

**Centre for Labour Studies (University of Malta) response to the Malta Labour Migration Policy
Consultation Document, 2025**

The Centre for Labour Studies is the oldest centre at the University of Malta, and a regular critical voice and educational service provider in the field of labour policy and labour relations in Malta since 1981.

The Centre for Labour Studies appreciates the Government's efforts to improve Malta's Labour Migration Policy. The Policy is evidence of a willingness to engage with one of the areas requiring immediate attention. In it, the Government makes various commendable moves towards safeguarding the rights of TCN migrant workers, while also attending to the needs of the local labour market.

In particular, we welcome: the lifting of the 12-month expiry date on the validity 'I Belong' course certificate (Recommendation 27); the increased monitoring of local employment conditions; the emphasis on employee retention and the extension of the single permit's period of validity (Recommendation 3); the lowering of permit renewal costs (Recommendation 4); the extension of the residence permit for victims of human trafficking (Recommendation 15); and the facilitation and encouragement of direct recruitment by employers, which will reduce dependence on intermediary third parties (Recommendation 5).

We note that the Policy takes a needs-based and skills-oriented approach. We hope that the focus on skills may be accompanied by an increased readiness to recognise and value the qualifications and experience that TCNs bring with them from their own countries of origin, since there is currently a notable tendency for TCN workers to be overqualified for their roles, particularly where they are not employed through programmes for 'highly-skilled' workers (such as the Key Employee Initiative). Though this is mentioned in relation to bridging courses (Recommendation 27), it would help to give this recognition more prominence and outline the procedures for recognition more clearly. It is important to distribute the benefits and entitlements across all categories of TCNs, besides those considered to be 'highly-skilled'.

Recommendation 27, which commendably focuses on strengthening upskilling and integrating the foreign workforce, requires direct advice, guidance, and advocacy tailored to this group. For Jobsplus to play a stronger supporting role in this regard, its career advisors need enhanced training in lifelong career development. Additionally, they must receive adequate intercultural training and develop strong cross-cultural sensitivity.

The effort to increase the employer's responsibility and the introduction of consequences for lack of compliance on the part of the employer are also commendable; however, the consequences of non-compliance seem to be worse for the employee, whose work permit may not be renewed. In these cases, we suggest that the employee threatened with lack of renewal is offered the necessary support (for example, from Jobsplus) to find a new employer.

The Policy also proposes facilitating access to the labour market for TCNs who are here as close family members (parents and partners) of Maltese nationals, who will be granted 'special consideration' (Recommendation 12). We welcome the commitment to easing the procedure for such TCN family members' access to work. We are however disappointed that the benefits envisaged by the Policy would be so narrowly applied, and we wish that the challenges faced by TCN family members (not solely those with close family ties to Maltese nationals) would be acknowledged and addressed. In particular, we would like to highlight the issues around family reunification procedures, which are not tackled in the Policy. Family reunification is currently challenging for TCNs, and the new Policy is an opportunity to address these issues more effectively and with wider application to all TCNs. Moreover, the Policy foregrounds integration as a key aim - we believe that integration is not possible without family reunification.

The policy highlights the high turnover of migrant workers, with many leaving the country within a short period. This instability hampers efforts to enhance quality and safety standards within Maltese workplaces and poses challenges for integration. Family reunification is a key factor that could help reduce migrant worker turnover. Given Malta's low fertility rates, the successful integration of a proportion of migrants is becoming increasingly important. In this context, discussions are also needed on the criteria determining when migrants' children become eligible for citizenship.

The former 10-day period allowed for change of employer was brutally short, and the extension proposed is a step in the right direction (Recommendation 9). However, in view of the fact that the recast EU Directive sets the period at (minimum) 3 months, the Government would further strengthen its show of goodwill and the social justice side of the Policy if that 'grace period' were to be implemented from now.

Exemptions are proposed for micro companies. As the document shows, many TCNs are hired in construction. In turn, smaller construction firms are known to have the worst safety standards. Construction is also harder to regulate due to the many small contractors that exist. This exemption may thus exempt the construction companies where TCNs are amongst the most vulnerable.

Moreover, while the exclusive reliance on bank transfers for payment of TCNs would enable more effective monitoring of employment conditions (Recommendation 8), it would be worth considering that this might constitute a hurdle for the elderly needing care at home - perhaps an exemption could be made in these cases.

The policy does not always assign clear responsibility for each recommendation, which is essential for identifying and addressing capacity-building needs. There is significant scope for expanding trained human resources to carry out the newly envisaged tasks. However, the nature and extent of such needs remains undefined.

Finally, we appreciate the detailed contextual overview provided in the Policy, but TCN migrants' perspectives and voices are notably absent. These voices are crucial and should be placed at the centre of such policies, since they are the ones who will be most affected by the Policy. We hope the Government will carefully attend to any consultation feedback coming from the migrant communities themselves.

The Centre for Labour Studies

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