

Labour Migration Policy Consultation - Local Councils' Association Proposals



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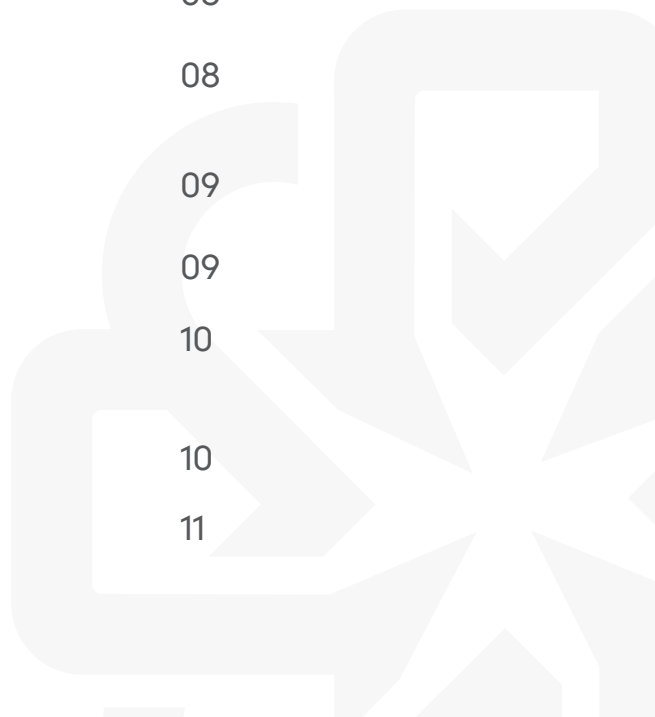
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Contents

Introduction	04
Way Foward	06
Objectives of the Policy	06
Proposals	07
Sector-Specific Admission Policies	07
Work Permits and Visa Regulations	07
Recruitment and Training Partnerships	08
Integration and Social Support	08
Monitoring and Compliance	08
Incentives for Local Workforce Development	08
Controlled Migration Framework	09
Regularization of Illegal Workers	09
Mitigating Risks of Influx from European Countries	10
Implementation and Evaluation	10
Conclusion	11



Introduction

The Local Councils Association, as a key stakeholder in the governance and development of the island's communities, recognizes its responsibility to address pressing issues related to labour migration and workforce sustainability. Local and Regional councils, being at the forefront of community needs and service delivery, are uniquely positioned to provide insights and propose actionable solutions to the challenges arising from labour shortages in critical sectors.



This report represents the Association's commitment to contributing to a balanced and effective labour migration policy. It aims to preserve the island's full employment status while addressing acute shortages in essential sectors such as waste management, elderly care, nursing, catering, and construction. By putting forward these proposals, the Association seeks to promote sustainable economic development, safeguard the well-being of local communities, and support the integration and regulation of foreign workers.



Tourism is a vital pillar of the island's economy, playing a significant role in job creation, revenue generation, and cultural exchange. As an island nation, Malta relies heavily on tourism to sustain various ancillary industries such as hospitality, retail, and transportation.

Ensuring the tourism sector has a sufficient and well-trained workforce, essential for maintaining service quality and the island's attractiveness as a prime destination. Any labour migration policy must, therefore, consider the unique needs of the tourism industry, ensuring that staffing shortages do not hinder its growth and contribution to the economy.

It is also crucial to emphasize the importance of high-value sectors such as financial services, fintech, and gaming, which contribute significantly to the island's economy. These industries require specialized talent to maintain their competitiveness and growth. A well-structured labour migration policy should consider the need for highly skilled professionals in these sectors while ensuring that foreign workers complement, rather than compete with, the local workforce. Special attention should be given to these sectors due to their role in driving economic growth, attracting foreign investment, and enhancing the island's reputation as a hub for innovation and technology. Failure to address workforce needs in these areas could lead to talent shortages, reduced competitiveness, and missed opportunities for economic expansion.

Objectives of the Policy

1. To address labour shortages in critical sectors through targeted migration.
2. To prevent an uncontrolled influx of migrants by implementing stringent eligibility and sector-specific criteria.
3. To promote the integration and protection of foreign workers while maintaining the socioeconomic fabric of the island.
4. To foster a sustainable and adaptable workforce for long-term economic resilience.



Way Forward

The following sections outline a comprehensive approach to addressing these labour gaps without triggering an uncontrolled influx of migrants, mainly from other European countries. The policy emphasizes a targeted strategy that protects local workers, mitigates social and economic risks, and ensures that foreign workers are admitted solely to sectors with verified shortages.



Proposals

1. Sector-Specific Admission Policies

- **Labor Market Tests (LMT):**
Employers must demonstrate that no qualified local candidates are available before admitting foreign workers. This will involve advertising positions locally for a minimum duration and collaborating with employment agencies to fill vacancies.
- **Sector-Based Quotas:**
Establish annual quotas for foreign workers in sectors with verified shortages. Quotas will be determined based on labour market data and reviewed periodically.
- **Priority for Critical Sectors:**
Admission will be restricted to waste management, elderly care, nursing, catering, and construction, ensuring that foreign workers are directed exclusively to sectors with documented needs.

2. Work Permits and Visa Regulations

- **Temporary Work Visas:**
Foreign workers will be admitted on time-limited visas tied to specific jobs and sectors. Visas will be renewable based on continued employment and sectoral needs.
- **Job-Specific Work Permits:**
Work permits will explicitly state the sector and employer. Workers will not be allowed to switch sectors without authorization, ensuring compliance with the policy's objectives.
- **Regional Restrictions:**
To mitigate the risk of an influx from other European countries, the policy will prioritize recruiting workers from countries with bilateral agreements or those outside the European Union, where labour mobility is less flexible.

3. Recruitment and Training Partnerships

- **Bilateral Agreements:**
Partner with specific countries to establish recruitment pipelines for sectors with shortages. Agreements will include provisions for ethical recruitment, worker protection, and mutual recognition of qualifications.
- **Local Training for Foreign Workers:**
Upon arrival, foreign workers will undergo orientation and training to meet local standards and integrate into the workforce effectively.

4. Integration and Social Support

- **Sector-Specific Integration Programs:**
Offer language classes, cultural orientation, and job-specific training to help foreign workers adapt to the island's environment.
- **Housing and Welfare Provisions:**
Collaborate with employers to provide affordable housing and ensure access to basic healthcare and welfare services.

5. Monitoring and Compliance

- **Employer Accountability:**
Employers hiring foreign workers must comply with labour laws, including minimum wage requirements, workplace safety standards, and non-discrimination policies.
- **Regular Audits:**
Establish a monitoring system to ensure compliance with work permits and prevent exploitation or unauthorized employment.
- **Reporting Mechanism:**
Introduce a hotline and online platform for foreign workers to report grievances or violations.

6. Incentives for Local Workforce Development

- **Upskilling Programs:**
Invest in training programs for local residents in sectors experiencing shortages, such as elderly care and construction.
- **Wage Enhancements:**
Provide subsidies or tax incentives for employers to increase wages and improve working conditions in critical sectors, attracting more local workers.

7. Controlled Migration Framework

- **Cap on Total Migrant Workforce:**
Set a ceiling on the number of foreign workers allowed on the island at any given time, with strict enforcement of quotas.
- **Exclusion of Certain Professions:**
Maintain a list of professions for which migration is not permitted to ensure the displacement of local workers.
- **Exit Strategies:**
Foreign workers are required to leave the island upon completion of their employment contract unless their work permit is renewed for the same sector.

8. Regularization of Illegal Workers

- **Sector-Specific Legalization Programs:**
Introduce a one-time amnesty program for illegal workers currently employed in waste management, nursing, elderly care, catering, and construction. Eligibility will be contingent upon proof of employment in these sectors, a clean criminal record, and employer sponsorship.
- **Streamlined Pathways to Legality:**
Allow illegal workers to transition to legal status through a simplified application process. This will include background checks, payment of outstanding taxes or fines, and mandatory enrollment in job-specific training programs.
- **Employer Accountability:**
Require employers to formalize the status of illegal workers they employ. Penalties for non-compliance will include fines and restrictions on future hiring.
- **Monitoring and Oversight:**
Implement a robust verification system to prevent abuse of the legalization process and ensure that only eligible workers benefit.
- **Integration Support:**
Provide language and skills training to help regularized workers integrate into the legal workforce and meet local standards.





9. Mitigating Risks of Influx from European Countries

- **Targeted Recruitment:**
Focus on non-European countries to avoid the effects of free movement within the EU.
- **Residency Restrictions:**
Ensure work visas do not lead to automatic permanent residency or citizenship.
- **Return Policies:**
Implement structured return and reintegration programs to support workers returning to their home countries.
- **Sector-Specific Entry Criteria:**
Proof of qualifications, skills, and job offers in approved sectors must be provided before entry is granted.

10. Implementation and Evaluation

- **Phased Rollout:** Introduce the policy in stages, starting with pilot programs in critical sectors to assess effectiveness and make adjustments.
- **Stakeholder Engagement:**
Collaborate with employers, labour unions, and community organizations to ensure smooth implementation and address concerns.
- **Data-Driven Review:**
Conduct periodic evaluations using labour market data to refine quotas, improve training programs, and address emerging challenges.



Conclusion

The proposed labour migration policy offers a targeted, sustainable solution to the island's labour shortages while safeguarding the local economy and social cohesion. By implementing sector-specific measures, enforcing stringent controls, and prioritizing integration, the policy ensures that foreign workers are admitted only where needed and contribute positively to the island's development. A balanced, data-driven approach will address immediate challenges and support long-term economic resilience.

It is of utmost importance that local councils have detailed records of foreign workers residing within their jurisdictions. This information is crucial for addressing various local issues and ensuring effective communication with these workers, as they are residents of the specific localities where they live. By knowing who these residents are, local councils can provide tailored support, foster integration, and address community needs more effectively.

The Local Councils Association stands ready to collaborate further by engaging directly with policymakers and authors of the consultation document. We welcome the opportunity to present and elaborate on these proposals, ensuring that the policy is comprehensive and aligned with the needs of our communities.





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