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**MANAGING SEASONAL WORKERS IN THE  
AGRICULTURE SECTOR IN ITALY AND SPAIN.**  
**Legal mechanisms and promises of circularity**

Gennaro Avallone  
Università Degli Studi di Salerno (Italy)

Ana López-Sala  
Yoan Molinero  
Institute of Economics, Geography and Demography (IEGD)  
(Spanish National Research Council, CSIC)



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# 1. New Agriculture and migrations

Italy and Spain have become **countries of immigration** since the early 1980s

Migrants inserted in the Italian and Spanish economic structures as street vendors, farmworkers and in the lower positions in the hospitality and tourism industry.

Agriculture was one of the **first access doors** for migrants.

The increasing presence of migrant labour force has **matched** the changes of the agricultural production and organization.

The main changes/trends have been **three**:

- Increasing conversion of agriculture production into **export-oriented** crops.
- Strong growth of agriculture **productivity** through both deseasonalization and technological investments.
- (Partial) **substitution** of local labour force with foreign labour force.

**% of foreign workers on total agricultural workforce** (2011): 27,6 in Spain; 27,4 in Italy.

**Foreign agricultural workers** (absolute values): 214.724 in Spain (2013); 232.837 in Italy (2012).

**Foreign-born population in rural areas** (% on foreign total population), 2011: 15,6% in Spain (municipality with less than 10,000 inhabitants); 15% in Italy (municipality with less than 5,000 inhabitants).

Migrants farmworkers have become **central** for the labour supply in agricultural activities.

## 2. Governance of migrant farmworkers

### In Italy

Employment in agriculture has been mainly governed by **flow-decrees** (decreto flussi) since the mid-1990s.

This measure has been accompanied by 7 **regularization** programs.

The insertion of migrants in the farm labour market has been managed by a mix between **normal** and **exceptional** norms.

**The outcomes of this type of governance have been:**

**Subordination** of migrant movement to farms' needs  
production of a **weakened** labour force.

## In Spain

A similar regulatory structure in Spain, but two important **differences**.

1. Quota system has been implemented since 1993, with some suspensions in the years of regularization (1996, 2000 and 2001).
2. A special measure to manage migrants employment named '**contracting in origin**' has been implemented since 2009 (substituting quotas).

**State** has been the main regulatory actor of the insertion of migrants into the farm labour market.

The political tools of regulation of migrant labour have **governed** the mobility and flexibility of the immigrant workforce.

This political and institutional tools produce and manage the exceptionality of migration functionally to the reproduction of **low wage conditions** in several productive sectors (Rigo 2007), especially in agriculture (Kasimis, 2010; Veira, Stanek and Cachón, 2011).



# The Spanish (Huelva and Lleida) and the Italian case (Salerno)

## Aims of the research: TEMPER Project (EU)

- To analyze legal channels in the agriculture sector in Spain and Italy (2000-2014)
- To evaluate the role of different dynamics and policy instruments to regulate circularity as a key element in the agriculture sector
- Economic crisis and “programs” (2010-) and how Italy implemented them
- To analyze the position and conditions of migrants involved in the agriculture sector

## Methodology

- Legal & policy analysis ( policy instruments & “mapping the actors” )
- Secondary data analysis: in Spain, Italy & countries of origin (fragmented & accessibility & continuity)

### Primary Sources:

- Selection of cases/experiences
- In-depth analysis of main cases:
- **Huelva** (Andalusia), **Lleida** (Catalonia) and **Piana del Sele** (Salerno)
- In-depth interviews: **Moroccan and Romanian immigrant workers**
- In-depth interviews: local actors involved in the design and implementation of “programs” and local experiences

## **Spain: Seasonal Agricultural Workers Programs (SWAPs)**

Both in Huelva and Lleida migrants have been traditionally recruited in origin with programmes considered by International Institutions and International Organizations as examples of “good practices”. They directly influenced the European Directive on Seasonal Workers (Directive 2014/36/EU).

- These programs started to be implemented in 2000 in the fruits growing sector
- They are micro-guest-worker programs (the highest number in 2007: around 60,000 workers)

### Selection & recruitment:

- This system selectively “imports” workers who are preferentially recruited from countries with which Spain has signed bilateral agreements on immigration (Colombia, Morocco, Poland, Romania, Bulgaria, Ukraine, etc.)
- Country selection for recruitment is also choose by employers.
- Experience in agriculture sector as a key element in the selection process.
- Contracts could last up to 9 months in a one year period
- Generate a Top-Down Circularity Model based on a Win-Win approach

## To conclude .....

These programs rely on two basic features:

1. The guarantee of the temporary nature of migration with circularity acting as a key element.
2. The active role of economic actors (employers) as a driving force for the selection and management of the circular migration process where are involved also other actors such as trade unions and local governments.

## Economic Crisis in Spain (2009-2015)

- Demand has remained high in this still growing sector during the economic crisis
- Some national workers have return to (the strawberry/and other fruits) harvesting during this recession period.
- The economic crisis has produced a gradual decrease in the total number of workers agreed upon to fill the annual quota of workers under these programs since 2009. In 2015 only a few thousands (from Morocco and Colombia in Huelva and Lleida).
- Moreover, hiring in countries of origin has been reduced to only harvest work and is no longer used for planting campaigns or packaging.
- Since 2010 these programs are only open to non-EU workers who have previously participated in the programs in prior annual campaigns.

- And since 2011 the Spanish government has pressured the growers to prioritize hiring local workers ( unemployed national and immigrant residents).
- Programs are still in practice ( but with very low numbers) to keep “the system” working and “alive”

### BUT....

- After Romania entered the European Union, many of the workers that had been contracted previously through these programs now have freedom to circulate throughout the EU and they have created personal networks with local businessmen that hired them temporarily during campaigns “outside” the programs.
- In the Spanish case, **the induced circularity** promoted by these programs has ended up consolidating in forms of **spontaneous circularity** when the obstacles to immigration imposed by policies are eliminated

## And Migrants?

- These programs have strongly constrained the “autonomy” of migrants, both in their migration project and real practice of labour and mobility rights.
- Circular and temporary migration is the result of a “form of governance” of migration, not a “free decision” of migrants.
- Two major perspectives/positions of the migrants interviewed:
  - A) Temporary cyclic migration as an individual or familiar strategy for a limit period.
  - B) Migrants Agency/resilience to achieve a better/permanent legal status in Spain. “Escape” from the programs (stay in Spain as irregular migrants and tried to be regular afterwards)
- These programs seriously restricted some formal rights (family reunification) but high dependency on growers make them vulnerable and subject to forms of exploitation.



## Italy: Spontaneous Migration

- Mechanisms to impulse circular migration are not the main routes to satisfy the demands of the agriculture sector in Salerno
- Main Route to enter in Italy: Irregular
- Integration in the agriculture sector: Personal Networks or Illegal Intermediation: “*Caporalato*” System, a system based on outsourcing the employment of farmworkers to illegal intermediaries who can find easily and quickly disciplined, cheap and ready workers supplying employers demands in an effective way...but based on the exploitation of migrants. *Caporali* transport migrants, organize the production and pay them after extracting parts of their salaries for “offering” these services

## Migration and Labour Itineraries of Migrants in Piana del Sele:

- Couldn't find circularity: Migrants arrived in irregular ways and remained in Piana del Sele without coming back to their countries until they've been regularized
- Seasonal Permit: Used as a way to be regularized in Italy. Migrants already in the place pay employers to issue these permits and become regulars. The objective is to chain contracts and obtain the long stay permit
- Labour conditions: 4€ per hour, journeys of 8 hours most of the days extended to 10h or 12h. Some had contracts (not fully declared by employers to the Social Security) and benefit from better conditions (paid extra hours, holidays...). Others work discontinuous day, in general for seasonal production and obtaining work via *caporali*. Certain stability of those working in greenhouses compared to those working in seasonal production

## A Different Win-Win Approach:

- Local Regulation imposes migrant's trajectories: The huge amount of workforce already available in the place doesn't set the basis for circular programmes
- **Win-Win in Piana del Sele:** Employers benefit from irregular workforce by paying them low salaries and declaring less working days to obtain more Social Security benefits. **Migrants** have a job and then the possibility to be regularized and chain contracts until they obtain the long stay permit
- Local labour market doesn't need to implement circular programmes: employers want a weak workforce to reduce at max. the production costs and migrants accept these conditions as agriculture is their only option to work in Italy and obtain a long stay permit

## **In Conclusion, in Piana del Sele there's no circularity because:**

- Circular programmes are always based on employers needs and in Piana del Sele they are not interested on them.
- Agriculture as a “Refuge Sector”: only possibility for irregular migrants to work in the country and obtain a long stay permit
- Piana del Sele's production mix seasonal and no seasonal production: there's work all the year thus no need to circulate
- Very few police controls and employers know how to avoid them. The lack of State repression makes employers feel safe and not forced to change the current model into a circular one
- Legal mechanisms are not efficient: the seasonal permit is only issued after many bureaucratic obstacles. Discourages the correct application of the model
- Strong and very well rooted informal intermediate system: *Caporali* can satisfy employers needs far better than legal mechanisms

## Conclusions

State still continues to be a central actor from the point of view of farm migrant labour regulation.

But, **local level matters**: there are different forms of farm labour regulation at local level, despite the same and comprehensive legislation at national level.

The organization of circularity depends partially on State policies because the importance of the local level.

Circularity is a dependent variable in this form of regulation, that migrants can scarcely manage autonomously. Circularity is enabled by State. It is not a migrants' autonomous resource.

Intermediation between labour demand and supply articulates circularity. It partially organizes migrants' mobility to guarantee labour supply to farms.

There is a link between ways to arrange farm labour intermediation and circularity: it is the shortage of labour-power that pushes State and farms to searching for foreign labourers, organizing their mobility.

**Thank you for your attention**

