding the seasonal immigration of non-EU agricultural workers, three categories of countries may be distinguished:

In Germany, Austria and Greece, seasonal immigration is only allowed when it is demonstrated that the national employment market cannot fill job vacancies, but it is widely accepted and covers employers' needs. Regarding Austria, where nearly 30,000 agricultural seasonal workers are admitted every year, it is noted that the number of foreign seasonal workers who are present in the country at any one time cannot exceed a given quota, set at 15,000 for 2002. Non-EU seasonal workers make up almost all of the agricultural seasonal workers in Germany and Austria. They are mostly workers from Central and Eastern European countries: in Germany, Polish but also Hungarian and Romanian workers; in Austria, Polish, Hungarian and former Yugoslav workers; in Greece, mainly Albanians, but also Bulgarians, Romanians, etc.

In Finland, Sweden, the Netherlands, Italy, Spain, Portugal, France and Denmark, seasonal immigration is possible though strongly regulated.

In Finland, special facilities are granted to Russians of Finnish origin. For other seasonal workers (from Russia, Poland and the Baltic States), work permits are only granted if employers can demonstrate they have been unable to find salaried workers at national level. The same goes for Sweden (with workers from Poland, Russia, Ukraine and the Baltic States) and the Netherlands (workers from Poland, former Yugoslavia but also more distant countries).

In Italy and Spain, there is a relatively high number of foreign seasonal workers, but the data available do not provide any basis for making distinctions between migrant seasonal workers, who return to their country at the end of seasonal work, and refugees and clandestine immigrants whose position has been temporarily straightened out.

In France, seasonal immigration is possible in principle, but strongly restricted in actual fact: migrant seasonal workers represent less than 1% of agricultural seasonal workers.

In Denmark, some fifty workers from Poland and the Baltic States are admitted.

In Belgium, there is a ban on immigration.

1.2.2. Statistics on seasonal migratory trends

TABLE 2

NON-EU AGRICULTURAL SEASONAL WORKERS			
Year 2000	Europeans	Non-Europeans	TOTAL
Germany	250,000	-	250,000
Austria	28,421	-	28,421
Greece	108,000	12,000	120,000
Finland	2,502	-	2,502
Sweden	2,702	133	2,835
Netherlands	1,000	4,000	5,000
Italy	23,810	1,058	24,868
Spain	1,000	28,000	29,000
Portugal	?	?	?
France	2,700	4,400	7,100
Denmark	50	-	50
Belgium	-	-	-
TOTAL	around	around	around

	425,000	50,000	475,000
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United Kingdom: around 15,000 foreign students, who cannot be regarded as "migrant seasonal workers".

1.3. OTHER SEASONAL WORKING CONDITIONS

Seasonal agricultural work is not exclusively performed by workers employed by farmers for this purpose. Other solutions are possible.

1.3.1 Agricultural contractors

Agricultural contractors, which operate on agricultural holdings with big machines, such as combine harvesters or grape harvesting machines, exist in all EU Member States. These machines naturally replace the seasonal workers that would have been hired to do the work by hand, but this is also true for the machines belonging to farmers or rented by them to a cooperative for the use of agricultural machines.

The workers employed by these agricultural contractors are usually qualified workers, even when they are only hired for a season. They are regarded as agricultural workers in **France, Germany, Sweden, Finland** and **Portugal**, and come under the same collective agreements or similar collective agreements. On the other hand, they do not come under agricultural legislation or collective agreements in **Austria, Italy**, and **Belgium**.

As for "**harvesting enterprises**", which have no machinery, their purpose is to hire and remunerate seasonal workers for manual, harvesting work. They exist in several countries. These "contractors" make agreements with farmers about performing a number of jobs. Farmers are only the customers of these enterprises and are not involved in the organisation of work.

- In **the United Kingdom**, a number of "self-employed workers" carry out work for farmers; they usually are qualified workers.
- In **France**, there are instances of harvesting enterprises being used. They are often of British origin. The workers concerned, who are hired and remunerated in the United Kingdom, are supposedly "seconded" under conditions which seem to be illegal, as the work is actually organised and supervised by farmers.
- In **the Netherlands**, the government and the agricultural employers' organisation have taken the initiative of registering and controlling these harvesting enterprises.
- In **Belgium**, there are also instances of these enterprises being used. They work with seasonal workers at a flat rate.

It is difficult to evaluate the amount of **mutual aid among farmers** and the support given within the framework of machinery networks. It is likely, however, that it does not play a significant part for manual seasonal work. In **Austria**, it is noted that farmers can work for other farmers in return for a fee, while keeping their farmer status.

1.3.2 Enterprises providing temporary work

Contrary to agricultural contractors, enterprises providing temporary work hire and remunerate salaried workers whom they make available for users. To carry out work, these workers are placed under the authority of users. Enterprises providing temporary work exist in all EU countries and their activities are generally strictly regulated and monitored. And yet farmers rarely use them, as the hourly cost of a salaried worker provided by these enterprises is markedly higher than for a worker that is directly hired. This is even truer when farmers enjoy specific advantages which are not granted to enterprises providing temporary work: specific legal provisions for agricultural seasonal workers in **Belgium**, partial exemption from social security contributions for occasional workers in **France**.

- In **Portugal**, however, this scheme seems to be quite interesting for farmers as they can thus avoid their responsibilities as employers.
- In **the Netherlands**, the scheme is used for certain highly qualified jobs.

- In **Italy**, legislation only allows temporary work in agriculture when there are provisions to this effect in collective agreements. An experiment is currently organised under the national collective agreement, establishing a "contract for the provision of temporary work".
- In the **United Kingdom**, the "gangmasters" system works on the model of enterprises that provide temporary work. These gangmasters hire agricultural workers, generally on the basis of a one-day contract, and remunerate them according to the wages in force in the agricultural sector. They make these workers available to farmers and invoice their services according to the number of hours of availability.

1.3.3. Other availabilities

In most countries, it is forbidden for companies to make workers available when they are not enterprises providing temporary work. Nevertheless, some original schemes for making workers available are recorded in **Finland** – "employment cooperatives" – and in **France** – "intermediary associations" and "employers' groupings".

Employment cooperatives (Finland) are private bodies made up of unemployed people. Public authorities grant subsidies to these cooperatives for financing their management costs. The worker made available to a user is paid by the cooperative, which is subjected to all the standard requirements for employers. Clients pay for the services provided by the cooperative. Farmers do not often use this type of cooperative.

Intermediary associations (France) have a similar purpose. The purpose of these associations is to hire long-term unemployed workers and make them available to users in order to facilitate their professional integration. The associations have to conclude a cooperation agreement with the national employment agency. The maximum period of time for making the same salaried workers available to the same employer has been set at one month, which may be renewed once. The workers thus made available have to be paid wages which are at least equal to the one they would be paid if they were employed by the user. Intermediary associations have been granted an exemption from employers' social security contributions. The user naturally pays back the wages to the association. In the agricultural field, this scheme is rarely implemented, but there are a few intermediary associations for agricultural seasonal work.

Employers' groupings (France) are organised in accordance with labour law. They are associations bringing together two or more enterprises, with the purpose of hiring and remunerating salaried workers made available to their member enterprises. When all the member enterprises in a grouping come under the same collective agreement (for example, when all members are farmers), this collective agreement applies to the salaried workers in the grouping concerned. When the member enterprises of a group come under different collective agreements (for example, when the grouping is made up of a farmer, a forest logger and a building contractor), the grouping concerned must declare to the labour authorities the collective agreement that it intends to apply. The authorities may ban the activities of the grouping when they consider that the chosen collective agreement is unsuitable for the jobs of the salaried workers in the grouping.

As with enterprises providing temporary work, salaried workers are placed under the authority of users, who pay back to the grouping the wages and social security contributions relating to the length of time during which workers have been made available. The grouping enjoys a specific regime whereby it is partly exempted from employers' contributions and is granted a flat aid in some regions to finance the costs involved in setting up the association.

In the agricultural field, employers' groupings are particularly efficient for employing permanent workers. Quite frequently, two or more family farmers, who have never hired salaried staff, get together to hire a qualified worker, for example a cowherd or a pig keeper. This worker works alternately for the farmer members in the grouping. Finally, the interim services that employ many workers with a fixed-term contract for the interim period have to be organised as employers' groupings.

In 2000, 3,456 agricultural employers' groupings concerning 17,371 member agricultural holdings were recorded. These groupings employed 3,765 salaried workers with an open-ended contract and 8,208 salaried workers with a fixed-term contract (seasonal workers and interim workers).

1.3.4. Permanent workers undertaking seasonal work

Permanent workers in agricultural holdings can of course do seasonal work. Although this study focuses on **seasonal jobs**, it is essential to examine under which conditions the working hours of workers having **permanent jobs** can be adapted to seasonal variations. It has been verified in all EU countries that the flexibility of working time enables permanent jobs to be maintained, whereas rigid legislation requires employers to replace permanent workers with seasonal workers.

The issue of the adaptation of working time is regulated by law and/or collective agreements in very different ways from one country to the next. The European framework agreement signed by the GEOPA and EFA in 1997 proposed some degree of flexibility in relation to an average weekly period of 39 hours (without actually advocating any harmonisation), but it has not yet been possible to unblock the situation in a number of countries. The evaluation of the European agreement will have to be done in a later study under the Committee for Sectoral Social Dialogue.

Sweden: The working week is still 40 hours and no flexibility is possible. It is accepted, however, that overtime should be compensated by an equivalent leave. The negotiations that recently took place at a national level have failed. There are actually less and less permanent agricultural workers and more and more seasonal workers, including for seasonal periods of eight months a year.

Greece: The standard working week is 40 hours and a degree of flexibility is accepted.

Portugal: The standard working week is still 40 hours, but a number of regional collective agreements have brought it down to 39 hours in the agricultural sector. Flexibility is neither organised by legislation nor by collective agreements. The only flexibility allowed lies in the possibility of doing overtime in addition to the standard 40-hour week.

Spain: The statutory working week remains set at 40 hours, but collective agreements have brought it down to 39 or 38.5 hours according to regions. There is a "degree of flexibility", as overtime is compensated for by days off or shorter working days (no other precision). In the Murcia province, it is possible to conclude open-ended labour contracts for intermittent working periods, with the employee only working during the seasonal campaign.

Italy: The national collective agreement sets the standard working week at 39 hours in the agricultural sector. A variation in the schedule is possible: the working week can go up to 44 hours for three months a year, with an equivalent compensatory leave taken at another time of year.

Denmark: The standard working week is 37 hours and there are provisions for flexibility.

Netherlands: The standard working week is 38 hours. For the first time, a national agreement on the adaptation of working time in agriculture was established in 2002, which takes into account seasonal variations in activities.

Austria: The working week is 40 hours and adjustments are possible, for example 45-hour working weeks compensated by 35-hour working weeks (In forest enterprises, labour contracts may be interrupted in winter, with workers receiving unemployment benefit).

Belgium: Within the framework of an annual period running from April 1 to March 30, the 40-hour working week may vary and go up to 50 hours (11 hours a day at the most), with a period of compensatory leave of an hour for an hour. The monthly wage is evened out, which means it is uniform in both intensely active periods and slack periods. As from October 1, 2002, the statutory working week will be brought down to 38 hours.

Finland: The collective agreement provides for an average 40-hour working week if the activities of an enterprise so require. Standard working time may vary from 4 to 10 hours a day, depending on periods, and may go up to 6 working days a week, that is a maximum of 60 hours. When working hours are in excess of 40, they are compensated for by a leave on the basis of an hour for an hour. Employers and employees may agree to cumulate hours of compensatory leave so that workers can take days off. Workers may be allowed to take these days off during the year or outside the annual period. It is also possible to interrupt a labour contract for short periods during the slack season (lay-off). During this unemployment period, employers do not pay any wages, but workers receive unemployment benefits.

United Kingdom: The working week is set at 39 hours by a collective agreement. It is allowed to work up to 55 hours a week, provided that workers agree to go beyond the 48-hour ceiling laid down by the European Directive. The issue of expressing working time as an annual figure is under discussion, but negotiations are at a standstill because of workers' demands about the increase in salary increments for overtime.

Germany: Regional collective agreements (concluded within the framework of Länder) govern variations in working hours on the basis of an annual duration of 2,088 hours, that is an average of 40 hours a week (collective agreements still grant one or two extra days off a year under the reduction of hours of work). The pattern of working time is agreed between employers and workers on a company basis. By way of an example:

- In **Baden-Württemberg**, the collective agreement allows for a variation from 37 to 45 hours. If there is no agreement within the company about the pattern of working time, the employer may decide to have 6 45-hour weeks a year and 8 37-hour weeks. The hours of work in excess of the timetable set by the overall annual pattern of working time are regarded as overtime. They are either remunerated with a 25% increment or compensated on the basis of an hour and a quarter for each extra hour.
- In **Schleswig-Holstein**, the collective agreement allows for 520 hours of variation a year, with the hours of work in excess of 40 having to be compensated on the basis of an hour for an hour by a reduced work schedule or by days off. However, the hours of work in excess of 47 are regarded as overtime which has to be remunerated with a 25% increment or compensated on the basis of an hour and a quarter for each extra hour. It is specified that the monthly wage is evened out on the basis of 174 hours a month.

France: The national agreement on working time in agriculture has allowed for adjustments to working time for many years. However, the law on the reduction of the statutory working week to 35 hours, which has been in force with all enterprises since January 1, 2002, has given the social partners the right to negotiate various flexibility schemes. The national agreement enables agricultural employers to make a choice among the schemes proposed, as a company agreement is only required for enterprises employing over 50 workers. (The "short-time work" regime, which may be used in Austria and Finland to manage the seasonal variations in activities can only be implemented in France in case of seriously bad weather).

- **Expressing working time as an annual figure:** Employers can establish an annual schedule that includes intensely active periods (with a working week of over 35 hours) compensated by either low-activity periods or days off. During intensely active periods, the working week can go up to 48 hours (and even beyond, on an authorisation by the labour inspector). The number of hours of work in excess of 35 is limited to 250 over the whole year, but may be increased in accordance with a collective agreement or a company agreement. The hours of work in excess of 35 are compensated on the basis of an hour for an hour. The monthly remuneration is evened out on the basis of 151.67 hours.

- **Allocation of extra days off:** in the agricultural sector, it is complicated to express working time as an annual figure, since employers have to establish an annual programme beforehand. The national agreement enables employers to opt for two other schemes, which are more flexible though expensive:

- either the employer reduces the actual working time to 35 hours, that is 1,600 hours a year, with this figure only being exceeded in exceptional circumstances. In this case, the employer is partly exempted from employer's contributions, including for permanent workers. The hours of work ranging between 36 and 39 hours require a compensatory leave on the basis of an hour for an hour and a half. Remuneration is evened out on the basis of 151.67 hours.

- or the employer maintains an average working week of over 39 hours and renounces the exemptions from contributions for permanent workers. The hours of work ranging between 36 and 43 hours require a compensatory leave of an hour and a quarter for an hour and the hours of work in excess of 43 require a compensatory leave on the basis of an hour and a half for an hour. Remuneration is evened out on the basis of 151.67 hours. Naturally, the hours of work in excess of 35 which are not compensated by a leave are paid as overtime.

- **Intermittent labour contract:** the schemes described above are collective schemes, agreed by an employer for the whole enterprise or part of the enterprise. An intermittent labour contract is an individual solution, which cannot be imposed on workers: it is a contract. This contract has a fixed term, must be established in writing and provide for one or more labour periods within a year and

one or more periods with no work and no remuneration. Extra hours of work in excess of 35 during paid periods are remunerated with a 25% increment (50% when they are in excess of 43 hours). During periods with no work, workers may take up another remunerated activity, but if they do not work, they are not entitled to receive any unemployment benefits.

1.4. STATISTICAL OVERVIEW

Once again, this inquiry reveals the inadequacy of statistics in terms of employment.

In several European Union countries, it is impossible to know the number of agricultural employers and the number of workers that they employ. In Table 3, the rounded off figures correspond to approximate evaluations which must be interpreted with the utmost care. Other countries have very detailed statistics from social security bodies, but do not provide data that would be useful to gain better knowledge of the jobs. For example, the number of agricultural workers employed under fixed-term contracts is known, but no distinction is made between seasonal contracts and contracts concluded on a different basis. (It can be estimated, however, that almost all fixed-term contracts concluded in the agricultural sector are based on seasonal work).

TABLE 3

STATISTICS ON PAID EMPLOYMENT IN AGRICULTURE			
Year 2000			
COUNTRY	NUMBER OF EMPLOYERS	NUMBER OF PERMANENT EMPLOYEES	NUMBER OF SEASONAL WORKERS
France	141,256	217,939	979,885
Italy	246,758	92,654	817,035
Spain	100,000	130,000	679,000
Germany	50,000	198,000	297,500
United Kingdom	78,000	112,300	51,308
Greece	292,626	10,607	1,352,073
Netherlands	20,000	88,000	100,000
Finland	15,000	4,900	41,500
Belgium	4,471	9,086	35,591
Austria	10,597	18,132	28,421
Sweden	28,000	28,000	20,00
Portugal	23,388	61,163	181,443
Denmark	38,000	28,000	2,500
TOTAL	Around 1,050,000	Around 1,000,000	Around 4,580,000

N.B. This table only concerns workers employed by agricultural holdings, to the exclusion of the workers employed by landscape contractors and forest enterprises.

2. WORKING CONDITIONS AND REMUNERATION

2.1. LABOUR CONTRACT

A seasonal worker is effectively hired when the labour contract has been concluded. In most countries, this must be preceded or followed by a number of administrative formalities.

2.1.1. Legal nature of working relations

In all European Union countries, working relations between employers and seasonal workers are called "fixed-term labour contracts". Almost everywhere, this type of contract must be established in writing or result in the employer's giving the worker a written document (see 2.1.2).

The labour contract of seasonal workers may be concluded for a given date to a given date or for the whole period of seasonal work indicated in the contract. Dismissal during the contract is only possible in specific cases, but a number of exceptions should be noted:

- In **Austria**, workers may give their notice during a fixed-term contract.

- In **Sweden**, those workers who have worked for over six months on an agricultural holding during the previous two years have their contract automatically renewed for the following season. However, the employer may decide not to renew the contract provided that the worker is notified in writing at least one month before the start of the new season.

- In **Belgium**, farmers benefit from the regime for "occasional seasonal workers". Fruit and vegetable producers may employ this type of worker for 95 days a year, while other agricultural employers may do so for 45 days. The special feature of this regime is that the labour contract is only concluded for a one-day period and automatically ends in the evening. If it rains the next day, the worker is not hired for that day; if the weather is fine, a new one-day contract is concluded.

Every morning, when workers are hired, those recruited must be recorded in a register kept by the employer and the time when work is finished must be recorded in the evening. The salaried worker carries a "seasonal worker's card" which allows for them to work for a maximum of 65 days a year in the sector of fruit and vegetable production, or a maximum of 30 days a year in the other agricultural sectors. The employer must keep this card up to date every morning and every evening. The worker is not paid at the end of the day but at the end of a continuous period of work, and at least once a month.

Employers requiring seasonal workers beyond 95-day or 45-day periods may hire them with a classic fixed-term contract.

- In **the United Kingdom**, "occasional workers" are also hired on a daily basis. There is a labour contract, but it is not set in writing. These provisions will probably be amended in the near future within the framework of the implementation of the European directive of June 28, 1999 on fixed-term contracts into UK law (UNICE-ETUC framework agreement of March 18, 1999).

2.1.2. Recruitment procedures

The purpose of this section is not to give a detailed country-by-country presentation of all the administrative formalities which employers have to comply with when recruiting workers. Some of these formalities are naturally unavoidable and are required in all countries, such as giving out a pay slip and declaring the wages paid to social security bodies and/or tax authorities and they are therefore not mentioned below.

It is interesting to note, however, that the formalities required at the time of hiring vary from one country to another. Administrative constraints that are too heavy may lead to employers running the risk of not declaring their workers, but procedures that are too lax may lead to the same result.

("Social security services" will refer to the social security bodies competent in each country and "labour authorities" to the employment services and/or employment agencies and/or tax authorities, where appropriate).

France

- Submitting a declaration to social security services before hiring workers
- Keeping a staff register
- Drawing up a written labour contract and handing a copy to workers before the start of work.

(All these formalities are carried out by means of a single form with several carbonless copies, called TESA – "Titre emploi simplifié en agriculture" – simplified employment form in agriculture. The preliminary declaration may be done by fax or e-mail just before hiring).

Italy

- Submitting a declaration to social security services within five days of hiring workers
- Keeping a company register
- Drawing up a written labour contract and handing a copy to workers when hiring them

(The company register and the labour contract are established on the basis of a single form)

Spain

- Submitting a declaration to social security services within ten days of hiring workers
- Keeping a register and recording data before workers have started work
- Establishing a written or oral contract

(Regulatory changes are expected in 2002)

Germany

- Submitting a declaration to social security services within fourteen days of hiring workers
- Drawing up a written labour contract

United Kingdom

- No written labour contract

Greece

- No data available

Netherlands

- Submitting a declaration to social security services within fourteen days of hiring workers
- Keeping a staff register and recording data as from the start of work
- Drawing up a written labour contract and giving a copy to workers within a month of hiring them

Finland

- No declaration to be made when hiring workers
- Keeping a staff register
- Either establishing a written contract of notifying employment conditions in writing if the duration of the contract is over one month

Belgium

- Keeping a register where data are recorded on a daily basis
- Seasonal worker's card, with this card having to be kept up to date by the employer on a daily basis

Austria

- Submitting a declaration to social security services within three days of hiring workers
- As seasonal workers are all foreigners, preliminary establishment of a residence permit, which stands as a work permit and is automatically regarded as a labour contract

Sweden

- Before hiring workers, submitting a declaration to labour authorities about the jobs available
- Submitting a declaration to labour authorities about the workers hired
- Either establishing a written contract or notifying employment conditions in writing

Portugal

- Drawing up a written contract and handing a copy to workers when the contract is concluded
- Completing declaration formalities before the start of work
- Handing a copy of the written contract to workers within a month of hiring them

Denmark

- No preliminary formalities

- Handing a written contract to workers within a month of hiring them

It should be noted that the preliminary notification of salaried workers (other than non-EU foreigners) only exists in France and Portugal. However, this issue is currently on the agenda in Italy and Belgium.

2.2. WORKING TIME

The legal and/or contractual provisions concerning working time for agricultural workers vary a great deal from one country to another. Within each country, seasonal workers must enjoy the same working conditions as permanent workers. The EU Directive of June 28, 1999 implementing the European agreement of March 18, 1999 lays down the principle of non-discrimination: "1. *In respect of employment conditions, fixed-term workers shall not be treated in a less favourable manner than comparable permanent workers solely because they have a fixed-term contract or relation unless different treatment is justified on objective grounds.* 2. *Where appropriate, the principle of pro rata temporis shall apply*". It seems, however (subject to further verification) that this principle is not yet applied everywhere with the utmost rigour.

This report does not intend to draw up an exhaustive overview of legislation on working time in Europe and only the main features are presented below.

2.2.1 Working week and overtime

The **standard working week** for agricultural workers results from national legislation or collective agreements.

- The **statutory week** is **40 hours in Greece, Austria, Germany, Finland, Sweden and Belgium**, but in that country it will be brought down to **38 hours** as from October 1, 2002.
- The **contractual week** is **39 hours in Italy, in Spain** and under several collective agreements **in Portugal**, although in that country the statutory week is still set at 40 hours.
- The **working week** is **39 hours in the United Kingdom** and the **statutory week** is **38 hours in the Netherlands, 37 hours in Denmark** and **35 hours in France**.

In principle, **overtime** is the hours of work in excess of the standard **weekly** hours and remuneration involves a salary increment. In **Belgium**, however, the overtime done by occasional seasonal workers is only paid extra beyond the 50th hour. The incremental rate varies from 25% to 100% depending on the country concerned. In **Finland** and in **France**, the incremental rate is increased for overtime done beyond the 8th hour. Several countries also have a system of **daily** overtime. In **Portugal**, the 40-hour working week is spread over the first five days of the week with an 8-hour day. The 9th hour is therefore regarded as overtime and paid with a 50% increase while the 10th hour is paid with a 75% increase. Saturday work is paid with a 100% increase. In **Denmark**, the salary increment is calculated per day and it is a flat amount (with possible equalization).

The **maximum number** of extra hours that may be done in a year by an agricultural worker is limited in most countries, but this provision does not usually concern those seasonal workers who only work for a short period.

The rules concerning standard weekly hours and the remuneration of overtime are summed up in Table 4.

2.2.2. Paid holiday and other paid leave

As a rule, **paid holiday** cannot actually be taken by seasonal workers before the end of their labour contract. Consequently, they receive a compensatory amount which equals at least 8.33% of the wages in countries in which the length of annual leave is set at a four-week minimum imposed by the 23 November 1993 Directive on the adaptation of working time. It appears,

however, that in **Belgium**, occasional seasonal workers do not benefit from a paid leave allowance and in **Finland**, workers must show proof of a minimum of three months' work to benefit from paid holiday. In **the Netherlands**, the compensatory allowance for paid holiday is not granted to seasonal workers of less than 23 years of age.

Bank holidays where no work is performed give the right to a compensatory amount in **Germany, Austria, Italy, Spain, Denmark, and France**. (In several countries, when work is performed on a bank holiday, the worker is entitled to a salary increment. The same goes when work is performed on a Sunday. These increments are not listed in this report).

Other compensatory amounts are paid to seasonal workers in **Austria** (additional paid holiday bonus and pro rata of Christmas bonus), in **Italy** (pro rata of the 13th and 14th months) and in **Denmark** (additional paid leave is actually included in the basic wage). In Table 4 below, these amounts are added to the bank holiday allowance.

WORKING TIME FOR SEASONAL WORKERS

TABLE 4

COUNTRY	WORKING WEEK	SALARY INCREMENT FOR OVERTIME		ALLOWANCES AS A PERCENTAGE OF THE WAGE		
		Per week	Per day	Holiday allowance	Bank holiday and other allowances	Total
GREECE	40	Variable		10%		10%
BELGIUM	40 (1)	>50h + 50%	>11h +50%	0%	0%	0%
GERMANY	40	>40h + 25%		9%	5%	14%
SWEDEN	40	>40h + 50%	>8h + 50%	13%		13%
PORTUGAL	40	>40h	>8h + 50% >9h + 100%	12.50%		12.50%
FINLAND	40	>40h + 50% >48h + 100%	>8h + 50% >10h + 100%	12.50%		12.50%
AUSTRIA	40	>40h + 50%		9.60%	8.30%	17.90%
UNITED KINGDOM	39	>39h + 25%	>8h + 50%	8.33%		8.33%
ITALY	39	>39h + 25%	>6.5h + 25%	8.33%	22.11%	30.44%
SPAIN	39	>39h + 50%	>9h + 50%	11%	3%	11%
NETHERLANDS	38	>38h + 35%	>7.6h + 35%	20%		20%
DENMARK	37		>7.4h € 4.69 >9.4h € 11.36	12.50%	2.50%	14.50%
FRANCE	35	>35h + 25% >43h + 50%		10%	3%	13%

(1) in Belgium: 38 hours as from October 1, 2002.

2.3. REMUNERATION

Agricultural workers are usually remunerated in relation to time, but piece work is also done. In spite of difficulties, we have tried to make a rough estimate of the hourly wage paid in 2001 to a non-qualified agricultural seasonal worker.

2.3.1 Types of remuneration

Time-based remuneration exists in all EU Member States. It is usually an hourly wage, the guaranteed minimum of which is equal to either the interprofessional minimum wage set by public authorities, or the minimum wage set by the relevant collective agreement. However:

- in **Spain**, wages are set on a **daily** basis. In principle, the 39-hour working week is spread over 6 days in this country, which results in a 6.5-hour day. To be able to compare figures with the hourly wage in other countries, we have therefore divided the daily wage by 6.5.

- in **Portugal**, wages are set per **month** for a 40-hour working week. We have therefore divided this monthly wage by 173.33.

Piece work remuneration, also called task wage, can be found in almost all countries according to conditions agreed between employers and employees. For all countries but one, it is specified that piece work remuneration must not lead to a lower hourly wage than the minimum wage guaranteed by the relevant collective agreement or national legislation.

- in the **United Kingdom**, piece work remuneration concerns the majority of seasonal workers.
- in **Germany**, the task wage must be calculated in such a way that the employee working at a normal pace receives payment which is at least 20% higher than the minimum hourly wage for the same job.
- in **Finland**, the task wage must be calculated according to the same rule, but an employee that works really slowly can be paid a lower wage per hour of work than the hourly minimum that usually applies.

Services in kind may be provided by employers: food and even lodging where appropriate. This practice is not widespread and should be the subject of an agreement between employers and employees. In nearly all countries, it is indicated that these services justify a deduction from the cash wage agreed. Collective agreements and national legislation set the maximum amount of these deductions. However, in **France, Belgium, Italy and Austria**, it may be agreed that services in kind are added to the cash wage agreed, in which case its value in kind is added to the wage used as a basis for calculating social security contributions.

2.3.2. Amount of wages

Under the present inquiry, it is difficult to be precise in indicating the amount of the hourly wage for agricultural seasonal workers in the various EU Member States, as situations vary a great deal within each country. Remuneration is not the same according to whether the workers concerned are fruit and vegetable pickers, grape harvesters or experts in pruning fruit trees or vines, or whether they drive agricultural machines during harvesting, or look after their herd in the summer in high mountain pastures, etc. Collective agreements can also differ according to regions or provinces.

The **gross hourly wage** indicated in Table 5 is the hourly wage likely to be paid during the 2nd half of 2001 to a non-qualified seasonal worker picking fruit or vegetables. For this type of worker, the hourly wage is generally equal or close to the minimum hourly wage guaranteed by national legislation or the relevant collective agreement.

- For **Spain**, the figure given is the estimated hourly wage as set out under section 2.3.1 on the basis of the daily wage divided by 6.5. The minimum interprofessional wage amounts to € 20.95 a day, but agricultural collective agreements have set this wage at around € 30. In order to be able to make comparisons, we have therefore indicated an hourly wage of € 4.60.
- For **Portugal**, the wage set by collective agreements is € 400 a month, that is approximately € 2.30 an hour.
- For **Belgium**, the wage indicated concerns "occasional seasonal workers" as described under section 2.1.1.
- For the **Netherlands**, the wage indicated concerns pupils and students, refugees and "housewives and househusbands" that work less than 8 weeks (those working over 8 weeks and other categories of seasonal workers receive wages which are at least 20% higher than the wage indicated).

The **full gross hourly wage** that we calculated is equal to the gross hourly wage, to which are added holiday allowance and other allowances, expressed per hour, as mentioned under section 2.2.2.

HOURLY WAGE OF SEASONAL WORKERS

TABLE 5

COUNTRY	GROSS HOURLY WAGE	HOLIDAY ALLOWANCE	FULL GROSS WAGE
PORTUGAL	€2.30	+ 12.50%	€3.00
GREECE	€3.50	+ 10%	€4.00
SPAIN	€4.60	+ 11%	€5.11
GERMANY	€5.40	+ 14%	€6.15
ITALY	€4.97	+ 30.44 %	€6.48
BELGIUM	€6.61	+ 0%	€6.61
UNITED KINGDOM	€6.65	+ 8.33%	€7.20
FINLAND	€6.56	+ 12.50 %	€7.38
FRANCE	€6.67	+ 13%	€7.54
NETHERLANDS	€7.00	+ 20%	€8.40
AUSTRIA	€7.21	+ 17.97%	€8.50
SWEDEN	€8.22	+ 13%	€9.29
DENMARK	€12.67	+ 14.50%	€14.51

2.4. COST OF LABOUR

To calculate the cost of an hour's work, the amount of contributions or taxes to be paid by employers should be added to the "full gross hourly wage".

2.4.1. Social security contributions

In almost all countries, **the employee's share in social security contributions** must be deducted by the employer from the gross wage of the workers and paid to various social security bodies. The net wages paid to workers are hard to compare from one country to another because of differences in tax systems. As the purpose of this study is not to compare the net wages of workers, we present below the rates of contributions deducted by employers from wages, without any comments.

The employer's share in social security contributions also varies from one country to the next, just like the employee's share. Making comparisons is difficult for two reasons:

- on the one hand, in some countries, the contributions to be paid for seasonal workers are not calculated according to the same rules as the contributions to be paid for all workers: there may be a special regime for seasonal workers, or a special regime for short-term employment, which naturally concerns most seasonal workers, or partial exemptions may be granted for employing low-wage workers, which covers most seasonal workers;
- on the other hand, in other countries, the contributions of seasonal workers are not calculated as a percentage of the gross wage but are established on a flat-rate basis.

It is therefore essential to give specific explanations about the countries in which the contributions to be paid for employing seasonal workers are calculated in an atypical manner.

In **Germany**, "short-term employment" is exempted from social security contributions. To keep things simple, it can be said that this concerns the employment of workers that work less than 50

days a year. This category concerns the vast majority of agricultural seasonal workers, who are either unemployed, or students or pensioners, or originating in Eastern Europe. For these, the employer must take out insurance to pay for medical care if the worker falls ill during his work period, which amounts to around €0.6 a day, that is less than €0.1 an hour. (It is to be noted that employers hiring people that have already worked for 50 days since the beginning of the year must pay standard contributions). Insurance for work-related injury is financed by a contribution that is not linked to wages, calculated according to the number of hectares farmed.

In **Belgium**, for the employment of "occasional seasonal workers" described under section 2.1.1, a flat-rate contribution of €4.36 a day must be paid by the employer, that is around 8.25% of the wage (€1.51, that is 2.85% for the employee's share).

In **Spain**, there is a complicated scheme for social security contributions. Regarding the employer's share, insurance for work-related injury is calculated as a percentage of the effective wage, that is 4.5% for a worker picking fruit and vegetables. The other contributions relating to social security and unemployment insurance are calculated at the rate of 17.09% of a flat-rate basis of €23.99 a day, i.e. €4.10. For a daily wage of €30, this contribution represents 13.66%, but the higher the wage, the lower the contribution rate. All in all, we estimate that the employer's share for the wage of a seasonal worker is therefore $4.50 + 13.66 = 18.16\%$. The reform of unemployment insurance will lead to an increase in employers' contributions over the next five years. The employee's share may be estimated at 8.20%.

In **Denmark**, the employer's contribution amounts to 15%. The employee's share is €0.77 plus 2.90% of the effective wage, which results in a global rate of 7.58%. In a country with very high wages and low contributions, social security is mainly financed by income tax.

In **France**, the rates for social security contributions are fixed by the State, whereas for complementary retirement schemes, unemployment insurance and vocational training, they are fixed by the social partners. Regarding the contributions set by the State, there are various sets of special rules:

- Agricultural employers benefit from the so-called "occasional workers" regime which covers employees that work less than 110 days a year in the agricultural sector, which includes the vast majority of seasonal workers. There is a 90% exemption for employers' social security contributions in the fruit and vegetable production sector, 75% in the wine-growing sector and 58% in other agricultural production sectors. This exemption only concerns the first 100 working days of the year. In the table below we indicate the final rate applied to the production of fruit and vegetables.
- For all other jobs, all (agricultural and non-agricultural) employers enjoy a partial exemption from the social security contributions to be paid for low-wage salaried workers. The methods for calculating this exemption differ according to whether the enterprise concerned has actually reduced working time to 35 hours or maintained it at a higher level.

In **the Netherlands**, there is a reduction scheme for contributions relating to low wages, expressed by franchises applicable to the basis of assessment: a €49 franchise a day for the basis of old-age insurance contributions and a €57 franchise a day for the basis of unemployment insurance contributions. We have calculated the contributions to be paid for a seasonal worker belonging to the under 8-week category, with an hourly wage of €8.40 (inclusive of holiday allowance) i.e. €63.84 a day, and the contributions to be paid for a "standard" worker with a daily wage of €80.

RATE OF MANDATORY CONTRIBUTIONS

(Social security contributions and other mandatory contributions)

TABLE 6

COUNTRY	RULES APPLIED TO SEASONAL WORKERS	RATE APPLICABLE TO SEASONAL WORKERS		STANDARD RATE		COMMENTS
		EMPLOYER'S SHARE	EMPLOYEE'S SHARE	EMPLOYER'S SHARE	EMPLOYEE'S SHARE	
GREECE		0.00%	*	0.00%	*	* Flat-rate employee's contribution
GERMANY	Short-term employment	0.02%	0.00%	23.25%	20.75%	Jobs < 50 days
NETHERLANDS	"Low-wage" exemption	2.28%	1.75%	29.00% *	5.38% *	* Rate calculated on the basis of 1.2 x min. wage
BELGIUM	"Occasional seasonal workers"	8.25%	2.85%	43.19%	13.07%	
UNITED KINGDOM	Standard	12.00%	7.00%	idem	idem	
FRANCE	"Occasional workers"	13.01%	21.77%	36.64%	21.77%	
DENMARK	Standard	15.00%	7.58%	idem	idem	
SPAIN	Daily flat rate	18.16%*	8.20%*	15.88%**	6.80%**	*wage: €30/day **wage: €36/day
PORTUGAL	Standard	21.00%	8.00%	idem	idem	
AUSTRIA	Standard	21.60%	17.95%	idem	idem	
FINLAND	Standard	27.09%	6.70%	idem	idem	
ITALY	Standard	35.30%	8.04%	idem	idem	
SWEDEN	Standard	38.47%	0.00%	idem	idem	

2.4.2. Cost of an hour's work by seasonal workers

The **evaluations and extrapolations** that we made have enabled us to calculate the cost of an hour's work for an employer in the case of a non-qualified seasonal worker picking fruit and vegetables.

Table 7 below cannot be regarded in any way as a reliable statistical overview and must be interpreted with the utmost care. A whole series of data which have been presented in this report are not integrated in the table, particularly as regards labour shortages, immigration policies, the legal nature of the labour contract, the declaration formalities for employees, standard working time, cost of overtime, etc. It should also be taken into account that seasonal work does not have the same importance for the agricultural economy in the various countries concerned and that the added value of seasonal work is extremely variable according to the nature of the crops.

Table 7 still provides interesting information, as it presents a likely order of magnitude, with the estimates highlighting the huge diversity of social legislation within the European Union.

COST OF AN HOUR'S WORK BY SEASONAL WORKERS

TABLE 7

COUNTRY	GROSS HOURLY WAGE	FULL GROSS WAGE	EMPLOYER'S CONTRIBUTIONS	COST OF AN HOUR'S WORK
PORTUGAL	€ 2.30	€ 3.00	21.00%	€ 3.63
GREECE	€ 3.50	€ 4.00	0.00%	€ 4.00
SPAIN	€ 4.60	€ 5.11	18.16%	€ 6.05
GERMANY	€ 5.40	€ 6.15	0.02%	€ 6.15
BELGIUM	€ 6.61	€ 6.61	8.25%	€ 7.15
UNITED KINGDOM	€ 6.65	€ 7.20	12.00%	€ 8.06
FRANCE	€ 6.67	€ 7.54	13.01%	€ 8.52
ITALY	€ 4.97	€ 6.48	35.30%	€ 8.57
NETHERLANDS	€ 7.00	€ 8.40	2.28%	€ 8.59
FINLAND	€ 6.56	€ 7.38	27.09%	€ 9.38
AUSTRIA	€ 7.21	€ 8.50	21.60%	€ 10.34
SWEDEN	€ 8.22	€ 9.29	38.47%	€ 12.86
DENMARK	€ 12.67	€ 14.51	15.00%	€ 16.69

3. Final conclusions

Questionnaires were sent to the GEOPA-COPA national member organisations. The replies obtained are unequal in value, because of the difficulty of asking the right questions and correctly interpreting the answers. In addition, there is a clear lack of meaningful statistics in the employment field in several Member States.

By and large, farming activities are seasonal. Harvests imply an increase in the workload. European agriculture needs 4 million seasonal workers per annum for low-skilled manual labour.

Despite a persistently high unemployment rate in most European Union countries, agricultural employers have difficulty in recruiting the seasonal workers that they need.

The survey made it possible to draw a certain amount of conclusions about the seasonal labour market, on working conditions for seasonal workers and the cost of a hour's work.

- In the vast majority of cases, seasonal workers are directly recruited by employers. Employment agencies or public labour offices do not seem to be very efficient for placing seasonal workers and they are only used as a rule for recruiting non-EU workers. Private employment agencies are banned in most countries. The small difference between low wages and unemployment benefits and other welfare allowances is undoubtedly a barrier to taking up jobs.
- The immediate reaction of employers is naturally to ask for immigrant workers (see 1.2.1.). The use of the EURES network for recruiting seasonal workers within the European Economic Area is only recorded in Denmark and in the Netherlands.
- The labour shortage can be remedied by the immigration of non-EU seasonal workers, but the situation varies a lot from one country to another. Three categories of countries may be distinguished: either seasonal immigration is only allowed when it is demonstrated that the national employment market cannot fill job vacancies; seasonal immigration is possible though strongly regulated; or there is a ban on immigration.
- In all European Union countries, working relations between employers and seasonal workers are called "fixed-term labour contracts". Almost everywhere, this type of contract must be established in writing or result in the employer's giving the worker a written document.
- In most countries, this must be preceded or followed by a number of administrative formalities, which vary according to the country.
- The legal and/or contractual provisions concerning working time for agricultural workers vary a great deal from one country to another, in particular :
 - The standard working week for farm workers is either a result of the national legislation, or of collective agreements – it ranges from 40 to 35 hours depending on the country;
 - The compensatory amounts for paid leave and bank holidays vary greatly from one country to another.
- Generally-speaking, a seasonal worker's gross hourly wage is close to that of the minimum national wage or the one laid down in the relevant collective agreement. It varies from EUR 3 to EUR 14.50, depending on the country.
- In almost all countries, the employee's share in social security contributions must be deducted by the employer from the gross wage of the workers and paid to various social security bodies. The net wages paid to workers are hard to compare from one country to another because of differences in tax systems.

- The employer's share in social security contributions also varies from one country to the next, just like the employee's share. Making comparisons is difficult for two reasons:
 - on the one hand, in some countries, the contributions to be paid for seasonal workers are not calculated according to the same rules as the contributions to be paid for all workers;
 - on the other hand, in other countries, the contributions of seasonal workers are not calculated as a percentage of the gross wage but are established on a flat-rate basis.
- The cost of an hour's work varies from 1 to 4.5. Table 7 on the cost of an hour's work of an unskilled seasonal worker for picking fruit and vegetables is telling for it presents a likely order of magnitude, giving proof of the significantly diverse social regulations within the EU.
- **It should be pointed out that this report is only a kind of snapshot, as paid employment is constantly evolving in European agriculture. Social legislation and collective agreements keep being amended in all European Union countries. This study will have to be updated regularly.**
- **Farm employers are faced with serious distortions of competition at two levels:**
 - **on the one hand, while there is a shortage of local seasonal workers in all the MS, national immigration policies are divergent. Some MS allow employers to recruit all the workers they need from beyond EU borders, whereas this is not possible in other MS;**
 - **on the other hand, while the organisation of agricultural production falls under the framework of the Common Agricultural Policy, salary and social costs borne by employers vary greatly. This was known, but the survey showed the previously undreamt of scope of the phenomenon.**

These conclusions make a case for improved coordination of social policies in the European Union.