

Feasibility Study for Setting Up

Helpline and Alert Mechanism for Mobile Construction Workers in the European Union

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ABOUT THE PROJECT

In 2009 the EFBWW, with the financial support of the European Commission, put in place the European Construction Mobility Information Network (ECMIN). The most visible result of that project was the creation of the website www.constructionworkers.eu.

Today www.constructionworkers.eu provides detailed and regularly updated information on wages, working conditions and social rights in the construction sector in 36 European countries, in 40 languages. The website in particular wants to reach out to posted and migrant workers who are often not aware of their own employment status and the applicable rights and conditions in a country they do not know.

The present ECMIN V project ran from 2024 until 2026. Building on the previous work, it further expands and deepens the existing website, introducing new languages, looking at the growing number of third country national workers and their specific needs. The project also looked into expanding the outreach with dedicated communication campaigns and commissioned a feasibility study to assess the legal and operational viability of establishing an alert mechanism for mobile construction workers in distress at European level. The feasibility study assesses the operational feasibility of such a mechanism, including potential models for implementation, stakeholder roles, and funding options.

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Foreword



Tom Deleu
General Secretary



Claus von Elling
President

The construction sector is a fragmented sector characterized by long and complex chains of subcontracting and a very mobile workforce. This fragmentation creates numerous challenges. At different levels in the subcontracting chain workers are often treated differently and risk to be put against each other, not as colleagues but as competitors. Evidence shows that the shift towards ever longer and more complex chains of subcontracting creates not only higher risks of accidents, exploitation of workers, but also fraud, social dumping and labour crime.

Since the different enlargement waves of the European Union (2004, 2007, 2013) and the gradual integration of the Central and Eastern European countries in the Internal Market, we have seen a rapid increase in the number of posted workers in the construction sector. Today the construction sector is heavily reliant on posting of workers, 40% of all postings take place in the construction sector.

On worksites trade unions and enforcement authorities are confronted with a multitude of situations. Layer upon layer, we find many different companies, agencies, intermediaries, letterbox companies, self-employed workers. Workers speak many different languages, have many different cultural backgrounds, and are employed in many different arrangements. In particular posted workers and migrant workers are often not aware of their exact employment status.

Since the early 2000s the fight against social dumping and labour crime became a top priority for the EFBWW. From the beginning the EFBWW has pushed for a stricter EU framework with clear and simple rules that guarantee equal treatment and promote fair labour mobility. A European framework that promotes direct, quality employment.

However, more and better legislation and more effective enforcement alone are not enough. Workers need to be aware of their rights, to claim their rights. To better inform posted and migrant workers about the applicable wages and working conditions in the construction sector in the EU, the EFBWW, with the financial support of the European Commission, put in place the European Construction Mobility Information Network (ECMIN) in 2009. The most visible result of that project was the creation of the website www.constructionworkers.eu. Since the first project, the ECMIN website has gradually been further ex-

panded and developed in terms of languages and countries covered.

Today the website is a unique source of information about wages and working conditions in the construction sector in 36 countries and providing information in 40 languages, including all EU languages.

The present ECMIN V project ran from 2024 until 2026 and is a continuation of the previous projects. Building on the previous work, it further expands and deepens the existing website, introducing new languages, looking at the growing number of third country national workers and their specific needs. Previous projects already looked at improving the user experience of the website, the current version of the project looked into expanding the outreach with dedicated communication campaigns. The website has seen an important increase of visitors in the last years, from 28,000 visitors in 2021 to 152,000 in 2025. Analytics show that visitors have a clear primary interest for the pages related to wages and remuneration.

To further improve the protection and support of mobile and migrant construction workers across Europe, the current project also set the goal of looking into the possible establishment of an alert mechanism for workers in distress. As part of the ECMIN V project, the EFBWW commissioned a feasibility study to assess the legal and operational viability of establishing such a mechanism at the European level. It builds on existing activities and stakeholder input in the context of the current ECMIN project, including a survey of EFBWW affiliates conducted in 2024.

We are glad to present the results in this important document. Information is power. A better-informed worker is a more conscious worker, a more emancipated worker. And this is a first step towards individual and collective action for better working conditions and equal treatment. It is also an important step towards fair labour mobility and more quality jobs.

We want to thank Eckhard Voss, senior advisor, founding member and member of the management board of WMP Consult for the excellent work carried out that will guide possible next steps for the ECMIN network and website.

Tom Deleu
General Secretary

Claus von Elling
President

Persistent and New Challenges of European and National Social Legislation

2.1 Migrant work in the EU construction sector and related social challenges

With an overall employment of nearly 14 million people in about 4 million enterprises, a turnover of about 2.3 billion EUR in 2023, the **EU construction sector is a major backbone of the European economy, society and infrastructure.**¹

The construction sector has a **high share of migrant and foreign workers**, ranging from about 8% in Denmark to 20% in Germany, 27% in Czechia, 30% in Austria, 40% in Estonia and more than 50% in Cyprus (Eurofound 2024, p.19). Furthermore, the construction sector is the main receiving sector of posted workers in the European Union²: For both postings and posted workers, the construction sector is the main sector of activity, as it covered in 2023 over half of postings and almost 30% of posted workers (EU Commission 2025, p. 19).

According to the Commission's findings, in the EU workforce, there is an average of eight posted workers per 1,000 workers (EU Commission 2025, p. 29). However, the share of posted workers in the construction sector is much higher, e.g. 6.6% in Denmark, 3.9% in France (data 2022), 7.1% in the Netherlands, 5.4% in Austria, and 9.0% in Sweden. According to national data from Belgium, around one fifth of the work performed in the construction sector was provided through the posting of workers in 2023 (21.0%) (EU Commission 2025) and, in Germany, SOKA Bau³ has calculated that the share of posted workers in the German construction sector workforce was about 10% in 2025 (Schöneberg, Voss and Ghiasi 2025, p. 43).

A certain trend of labour migration in recent years has been the **increase of posted third-country nationals (TCNs)**, in particular in labour intensive sectors. These workers are increasingly also posted to other EU Member States from the Member State of first admission where they lawfully work and reside (Krilić, Toplak and Jevšnik 2020).

Posting of TCNs is possible because TCNs who have a valid work and residence permit in one

Member State are free to be sent to any other Member State across the EU (Juricic, Galic and Marenjak). TCNs can be sent directly from a company established in a non-EU country to provide services in a Member State. About 8.2% of the total number of registered postings in 2023 had extra-EU/EFTA as a sending country. In several EU Member States posted TCNs from outside the EU/EFTA play quite a significant role as the analysis of posting data shows ((EU Commission 2025, p. 28).

The construction sector has a **high share of TCN workers** ranging from about 8% in Denmark to 20% in Germany, 27% in Czechia, 30% in Austria, 40% in Estonia and more than 50% in Cyprus (see box 1).

Although, at present, TCN workers constitute a modest share of the overall EU workforce, their numbers are on the rise, particularly in labour-intensive sectors experiencing shortages due to low wages and working conditions. As reported by EU Commission as well as the European Labour Authority, there has been a notable increase over the last decade in the posting of TCNs, with Poland emerging as a leading sending Member State (ELA 2025).

According to the **latest figures on posting activities** (EU Commission 2025, p. 28, based on 2023 data) about 8.2% of the total number of registered postings in the prior declaration tools had extra-EU/EFTA as a sending country. For several Member States, more than 10% of workers sent to provide services in Bulgaria (22.3%), Sweden (18.2%), Italy (13.8%), and France (11.6%, data 2022) were sent by companies established outside the EU/EFTA. Regarding the number of notifications, Poland received 43.3% from outside the EU/EFTA, and 54.8% of the companies which provided services in Poland were established in a non-EU country. Moreover, there was a large flow of postings from outside the EU/EFTA to Germany of more than 130,000 postings.

These trends regarding TCN workers have been **confirmed by the interviews conducted with representatives of construction trade unions and responses to a survey in the context of this study**

1 According to Eurostat Structural Business Statistics (SBS) - Enterprise statistics by size class and NACE Rev. 2 activity (from 2021 onwards). Online data code:sbs_sc_oww. See: https://ec.europa.eu/eurostat/databrowser/view/sbs_sc_oww__custom_19590513/default/table (accessed January 2026).

2 Posting of workers concerns the activity of a company sending (i.e., 'posting') workers abroad to carry out a service in another Member State on a temporary basis, in the context of a contract of services, an intra-group posting, or a hiring out through a temporary agency. Quantifying the number of posted workers and its evolution is challenging: The following data refer to the number and characteristics of posted workers and postings reported in the so-called prior declaration tools of the 27 Member States. As these data only indicates the plan to post workers it differs from the actual number of posted workers and postings in the EU. An additional relevant data source in this regard is data from the Portable Document A1 for mapping the posting of workers in the EU, although this also has its shortcomings. However, both the sources so far are the only existing data basis of the annual reports on the recurrent reports issued by the European Commission on Posting Data. See European Commission (2025).

3 The paritarian institution for the German construction sector, set up by the trade unions and employers organisation.

Posting of third-country nationals

The EU legal framework on posting of workers applies equally to EU and TCN posted workers because the legislation does not distinguish workers based on nationality. There is no legislation at the EU level harmonising the requirements that Member States can impose for the posting of TCNs. In this context, TCN workers who are regularly and habitually employed by a service provider established in one Member State can be posted to another Member State without being subject in the other Member State to undue administrative formalities such as the obligation to obtain a work permit.⁴ However, the involvement of TCNs in the posting supply chain is preceded by their entry into the labour market of a Member State. Member States remain competent to determine the applicable conditions and rules for entry, residence and the right to work of TCNs not covered by specific EU instruments. Each country may have its own legal instruments for certain categories or nationalities of TCNs.

Source: ELA (2025): Posting of third-country nationals: contracting chains, recruitment patterns, and enforcement issues

both for major receiving countries of posted workers as well as countries such as Croatia, Bulgaria that rather have been known as “sending” countries.

Most stakeholders reported the Balkan region with countries such as Bosnia, Kosovo, Albania, Serbia as well as Turkey as an important origin of third-country nationals in receiving countries such as Austria, Belgium, Bulgaria, Croatia, Finland, France, Germany, Italy, Netherlands) in the construction sector. However, based on bilateral agreements, historic and/or linguistic relations, the African continent, Latin America and Asia are also providing workers for construction sites in the EU. Here, union representatives in Belgium referred to African countries such as Congo, Kenya as well as Brazil and Asia as regions of origin. Refugees from Africa and, here in particular, the Maghreb region⁵ and Egypt were also highlighted as an important group for construction work in the Mediterranean countries such as France or Italy. Workers from Latin American countries such as Ecuador, Peru or Brazil play an important role in romance language speaking countries such as Spain, Portugal, France, Italy and Belgium.

The representative of the **Spanish construction workers trade union CCOO del Hábitat** noted that according to the *Spanish Observatory for the Construction Sector* and as for the first semester 2024, around a quarter of the construction workforce in Spain were foreign workers. The largest group of foreign construction workers were from Latin America (about 45%), followed by workers from other EU Member States (about 25%) and workers from non-EU countries (9%) and the rest of the world (21%).

Looking at changes on a year-to-year basis, migration of workers from Latin America increased by more than 24 percentage points while the number of the rest of the world and from non-EU countries increased more moderately (between 7–8 percentage points) and construction workers from other EU Member States decreased by about 2 percentage points. (Observatorio Fundación Laboral De La Construcción 2025, p. 11)

Furthermore, trade union representatives across Europe (Iceland, Netherlands, Italy, Croatia, Latvia) referred to Uzbekistan, Kazakhstan, Nepal, Vietnam, Bangladesh, Philippines or Thailand or Egypt.

As reported by a representative of the construction workers trade union **FCIW-Podkrepa** in **Bulgaria**, short-term labour migration in the construction sector has increased due to several overlapping factors, including a severe shortage of skilled labour in the national construction sector. With a total construction workforce of about 150,000, a need of approximately 30,000 workers is reported, including skilled construction workers that are particularly scarce. This has resulted in attempts to attract emigrated Bulgarian workers to return to the country by increasing wage in construction jobs substantially. Furthermore, the recruitment of construction workers from neighbouring countries such as Turkey or countries outside Europe such as Uzbekistan and Vietnam has increased (see box 2).

Another trend in the construction sector, because of the lowering of labour costs, is the **change from subcontracting between companies to subcontracting to temporary employment agencies** (Cillo 2021). In this context, national construction workers unions (e.g. from Croatia, Bulgaria, or

⁴ It should be noted here that as ruled by an ECJ case in 2024 (C-540/22), in case of postings exceeding 90 days (in any 180-day period), Member States may require the service provider to obtain a residence permit in the host Member State for each TCN worker.

⁵ Algeria, Libya, Mauritania, Morocco, Tunisia and Western Sahara.

Short-term third-country labour migration in Bulgaria

In Bulgaria, the tourism and hotel business as well as the construction sector are the most important recipient of labour migrants. While migration is driven by labour shortages due to long working hours and low pay in activities that require low or no occupational qualification. According to the *Podkrepa* trade union, the number of migrants from non-EU countries has steadily increased over the last years. In 2025, out of a total of about 7,000 legally recognised migrant workers with work permits, about 3,000 workers were engaged in the construction sector, most of them from Turkey. A common feature of the employment of third country nationals is its short-term and recurrent character due to the visa and work permit regulations. Most workers are employed in simple or auxiliary activities on Bulgarian construction sites for 3-4 weeks, then return to Turkey for one week before the start the cycle again, often for a different employer.

By contrast, construction workers from Vietnam or Uzbekistan are hired based on bi-lateral cooperation agreements between those countries and Bulgaria. Such agreements allow for longer term work permissions of three years. Workers from those countries normally receive the Bulgarian minimum wage which is still about 4-5 times higher than the wage level in the home country.

Source: Interview with FCIW-Podkrepa, December 2025

France) have highlighted a growing trend of involving work agencies and labour intermediaries engaging workers from Turkey, Asia, North Africa or Latin America.

According to the **SGH** trade union representative in **Croatia**, the construction sector workforce and the role of migration has changed dramatically over the last 15 years. While at the beginning of the period, around 400,000 construction workers emigrated to Western European and other countries, the construction sector faces a significant shortage of labour today, which has been compensated by the immigration of workers, mostly from third countries such as Serbia and Turkey as well as from Asian and African countries such as Bangladesh, India, Nepal, the Philippines and Kenya. According to the trade union, out of a total of 200,000 workers, one quarter were issued for construction activities in 2024 alone.

Migrant construction workers are, in most cases, employed through subcontracting which usually has several levels/chains with deliberately com-

Subcontracting and labour exploitation in fibre optic network expansion

For several years now, fibre optic expansion in Germany has been carried out predominantly by private companies, with more than 2,000 competing for lucrative contracts. However, the workers who lay the fibre cables – in all weathers in many places – feel little of this gold rush atmosphere. For years, the number of foreign workers working under precarious and exploitive conditions on highly mobile construction sites has been rising. These workers, including TCNs posted by labour agencies are highly dependent on their employers, who evade responsibility through an opaque network of subcontractors.

Trade union advice centres such as **Faire Mobilität** have been recording a series of exploitative practices and attempts to circumvent legal regulations for years:

- Although the work carried out can clearly be defined as civil engineering, companies declare themselves to be telecommunications companies to circumvent applicable standards such as the obligation to register and pay social security contributions to the construction industry's social security fund.
- The construction union IG BAU has documented numerous cases of exploitative practices, ranging from blatant disregard for working time regulations, lack of and/or completely inadequate occupational safety measures, to withholding wage payments.
- Construction sites are constantly in flux and therefore very difficult to monitor, and it is often very complicated or even impossible to identify the companies responsible.

Sources: IG BAU and DGB trade unions, Fair Mobility Project

plex legal structures. Workers often face precarious working and social conditions and payments are much less than the collectively agreed minimum wage level in construction, often only around one third. More recently, the trade union also noted the targeted recruitment of construction workers in third countries by labour agencies.

Consequently, the growing number of posted workers recruited through temporary employment agencies or through bogus self-employment in subcontracting chains can lead to **several problems related to social and working conditions**.

A striking example in this context that has received some media coverage has been the social conditions of workers engaged in the expansion of the fibre optic network in Germany (see box 3).

Chinese investments in Croatia: Into the future of large construction projects?

The Croatian construction industry is at a turning point. While domestic companies were once the carriers of the largest infrastructure projects, today they face a serious threat due to the takeover of large projects by foreign companies, especially Chinese ones.

Using artificially low bids, supported by Chinese subsidies, Chinese construction companies can crowd out domestic contractors, which leads to job losses, the collapse of family businesses and the departure of young workers abroad.

Even more alarming, this is happening with the direct support of European money! European Union funds, which should strengthen the Croatian economy, end up in the hands of foreign companies that export the money outside the EU. Although European directives clearly give an advantage to local companies through protective mechanisms, Croatia does not show enough initiative in implementing them. Instead of financing domestic workers and encouraging the development of the national construction industry, Croatian taxpayers become co-financiers of Chinese companies that then export this money outside the country.

As a result, young civil engineers and skilled workers are increasingly leaving to work in Western countries, while our construction sites employ workers from China, Turkey and other countries, often under dubious working conditions.

The Croatian Employers' Association (HUP) has been warning for years about unfair competition from third countries, especially China and Turkey. Foreign companies use state subsidies, cheaper labour and lower standards to gain an unfair advantage in the market. The result is not only the loss of jobs for Croatian workers, but also a long-term dependence on foreign contractors.

Problems with quality, costs and environmental aspects – Pelješac bridge as an example which marked the first time a Chinese company winning an EU tender: The bridge, built by the Chinese company China Road and Bridge Corporation (CRBC), was supposed to be a testament to fast, cheap and high-quality construction.

However, reality has shown quite the opposite: The initial contracted price was 281 million euros excluding VAT, but the final costs increased by as much as 50 million euros more than the originally planned amount.

In addition to financial problems, serious quality problems have also emerged. Cracks have already been observed in the bridge piers, requiring urgent repair. Experts warn that while there is currently no immediate threat to the safety of the bridge, the need for early repairs calls into question its long-term reliability and quality of construction.

As regards the workforce and social conditions, the majority of the workers on the Pelješac Bridge construction site were Chinese citizens (up to 650 according to the SGH trade union), totally isolated from the local public, raising concerns about wage dumping by underpaying the labour force. As reported in the New York Times, there was no knowledge of Croatian authorities how much the Chinese workers were being paid and under which social conditions they have been working.

Source: Author, based on interview with SGH trade union representative and media coverage of the case⁶

Not only has posting benefitted subcontracting, but also the other way around: the use of posting has favoured the lengthening of subcontracting chains, and the subsequent transition from outsourcing on the national to the international market, *“leading to a ‘transnationalisation’ of the subcontracting system”* (Cillo 2021).

Transnationalisation of the subcontracting system today clearly reaches beyond the European Continent as recent examples of successful tenders of large multinational Chinese construction companies have shown. The following case from Croatia

was highlighted by a representative of the construction sector trade union **SGH** in the context of this report (see box 4)

2.2 Working and living conditions of migrant workers in the EU construction sector

Construction is one of the most professionally demanding and dangerous economic sectors in the European economy. The work environment involves the use of heavy machinery, working at heights, exposure to harmful substances and po-

⁶ Support4Partnership Weblog: *“Chinese investments in Croatia: Who really benefits?”*, 9.5.2025, Available at: <https://support4partnership.org/en/news/chinese-investments-in-croatia-who-really-benefits> (consulted January 2026) and New York Times: *“For China, a Bridge Over the Adriatic is a Road into Europe”*, 7.10.2018. Available at <https://www.nytimes.com/2018/10/11/world/europe/china-croatia-bridge-adriatic-sea.html> (consulted January 2026).

tential exposure to physical risks like vibration or noise. Data from Eurostat show that in 2019, the highest incidence of non-fatal accidents at work in the EU was observed in construction, with 3,152 such accidents per 100,000 persons employed. This number of accidents is double the number of incidents of the whole economy (EU-OSHA 2023, p. 65).

According to stakeholder interviews, the EU health and safety at work agency OSHA and countless case examples reported by trade unions in the construction sector, **posted workers and here in particular workers from third countries either posted or employed on other terms and conditions, are the most vulnerable group of workers in the construction sector.**

As highlighted in an interview with a representative of the construction section of the **ACCG FGTEB** trade union in **Belgium**, the unions are recognising a steady increase in criminal practices and social dumping, mostly in the context of subcontracting. This trend happens in a country that often is referred to as a case of good practices due to a comparable strong legal regulation and limitation of subcontracting chains.

Referring to the example of the tragic collapse of a school building in Antwerp in 2021, the interviewee highlighted the direct relation between indirect employment of mobile construction workers engaged by subcontractors, health and safety of workers and security on construction sites.

In this context, the interviewee also stated that when it comes to health and safety at work, official figures and data are misleading because accident statistics of the public authorities only document accidents reported by national construction companies but leave out posted workers.

Similar challenges have been reported by trade union representatives in other countries, for example the **CCOO del Hábitat** trade union in **Spain**, where terrible accidents and fatalities have resulted in rallies and protests of workers and trade unions. According to a press statement of the construction sector trade union and referring to data from the Spanish Ministry of Labour and Social Economy, one construction worker died every two days in

the Spanish construction sector in 2025, i.e. 178 workers, many of them due to falls from heights.

While 2026 has been declared by the Spanish Government as the ‘Year of Health and Safety at Work’, the trade unions are strongly demanding and rallying for effective measures be taken to reverse this unacceptable situation⁷. As highlighted in several research studies on social and working conditions, the construction sector continues to be one of the sectors most vulnerable to fraud and abuse, characterised by extensive subcontracting chains, undeclared work and misuse of temporary employment arrangements (European Labour Authority 2023; European Commission 2024a; De Smedt and De Wispelaere 2024; Houwerzijl 2025).

A recent study highlighted the rise of **bogus self-employment** in the European construction sector over the last two decades:

“Although employment in the construction sector in Europe traditionally includes many self-employed persons, since the end of the 1990s it has steadily increased due to policies to promote self-employment. As is well known, among those who work or are put to work as self-employed, there is a considerable amount of bogus self-employment. In the last two decades, bogus self-employment has especially become a dominant feature on construction sites. In bogus cases normal activities of self-employment are limited or non-existent, such as tendering for different contracts, negotiating prices for services with clients or employing workers in addition to or in place of, themselves.” (Houwerzijl 2025, p. 18)

These structural changes are due to **different factors and drivers** – including EU enlargement and price/wage gaps between Western European countries on the one hand and Central and Eastern European countries on the other; the lack of attractive working conditions, labour and skills shortages and changes in business strategies that responds to labour shortages not by making working conditions more attractive but by international recruitment or procurement⁸. The **EU construction sector has become strongly cross-border oriented in recent years**. In this context intra-EU labour mobility and temporary labour mobility of third country construction workers has gained significant importance (Lens et al 2021).

7 https://habitat.ccoo.es/noticia:750332--CCOO_del_Habitat_denuncia_9_muertes_laborales_en_enero_la_mayoria_en_construccion_y_por_caidas_en_altura&opc_id=a99776c1358e1727ca85bf55906c205a

8 Labour and skills shortages are reported not only for Western Europe but increasingly also for Central and Eastern European countries. See for example Akomah et al. 2020.

The cost of labour is an important part of the total cost in construction. Consequently, methods are used to keep the labour cost as low as possible. **Posting as a cost cutting strategy** is one of the main drivers for the use of it in the construction sector (Lens et al 2021). This poses several challenges: For instance, seeing that the sector is highly competitive with fierce price competition, labour costs are one of the main areas in which costs are cut down, leading to **undeclared work** because wages do not have to comply with applicable legislation/collective agreements and taxable income does not have to be declared (EFBWW and FIEC 2020). **Bogus self-employment** is particularly prevalent in the construction sector for the same reason (Eurofound 2016). About one-fifth of all undeclared work takes place in the construction sector, and in Austria, Luxembourg, Slovenia and Cyprus it even is estimated at more than 30% of all undeclared work (Cremers et al. 2017).

Moreover, the National Bank of Belgium estimated that one fifth of the economic output generated in the construction sector derives from activities in the undeclared economy (De Wispelaere et al 2022). Furthermore, the high level of cross-border posting in the sector has been found to be intrinsically linked to **cross-border fraud and abuse**.

Furthermore, and strongly confirmed in interviews carried out in the context of this study, posted workers in the construction sector, and particularly those from third countries, are **isolated and segregated from the local workforce in the construction labour market**. This indicates that the group of posted workers are kept separate from national groups or other migrants and the host society. On the one hand, this is the result of the work-focused and employer-dominated nature of posted construction workers' social world abroad. For instance, as they are often housed on-site, all efforts of posted construction workers are channelled into earning and saving money, resulting in isolation from the broader society. Further issues highlighted by state institutions in relation to posting are undeclared work, fraudulent posting, displacement of local construction workers, insufficient wage, OSH violations, etc. (Caro et al. 2015).

Being a labour-intensive sector, large undertakings in construction are often able – despite the revised Posting of Workers Directive – to *“exert a strong competitive pressure only by virtue of using posted workers with lower wages and social securi-*

ty contributions” (European Commission 2024a, p. 20). This allows large local firms in receiving Member States which use posted workers to reduce costs and fill up labour and skill gaps, while local (subcontracted) SMEs make poorer use of posting and therefore feel the cost pressure from competition with these large firms. In the end, it is the larger local companies which are more likely to benefit from this competition (De Wispelaere et al. 2022).

The existing focus on the posting of TCNs in the current political debate is not surprising, seeing as they are **mainly employed in labour-intensive sectors, namely construction, and receive lower wages** when compared to local workers (De Wispelaere et al. 2022).

Overall, and from the perspective of trade union officers, the situation is highly problematic and creates a feeling of powerlessness. What is disturbing is that in the event of an accident, one part of the workforce can easily be identified, cared for, and insured, while in the case of serious accidents – such as in the Antwerp case above it is often impossible to even determine the identity of the victims because the necessary verification documents are simply missing.

These conditions of two worlds apart are also noticeable as regards health and safety: While domestic workers must comply with rules and standards, migrant workers often do not have even basic work and safety clothing and equipment such as helmets and safety belts.

This is due to several factors as noted by trade union representatives in the context of this study and previous research (Houwerzijl 2025):

- Migrant workers in construction, and particularly those employed based on fraudulent or criminal practices, often lack basic personal protection equipment even though they are **working in very demanding and dangerous work environments** as highlighted by trade unions involved in this study from several countries.
- Against this, the **lack of compliance and enforcement of OSH standards of migrant construction workers**, and particularly those working under dangerous conditions (such as working at heights) certainly is even lower than the already low level of the construction sector in general.⁹

⁹ According to EU-OSHA (2023a, p. 6) it is estimated that 40% of workers in construction did not work safely.

- As highlighted by several trade unions in the context of this study, **accidents of migrant workers employed by intermediaries or subcontractors are often not reported**. This relates to workers employed based on fraudulent practices such as bogus self-employment or false posting.

Interview partners in this research from across Europe stated that TCN workers often are particularly vulnerable to dangerous working conditions and exploitation because of **living and working in isolated conditions**, segregated from other workers on construction sites and highly dependent on “gang masters” or “Kapos” as the main local contact.

In **Sweden**, according to the construction workers trade union, **Byggnads**, the number of migrant workers in the construction sector, including workers from non-EU Countries has increased over recent years and criminality in the construction industry is a growing problem, affecting individuals, companies and society at large. According to the trade union, referring to the **joint trade union and employer initiative “Fair Play Bygg”** whistle-blower project in the Stockholm-Gotland region, there have been over 2,500 reports about suspected criminal activity on construction sites in Stockholm related to tax fraud, human exploitation or corruption since the start of the project in 2016.

From the interviews conducted with trade union representatives in the construction sector, it was also learned that TCNs, due to their strong dependency from the direct employer (subcontractor, labour agency/intermediary or gangmaster), are more vulnerable regarding social fraud and exploitation. As highlighted, for example, by the representative of the construction section of the **FNV** trade union in the **Netherlands**, due to the linking of work and residence rights, migrant workers from outside the EU are significantly more dependent and vulnerable to exploitation than migrant workers from the EU. Referring to the **Roemer report** about temporary migrant workers in the Netherlands (see box 5) that was commissioned from the Dutch Government, the FNV trade union representative referred to the example of the linkages between resident permittance and labour contract that usually is the case for temporary migrant workers. This has the consequence that if the worker loses the job, also the residence permit is lost.

Similar problems have been reported by a representative of the construction section of the **French**

Five years after an investigation warned of migrant worker exploitation, abuses persist

Five years after a 2020 Dutch government report warned of systemic abuse of migrant workers, exploitation continues unabated. The report, led by former SP leader Emile Roemer and titled “*No Second-Class Citizens*,” found that temporary labourers from Poland, Romania and Bulgaria face severe underpayment, poor housing and immediate loss of medical care when jobs end, with some cases amounting to human trafficking.

“Every day, people are being exploited”, Roemer told RTL Nieuws. “It is regrettable that the execution of the recommendations has been so slow. Even well-intentioned companies are affected by these practices.” He called for urgent action: “The recommendations are necessary to remove unscrupulous employment agencies from the market, protect international workers and finally gain insight into who lives and works where.”

The exact number of migrant workers is unclear, with estimates ranging from 800,000 to 1.7 million. Municipalities often do not know the location of about half of the workforce, and workers frequently leave due to short-term contracts. Most perform temporary low- or unskilled work in agriculture, food production, logistics, distribution and construction.

The report recommended stricter regulation of employment agencies, especially those outside collective agreements or industry standards, and better housing protections, including decoupling rental agreements from employment contracts to prevent workers from losing both job and home simultaneously.

Source: NL Times: “Five years after investigation warned of migrant worker exploitation, abuses persist”, 17 November 2025.

Force Ouvrière trade union, reporting about **terrible housing conditions of mobile construction workers** and up to 50 percent of the salary spent on rent costs.

In an interview for this study, a representative of the Austrian construction trade union **GBH** emphasised that postings from Eastern and South-eastern Europe to Austria are often associated with underpayment and a lack of enforceability of social rights.

Since 2017, GBH has provided more than 6,000 consultations to migrant construction workers. The following top three problem areas emerged: Underpayment of wages; unpaid special payments and failure to register with the paritarian social insurance fund for construction (BUAK), re-

sulting in the non-payment of the corresponding surcharges.

These issues were also highlighted by the responses to a survey carried out in 2024 by the EFBWW from affiliated trade unions asking most urgent issues and **needs for advice and assistance** of mobile migrant workers in the construction sector:

- Between 60–70% of the trade unions surveyed highlighted issues with *non-payment and/or irregularities in payment of wages or payment of extra-hours* as an important topic.
- Nearly 60% of respondents also mentioned health and safety issues as a topic.
- Furthermore, 50% of responses highlighted non-payment or irregularities in the payment of social contributions as an issue where migrant mobile workers had been in need of advice and support.

Further issues that were highlighted in the survey responses were problems concerning living conditions and accommodation, non-reimbursement of travel costs and accommodation, tax issues, the application of the applicable collective agreement or refusing to provide the worker(s) with an employment contract and offering self-employment arrangements instead. Several respondents also referred to the need of guaranteeing the implementation of “labour rights” in general.

2.3 Enforcement of posting rules in the construction sector

One of the recommendations of the **Letta Report** published in 2024 highlights the need to be much more ambitious in tackling social fraud and abuses:

“An EU level regular review and benchmarking of the resources of national inspectorates across the European Union would help address capacity gaps of the competent national authorities in tackling fraud and undeclared work across the Union.”

Source: Letta, Enrico (2024): Much More than a Market. Speed, Security, Solidarity. Empowering the Single Market to deliver a sustainable future and prosperity for all EU Citizens, p. 104.

As noted in a recent ELA report (European Labour Authority 2023, p. 24), due to several factors typical for the construction sector, such as the highly mobile nature of activities, the high rate of employee turnover, long subcontracting chains, letterbox companies, labour intermediaries, gang mastering and the high share of posted and other types of cross-border migrant workers, activities of the monitoring and enforcement of legal rules as well as the sanctioning of work-related fraud and exploitation is more difficult than in other sectors.

Against this backdrop, a recent research paper on the enforcement of posting rules, elaborated in the Posting.STAT 2.0 project, stated that the enforcement of posting rules and reporting on this is likely to remain.

“Moreover, there is a much broader need for a systematic collection and reporting of inspection statistics on the enforcement of labour and social security legislation, both at national and European level.” (De Wispelaere et. al 2024)

In the construction sector, this need is more than obvious and certainly not sufficient to fight social fraud and abuses of the social and labour rights of mobile construction workers: While due to the possibility to inspect larger number of workers in one place, most labour inspections in EU Member States such as France or Belgium take place in the construction sector.¹⁰

Furthermore, the sector is prone to abuse of the posting rules: In **Belgium** in 2019, 76% of inspections in the construction sector found an infringement of any kind, while the share was 50% in 2020 (De Wispelaere et al. 2022). In the Italian construction sector, irregularities in the terms and conditions of employment among 60% of the outgoing posted workers were found (Dorigatti et al. 2022).

Regarding **Austria**, research of data covering the period 2015–2020 found that on average between 0.9% and 10% of posted workers were paid less than what they were entitled to, whereby the share of workers in the construction sector was estimated to be the highest with incidents of underpayment found in 38% of inspected foreign companies. (Geyer et al., 2022, p. 36).

Summarising key challenges of enforcement of posting rules and related instruments and mechanism, a

¹⁰ In France, 59% of controls in 2017 took place in the construction sector and in Belgium the respective share was 57% in 2020. See Muñoz (2022). For Belgium see: De Wispelaere et al. 2022.

study commissioned and published by the EU Commission supporting the monitoring of the Posting of Workers Directive 2018/957/EU and of the Enforcement Directive 2014/67/EU published 2024, shows a large variety of inspection practices, available resources and competences across Member States. The same relates to administrative penalties for fraud and misuse, rules related to subcontracting and temporary agency work as well as the role of national authorities (European Commission 2024a).

The study also identified the construction sector as particularly prone to work-related crime and fraudulent practices: *“The majority of the identified sectoral challenges appear to happen within the construction sector ...”* (ibid., p. 75)

Desk research and interviews carried out with construction sector trade union representatives in the context of this study have identified key problems regarding the enforcement of regulations regarding workers in posted and other situation of temporary labour mobility:

- A common problem amongst all Member States is related to **remuneration** (including non-payment or underpayment) often in combination with **not respecting maximum working hours**.
- Another major challenge reported concerned **illegal posting** (e.g. in AT, BE, BG, DE, ES, FR, NL). Bogus self-employment, undeclared work and difficulty in identifying the employer or workplace were also reported by national authorities.
- In this context, the **lack of a ‘genuine connection’¹¹ to the Member State posting workers and problematic accommodation conditions** were highlighted.
- The research revealed problems affecting **posted workers in subcontracting chains** in several Member States in the construction sector. These issues relate to the failure to comply with **terms and conditions of employment** but also to **social dumping** (e.g. DK), **unfair competition** (e.g., ES) and the **omission/falsification of mandatory declarations** (e.g., AT, FR), amongst others.

- As for **posted workers, and other temporary cross-border mobile workers employed by temporary work agencies and labour market intermediaries**, the same challenges as posted workers in subcontracting chains can be observed, again with **construction** particularly affected by these challenges.

The enforcement of social rights and rules for posted workers is particularly challenging when it comes to mobile workers from outside the EU/EEA as they are not covered by the Posted Workers Directive. Again, the abovementioned studies have highlighted the construction sector as particularly challenging when it comes to this group in terms of **compliance with work conditions** and **labour exploitation**.

As highlighted in a recent research study conducted by a scholar at Tilburg University (Houwerzijl 2025), abusive practices of subcontracting and the systematic and structural violation of labour law and social standards has led to the classification of the **construction sector as a “high risk” sector** by EU authorities such as Europol, the Fundamental Rights Agency (FRA) and the European Agency for Safety and Health at Work (EU-OSHA).

A survey of labour inspectors carried out by the European Agency for Safety and Health at Work clearly shows that construction not only must be regarded as the sector with – by far – the highest amount of risks in terms of safety at work, physical, ergonomic, chemical or psychological aspects¹² but also that temporary migrant workers are exposed to such risks much more than other workers. It should be noted there that the risk-exposure of temporary migrant workers might be even underestimated because more than half of the labour inspectors mentioned that inspections are not including a consideration of investigating accommodation or living conditions) for posted workers or mobile workers (EU-OSHA 2023b, p. 12).

A key phenomenon that is on the rise is **non-genuine posting** of workers from an EU or other country via an EU Member State to other Member States. In Poland, for example, this happens when a company is established in Poland and posts workers to other countries, but these individuals do not fulfil the requirements of posting, as they have not had

11 For posted third-country national workers, a genuine posting implies that they not only have a right to work and reside in the EU home state on paper but also have an employment contract for a real job in that country. See: Houwerzijl and Van Gardingen 2025.

12 More than 60% of the surveyed labour inspectors regarded the construction sector as the one with the highest risks, followed by manufacturing mentioned by only 14% of inspectors. See EU-OSHA 2023b.

any professional activity in Poland before posting. The labour inspectorate and other relevant authorities can tackle these situations by removing work permits and notifying the competent foreign authorities about the suspicion of fake posting. The legal framework in Poland in relation to the employment of certain TCNs from neighbouring countries (including Ukraine, Belarus, Armenia, Moldova) simplifies the procedures required to legalise their work in Poland. This can, in practice, result in service providers abusing these regulations to fraudulently/erroneously post TCN workers abroad. It needs to be mentioned here that currently there is no harmonised or at least coordinated EU approach to addressing posted TCNs who are found to be non-genuinely posted. As is often the case, these practices involve several actors, including temporary work agencies or other labour intermediaries, some of whom are based in third countries (EU Commission 2024, p. 139/140I).

Reduced attention for occupational safety and health at work is the result of fierce competition between lower-level contractors for building contracts, which puts pressure on work standards (Berntsen and Lillie 2014) and makes that subcontracted workers are more often less informed about important policies and procedures than their directly employed counterparts (Choe et al. 2020). Additionally, subcontracted workers are found to be more vulnerable to OSH risks due to longer hours, intensity of work, economic stress and their concentration in higher-risk segments of a supply chain (James et al. 2015).

Not only are there problems regarding OSH, but also regarding undeclared work. Because of long and complex subcontracting chains, the occurrence of **undeclared work and labour exploitation** occurs more often (Nierope et al. 2021). Labour exploitation concerns for instance non-payment of wages, the deduction of fees from salaries, overtime, no social protection, no health and safety protection for workers, poor accommodation and social isolation.

As a result of long subcontracting chains, there is a major **lack of transparency and accountability** (EFBWW and FIEC 2020b). This means that supply chains become 'opaque', with firms up the chain only having limited control over what happens in lower-level subcontracts, and firms trying to push business risks down the supply chain (Berntsen and Lillie 2014).

This problem especially arises when cross-border labour such as posting comes into play in the subcontracting chain. For instance, companies that

transfer the recruitment of labour to (often small) subcontractors, leading to multiple levels of recruitment, which hinders compliance to the rules even further (Cremers 2011). In the worst case, there can be an illegal supply of cheap labour through agencies or letterbox companies.

The construction sector is well-known for its problems with complex subcontracting networks. This phenomenon of subcontracting and temporary work agencies **makes enforcement even harder**, especially in cross-border situations involving posted workers. Seeing that there are long chains of interconnected companies, the direct (social) responsibility and liability of the contractor is considerably reduced (Houwerzijl and Peters 2008).

2.4 Impacts on national construction sectors

According to the **Swedish** construction workers trade union **Byggnads**, the number of migrant workers in the construction sector, including workers from non-EU Countries, has increased over recent years and criminality in the construction industry is a growing problem, affecting individuals, companies and society at large.

According to the trade union, there is a strong and increasing need for cooperation between authorities to track and stop criminality in the construction industry. There are needs for legal change (e.g. in privacy legislation for public authorities to facilitate information) as well as other more efficient practices to detect criminal practices and fraud that increasingly is also threatening the Swedish Welfare System.

According to **Byggnads**, besides sharpening the national system of regulation and implementation of social legislation, there would also be a need to fight abusive and criminal practices and support mobile workers in need for legal advice and support by European wide mechanisms such as a helpline.

In **Austria**, the construction sector is heavily dependent on temporary migrant labour due to two main factors according to the **GBH** trade union: On the one hand, the continuing high and growing shortage of skilled workers due to a lack of attractive working conditions as well as recruitment and retention efforts and, on the other hand, business models based solely on social dumping.

Due to its proximity to Slovenia, Hungary and Croatia, Austria has become the most common des-

destination country for posted workers in the construction sector. Migrant construction workers are increasingly coming from third countries via these routes. The dominant business model is to set up a letterbox company, register workers from third countries, and send them to Austria.

According to GBH, the **law against social dumping**, which has been in force in Austria since 2011, **has not changed this situation** because much more resources would be needed to implement and monitor legal regulations. However, not only would improvements to the implementation, monitoring and sanctions of criminal practices be needed, but also more and better information and advice for employees about their rights and entitlements. As a result, GBH has established a very successful contact office at the Austrian Slovenian border (see section 3 below).

Similar experience of insufficient policy reform (e.g. as regards subcontracting), circumventive, fraudulent and/or criminal practices have been highlighted by representatives of construction sector trade unions in **Austria, Belgium, France, Italy or Croatia**.

As for the **Central and Eastern European region**, trade unions have reported about significant changes in the construction labour market and quite dramatic shifts from being a sending country of construction workers to labour shortage and increased demands of migrant workers, most of them from outside the European Union and Europe:

In **Latvia**, the vice-chair of the Latvian Building sector trade union **LBNA** has highlighted the dramatic change of work and employment in the construction sector due to an increase in agency work and an increasing number of contract workers from non-European countries such as India. According to the union, there have been about 3,000 TCNs across different sectors, including construction. As a result, major shifts in the construction workforce have since taken place, including the substitution of native workers by “cheaper” labour migrants in less skilled activities such as concrete and formworks on construction sites.

According to the trade union, migrant workers from non-EU countries are particularly vulnerable and at risk of exploitation, bad living conditions and under payment of wages. At the same time, and due to their strong dependency on the goodwill of their direct employers, workers tend not to complain or use existing channels to contact the LBNA trade union. Against this, a much more pro-

active approach would be required than just providing information on rights, applicable working condition rules or health and safety requirements.

Similar experiences and new emerging challenges were reported by the **FCIW-Podkrepa** trade union for the construction and water supply sector: **Bulgaria** experiences a steady increase in labour migration from outside the EU and Europe (Turkey, Uzbekistan as well as Vietnam). While most TCNs are employed in the hotel and catering sector, the construction sector is the second most important sector with about 3,000 workers, mostly engaged in concrete works activities on short-term, project related assignments (3–6 months).

As with the experience in Croatia and other countries, the Bulgarian union has highlighted the need to move from a more reactive to a proactive approach of supporting temporary mobile workers, inform them about their rights and support them for claims to which they are legally entitled.

Simply Providing Information Is Far from Sufficient

Trade Union Experiences
of Supporting
Mobile Migrant Workers

3.1 Current challenges and trade union support activities

The revised Posting of Workers Directive 2018/957 in Art. 3 stipulates that,

"Member States shall ensure, irrespective of which law applies to the employment relationship, that undertakings as referred to in Article 1(1) guarantee, on the basis of equality of treatment, workers who are posted to their territory the terms and conditions of employment covering the following matters (...)"

As regards terms and conditions of employment, the following constituents are listed:

- maximum work periods and minimum rest periods;
- minimum paid annual leave;
- remuneration, including overtime rates;
- the conditions of hiring-out of workers, in particular the supply of workers by temporary employment undertakings;
- health, safety and hygiene at work;
- protective measures with regard to the terms and conditions of employment of pregnant women or women who have recently given birth, of children and of young people;
- equality of treatment between men and women and other provisions on non-discrimination.
- the conditions of workers' accommodation were provided by the employer to workers away from their regular place of work;
- allowances or reimbursement of expenditure to cover travel, board and lodging expenses for workers away from home for professional reasons.

As shown in the previous section of this report, and as evidenced by research studies and interviews with industry organisations, despite attempts to sharpen and strengthen the effectiveness of the Posting of Workers Directive by the Enforcement Directive 2014/67/EU and the revised PWD 2018/957/EU, the scale of misuse, social fraud and criminal behaviour condemned during the last decade has actually increased. As illustrated by so-called "high risk sectors" such as construction, road transport or the agriculture sector because they are very prone to fraudulent and criminal practices on the back of migrant workers, the EU is far from securing the fundamental rights as de-

finied in the *Charter of Fundamental Rights of the European Union*, namely the right to fair and just working conditions (Art. 31) and the right to effective remedy (Art. 47).

It has primarily been trade unions at national, local, regional and European/International levels that have reacted and campaigned against labour exploitation, social fraud and precarious employment and social conditions in the context of posting and other forms of migrant labour.¹³

Trade unions are directly affected and concerned by problematic situations of cross-border labour mobility that results in violations of the terms and conditions of employment of temporary cross-border mobile workers. This is not only due to their goal of improving working conditions and promoting solidarity with and between workers across borders but also because such forms of employment put pressure on wages and working conditions of the workforce in the host countries.

When it comes to the construction sector, trade union representatives in the context of this study have referred for example to the REDER project (*European Network for a Fair and Responsible Posting*), coordinated by the construction section of the CGT trade union in France about ten years ago. The following quote from the opening address of a workshop is just as relevant today as it was back then:

"One thing is certain: We will not give up. We will continue to work together in different ways but always focused on enforcing the law and fighting organised social dumping, which coerces thousands of workers by discouraging them from talking to trade unions. These workers and their families live in fear and are under the sway of a mafia that deals in human trafficking. Their rights are trampled and their living and housing conditions are indecent. They are separated from their families and are ill-treated by words and deeds from a bygone era perpetrated by people with no empathy and motivated only by the desire to blame them for their moral distress."

FNSCBA CGT, Workshop of the REDER Network in Montreuil, 23.11.2016

Interviews in the context of this study showed that the **need for information, advice and support is even more pronounced for posted TCN workers.**

These workers are more likely to be socially, geographically and culturally marginalised, and having less access to trade unions because in such situation they risk losing not only the job but also residence rights in hosting country.

"It's a fact that very few migrant workers are unionised," acknowledges the FNV, the largest trade union in the Netherlands "The main barrier is language, as we only provide services in Dutch. The second barrier is that migrant workers often don't know how to reach us. The third is their precarious situation. All of this makes it extremely difficult for them to stand up for their rights." (Carmona 2025)

A recent overview of **trade union initiatives supporting mobile migrant workers in Europe** lists more than 20 practice examples of trade union initiatives and activities of a broad variety that are not only implementing the need and – when it comes to posting – the obligation according to the PWD to inform about terms and conditions of employment but go beyond providing information and raising awareness of workers' rights at national level (Cremers 2023).

Taking also into account the feedback received from interviews and survey responses carried out in the context of this study, the following types of activities initiated and implemented by trade unions in the construction sector can be highlighted as particularly important:

- **Targeted information on terms and conditions of employment according to national labour and social laws as well as collective agreements.**

Nearly all trade unions have produced leaflets and other materials informing mobile posted and migrant workers on applicable working conditions, often in several languages and taking care of the regular update of information. The construction sector is the only branch so far, where such an information also exists at European level: With the www.constructionworkers.eu the **EFBWW** and its member organisations provide construction workers with information on wages, working conditions and rights in 36 EU countries. Detailed information is provided and regularly updated by the EFBWW member organisations in 40 languages.

The dissemination of information on national employment and working conditions is also an **important activity at national level** as the responses of construction workers in the context of this study

shows (see the example of a poster from the Latvian building sector trade union LBNA).

- **Providing guidance and practical advice and assisting workers in case of violation and irregularities.**

Providing and disseminating information on workers' rights is not sufficient, however. Mobile migrant workers also need guidance and practical support in cases of underpayment of wages, criminal practices and violations of health and safety requirements or social rights. Consequently, trade unions not only inform workers about their rights but also assist workers in case of irregularities and to effectively assert these rights.



The provision of guidance and advice in general terms is hampered by the fact that mobile migrant labour is often (kept) invisible from the locally based workforce and its representatives.

Combined with language barriers, this means that there is a high threshold to overcome for the trade unions if they are to play a role as an agent for all workers. Cooperation between trade unions in a host and a home country and long-term strategies are, for instance, necessary means to remedy these problems.

Here, **two barriers and challenges** have been highlighted in the interviews with trade unions in the context of our research:

- Temporary nature of advice and counselling projects: The limited nature of the funding, combined with the time pressure and deadlines, creates a barrier for more continuous action.
- Posted and other mobile migrant workers are not only confronted with irregularities and exploitation related to the work and work environment but often face problematic housing and living conditions. Furthermore, TCN workers are highly dependent on their direct employer for their work, transport, housing and health insurance.

The lack of alternative work or housing, the absence of a social network, the language barrier and the patchy information in their own language, combined with a lack of knowledge of their rights, are **specific challenges for mobile migrant workers**.

This was also highlighted in several interviews with trade union representatives in the context of this study, referring to the linkage of the employment relationship to accommodation and residence rights as a reason why migrant workers do not claim their rights.

In reaction to such vicious cycles, trade unions across European countries highlighted the need for **building trust** by offering, for example, social or cultural events and “social clubs” for trade union members and interested workers speaking the same foreign language that, in a gentle way, are useful to empower mobile migrant workers.

This approach of “*Learning by Doing*” that often is facilitated by trade union members with the same migrant background has been reported by construction workers unions in Southern European countries such as France or Italy but also in **Austria** (see box 6), Bulgaria, Latvia and Croatia (social events for migrants, collaboration with trade unions in migrants’ countries of origin, training and upskilling initiatives).

According to the trade union representatives, this has also resulted in remarkable success of organising new members into the trade union. Thanks to activities such as the opening of a regional advice and support office that facilitates direct personal contacts and exchange in the native languages, the Austrian construction trade union **GBH** was quite successful in **recruiting migrant workers** as new members and noted in an interview that the organisation has a Slovenian membership base of around 1,000 (as of October 2025).

Welcome and Contact Point for Migrant Workers at the Austrian Border

In 2017, the Austrian construction union GBH, in cooperation with the Slovenian construction union SDGD and with financial support from the provincial government of Styria, opened a service and advice centre in the municipality of Spielfeld, directly on the border with Slovenia. Easy accessibility for Slovenian workers on their way to work was an important factor in the success of the project, which was expanded in 2020 through cooperation with the Croatian construction union SGH.

To ensure an optimal range of services and advice on site, the office was brought up to the latest IT standards and a dedicated trilingual website was set up, where Slovenian and Croatian workers can obtain additional information about their work in Austria. The website also offers the option of reporting suspected cases of wage and social dumping completely anonymously and without complications, which is then forwarded by GBH to the relevant authorities.

Thanks to the knowledge gained through the project, the union was able to point out problematic companies and construction sites and initiate further measures such as targeted and effective inspections on construction sites. This has led to hundreds of interventions and proceedings in which compensation has been won for affected workers and legal cases have been filed with the labour and social courts for wage and social dumping.

Another important element of the project was to initiate and conduct bilateral talks with representatives of the Slovenian and Croatian trade unions, the Slovenian and Croatian chambers of commerce, and the relevant ministries regarding postings to Austria and wage and social dumping to work out joint solutions.

Source: GBH trade union, Austria

While in the Austrian example, the possibility of migrant workers to report (anonymously) illegal or problematic practices on construction sites was only one aspect of the project, it has been a key element of the *Fair Bygge* initiative of the Swedish construction workers union **Byggnads**.

Criminality in the Swedish construction industry has been a growing problem, affecting workers, companies and society at large. The Stockholm-Gotland region of the construction trade union Byggnads in cooperation with the regional construction employer organisation jointly initiated *Fair Play Bygg* in 2016 with the aim of making

workplaces in the construction industry safer and more hygienic for workers and for companies to compete on (more) equal terms.

Do you suspect criminal activity at a construction site and want to report it?

[Fill out the following form to leave your tip-off](#). It can concern, for example,

cheating with employer's contributions, bribes, extortion, unregistered labour, organised unregistered labour, corruption, tax fraud, or serious work environment crimes. Find out more about how we handle [confidentiality](#).

Since the start, the initiative has received **over 2,500 reports about suspected criminal activity on construction sites in Stockholm**. This may involve tax fraud, human exploitation and corruption. Once a tip-off has been received (whistle-blowers can choose to remain anonymous), *Fair Play Bygg* takes action to obtain more information about the alleged crime and hand it over to the Police, the Swedish Tax Agency or the Swedish Work Environment Authority for further investigation.

According to *Fair Play Bygg*, this has led to higher tax income of over SEK 100 million (9.5 million EUR).

3.2 Trade union demands

Trade unions have reacted to the new challenge of highly precarious employment relationships of mobile migrant labour, arisen as a result of and/or compliance with the principle of equal treatment, with **various initiatives to better protect workers from exploitation**, often together with social and welfare associations and NGOs or in transnational cooperation.

Experience shows that **'one size fits all' does not exist**, but activities that go beyond the provision of information, such as easily accessible advice and support, relying on trade unions as experts in the world of work and in the languages of origin, are crucial for the enforcement of workers' rights. This support is even more successful if it does not end at the border of the respective member state and is linked to trade union collaboration and/or European coordination.

While according to responses to the EFBWW survey as well as interviews carried out in this project, **the European Labour Authority is not regarded as an alternative to a European trade union co-ordinated counselling and support framework for mobile migrant workers**, ELA, as well as other stakeholders (e.g. mutual, bi-lateral social / training funds where they exist; national labour inspectorates, employer organisations), may become involved as facilitators and associated partners.

Financial support to improve the situation of mobile migrant labour is needed on a permanent basis – the persons concerned change, but the segments of the EU labour markets provided with mobile migrant labour do not. The search for cheap labour will, unless the rules that allow for it change, continue to lead to recruitment practices by undertakings that repeatedly violate the rights of mobile workers, especially through subcontracting structures.

Trade unions have invested and are investing a lot of resources and energy in supporting mobile migrant workers and enforcing their rights. However, due to lack of national support or other reasons, it will never be possible to cover all EU Member States while at the same time the magnitude of unacceptable practices and crime is increasing (ETUC 2025).

Therefore, all interviewed trade unions and those who participated in the EFBWW survey in the context of this study are strongly **in favour of a comprehensive structure of support** that should be integrated in European policies as regards cross border mobility and respective initiatives to foster equality and fair working conditions for all workers.

The following concrete demands and suggestions were also made by trade union representatives in the context of interviews and other forms of exchange:

- **Stable and reliable funding** is needed, to which the EU must contribute to enable a continuous and a comprehensive structure of support and advice, covering all EU Member States and beyond (e.g. main sending countries of mobile migrant workers).
- **Advice structures and tools** (e.g. Helpline, Whistleblowing Line) must be developed and operate in conjunction with and in coordination with trade unions. Their activities are not intended to replace national, regional and local trade union action, but to complement these activities by a supportive element at European level.
- The aim of these consultation and advice structures should be to provide mobile and migrant workers with the possibility to get in touch with a **central helpline**, to articulate needs and problems in his/her native language and receive a fast qualitative response (via telephone or messenger app) advising him/her on further steps and activities to address the problem, e.g. payment claims, housing, health and safety, etc.).

- In a **survey carried out by the EFBWW secretariat** about experience and the evolution of requests for advice and support by posted workers from other EU countries as well as TCNs, EFBWW member organisations in 16 out of 18 European countries stated that it would be useful to have a European support mechanism to help dealing with cross border problems/questions.
- Respondents to the survey as well as to the interviews carried out in the context of this study argued that such a support mechanism / helpline would be a **necessary complementation of national support activities** (where they exist). Furthermore, it would foster coordination and exchange of information and coordinated solutions at European level, provide added value for national and international enforcement authorities and thereby contribute to safer workplaces and less social dumping. Besides this, it would strengthen the role of collective bargaining and organised labour as a key element of fair work and quality jobs.
- A European-wide helpline and support mechanism should be implemented in **close collaboration with ELA** and – where this seems appropriate and providing added value – international and national stakeholders in the construction sector (e.g. bilateral/mutual social funds; labour inspectorates; OHS bodies).

4

Why There Is a Need for European Action

The revised Posting of Workers Directive (revised PWD), making reference to Article 3 TEU and Article 9 TFEU (recital 3), the EU legislator has stated that

“greater protection for workers is needed, in order to safeguard the freedom to provide, in both the short and the long term, services on a fair basis, in particular by preventing abuse of the rights guaranteed by the Treaties” (recital 10). Moreover, “in a truly integrated and competitive internal market, undertakings compete on the basis of factors such as productivity, efficiency and the education and skill level of the labour force, as well as the quality of their goods and services and the degree of innovation thereof” (recital 16).

Also, the 2014 **Enforcement Directive** should be recalled here: The Directive was adopted with the clear objective as specified in Article 1(1), to ensure a *“more uniform implementation, application and enforcement in practice”*, as well as *“prevent and sanction any abuse and circumvention”* of the EU framework.

Besides the obligation of Member States to put in place *“appropriate and effective checks and monitoring mechanisms”* (Art. 10), an important provision of the Enforcement Directive is Article 11, which obliges the Member States to **create effective mechanisms enabling posted workers to lodge a complaint directly against the employer or initiate either judicial, or administrative proceedings**. Such complaints may concern matters such as outstanding remuneration, unduly withheld taxes or social security contributions etc. In addition, **Member States shall also ensure that trade unions or NGOs with a legitimate interest may take part in the proceedings, either on behalf of or in support of posted workers**.

Finally, Art. 12 of the Enforcement Directive has addressed the issue of **liability in subcontracting chains referring directly to the constructions sector** and the obligation of Member States to ensure that posted construction workers can hold the contractor, of which their employer is a direct subcontractor, liable for recovering outstanding wages in addition to or in place of the employer.

These tasks cannot be solved by the **European Labour Authority**. The ELA, established in 2019, has shown that it can improve the flow of basic information between EU-countries regarding mobile migrant labour. But activities such as coordinated transnational controls and inspections accord-

ing to interviews with trade union organisations involved in this project are much too limited as they are not based on a substantive increase of resources and effort.

Therefore, the **activities of ELA need to be complemented by stable (permanent) counselling and support activities for mobile migrant labour that cover all EU Member States**. Such complementary action is needed also because the current rules continue to lead to recruitment practices by transnational undertakings that repeatedly violate the rights of mobile workers, especially through subcontracting structures.

Various reports on the **effectiveness of the Posting of Workers Directive** (e.g. EU Commission 2024) and persisting and increasing challenges of enforcement of posting rules in the construction sector (ELA 2023) or on the massive abuse of subcontracting in the construction sector affecting almost 40% of sectoral activities underscored the *“urgent need for more effective enforcement tools to safeguard workers’ rights and ensure fair competition across Member States”*. (Houwerzijl 2025)

While strengthening **enforcement remains a huge challenge**, the provision of support to mobile migrant workers remains a key weakness and challenge despite the PWD Enforcement Directive and the revised Posting of Workers Directive.

Several **shortcomings of the quality of provided information and communication methods can be identified**, these include inaccessible legal wording and language that is not easy to read and very complex, a lack of sufficient translations into the relevant languages for posted TCN, and multiple sources of information that are not standardised or consistent. Workers need to be properly informed on applicable remuneration levels, clear working time limits, overtime regulations, number of leave days and the OSH legal framework and its scope.

In the absence of significant improvement as regards limiting subcontracting, general and comprehensive employer liability and insufficient capacities of labour control, the interviewees highlighted the need to establish at least better support and advice mechanisms that consider certain specificities of mobile migrant workers such as the short-term nature of the employment relationship, language as well as cultural barriers.

Therefore, other channels and modes of contacting, communication, advice and organising need to be set in place. Interviewees involved in this study

highlighted the need of a **direct interaction with posted workers** as crucial for building trust and to ensure that they are well informed. This facilitates a better understanding of the workers' individual legal situations and allows for tailored information and support.

Implementing such an approach would require **centralised and coordinated efforts covering the whole EU**, which could foster a concrete advance in workers' awareness of rights and obligations in the construction sector. A coordinated approach would also be necessary, as not all trade union organisations have the capacity, knowledge and/or resources for establishing their own support structures and provide advice to mobile migrant workers in the construction sector. In that context, a coordinated EU approach could also contribute to the development of a level-playing field and better understanding of specific needs and challenges across borders.

This also reflects the few examples of joint transnational activities of trade unions, including joint activities carried out with other construction sector stakeholders¹⁴.

14 Recent examples are the trade union coordinated FELM ("*Fair Labour Mobility EU*") project or the POST-MEET project of paritarian funds. However, due to limited (project) resources, both projects cover only a limited number of EU Member States.

5

Policy Scenarios and Approaches

5.1 Possible approaches and scenarios

As available data and national evidence gathered in this report shows, demographic trends as well as changing business models that externalise labour intensive tasks to subcontractors and migrant workers with the only aim of cost reduction have become major trends and business models in the construction sector. This has had a strong impact on the construction sector workforce with an **increase in exploitative and criminal practices, social dumping and a worsening of health and safety conditions as well as housing quality affecting in particular lower skilled migrant workers.**

Considering the problems, weaknesses and loopholes of the European Framework for the posting of workers that have resulted in malpractices such as creation of letterbox companies, non-genuine postings, bogus self-employment, etc. and the persisting challenges of effective implementation and enforcement of rules, **the current legal framework needs to be complemented by complementary action.** This includes additional measures to address abusive subcontracting, strengthen enforcement capacity and enhance the role of the European Labour Authority, as well as other measures.

Considering that labour exploitation and abuse in the EU labour market constitutes a **widespread and urgent challenge**, including but not limited to work-related crime, undeclared work, the grey economy, social dumping and labour exploitation and the fact that **long, complex and untranspar-**

ent subcontracting chains stretching across borders are a key problem in this context, the European Parliament in February 2026 called for an EU strategy to tackle abusive subcontracting chains and fraudulent labour intermediaries that are undermining workers' rights and fair competition across Europe.¹⁵

Though this certainly constitutes an important step in the fight against the exploitation of mobile migrant workers that hopefully will contain abusive, exploitative and criminal practices and improve the enforcement of rules, there is **need to do more to support mobile migrant workers to know about their labour and social rights and to claim them.**

The establishment of a mechanism that considers the specific barriers to accessing advice, understanding one's own rights and obtaining support to secure entitlements must be regarded as just as important as the legal framework for implementing and enforcing rules.

As practices show, **the current system of informing workers through public websites is far from sufficient**, given the challenges mentioned above. Already today, it is complemented by efforts at national, regional and local levels, in most cases initiated by trade unions, migrant self-organisations and other civil society groups, as well as few temporary, project-related transnational measures and good practices, with the construction sector at the forefront (see table 1).

CURRENT STATUS QUO OF INFORMING ABOUT POSTING		T1
Geographic and sectoral scope	Single official PWD website at national level EU27 – all economic sectors	
Languages	Very limited (e.g. English only as in Germany)	
Target Group(s)	Posting companies	
Access and Interaction	Website; no direct interaction possible	
Type of Services	Only written information on national posting rules, labour /social security law and collective agreements	
Governance	By national government without stakeholder involvement	
Actors involved	National Ministries, labour inspection or similar	
Funding and resources	National Government	

¹⁵ See the EP press release: <https://www.europarl.europa.eu/news/en/press-room/20260205IPR33616/need-for-an-eu-strategy-to-tackle-labour-exploitation-meps-say>

As already noted in the previous section, the current practice of enforcing posting rules, preventing abuse and fraud as well as protecting posted workers to be treated fairly cannot be regarded as sufficient in line with **Art. 11 of the Enforcement Directive** and the obligation of Member States to ensure the **possibility of posted workers to lodge complaints and pursue proceedings, including through representation by third parties such as trade unions or NGOs**.

Like the original PWD, the 2014 Enforcement Directive was adopted on the basis of Articles 53(1) and 62 TFEU, and its objective, specified in Article 1(1), is to ensure a *“more uniform implementation, application and enforcement in practice”*, as well as *“prevent and sanction any abuse and circumvention”* of the EU framework.

Besides the obligation of Member States to put in place *“appropriate and effective checks and monitoring mechanisms”* (Art. 10), an important provision of the Enforcement Directive is Article 11, which obliges the Member States to create **effective mechanisms enabling posted workers to lodge a complaint directly against the employer or initiate either judicial, or administrative proceedings**. Such complaints may concern matters such as outstanding remuneration, unduly withheld taxes or social security contributions etc. In addition, Member States shall also ensure that trade unions or NGOs with a legitimate interest may take part in the proceedings, either on behalf of or in support of posted workers.

Finally, Art. 12 of the Enforcement Directive has addressed the issue of **liability in subcontracting chains referring directly to the constructions sector** and the obligation of Member States to ensure that posted construction workers can hold the contractor, of which their employer is a direct subcontractor, liable for recovering outstanding wages in addition to or in place of the employer.

In the light of these provisions and obligations of enforcing genuine rights of posted construction workers and the shortcomings and blind spots of enforcing workers' rights and providing with advice and practical support when lodging complaints, the following sections describe three different future scenarios in relation to their impacts on social and working conditions of mobile migrant construction workers:

- The impacts of a **Status Quo Scenario** without any additional or complementary action at European level.

- An **“ECMIN Plus” Approach** and its impact as well as requirements of complementing the existing EFBWW information hub by additional offers of advice and support for migrant construction workers.
- A **“Beyond Whistleblowing” Approach** of establishing a European coordinated permanent support mechanism for construction workers in distress and in need for help, providing advice and support regarding legal, social and employment rights.

5.2 “No European Action”: Status quo scenario and its social and economic impacts

If the current status quo continues, **the trends and challenges described above will become even more acute in the future**. This is not only due to the already acute shortage of skilled workers in many countries (particularly in Central and Eastern Europe), but also to the fact that cost pressures are forcing smaller and medium-sized companies in particular out of the market.

In view of changing business strategies, the **“dual labour market” that has emerged in the construction industry will expand**: On the one hand, there will be a core workforce with skilled workers and relatively secure employment relationships and working conditions regulated by laws and collective agreements; on the other hand, there will be a peripheral and flexible workforce that is not directly employed but works on the basis of subcontracts, outside the scope of collective agreements and often below the radar of occupational safety inspectors and labour inspection authorities.

This scenario is similar in many aspects to developments that are already a reality in road freight transport and in the courier and parcel services sector, which have led to a *“lex specialis”* in response to unacceptable social and working conditions.

Furthermore, as the many terrible accidents on European construction sites illustrate, **such a development in the construction sector would have fatal consequences, not only for the workers affected and their families, but also for the quality and, ultimately, the safety of infrastructure and buildings**.

Tragic workplace incidents remain a significant challenge in the European Union, with over 3 000

fatal accidents occurring annually, often concentrated in sectors like construction, transport and manufacturing.

According to Eurostat, in 2023 there were 3,298 recorded fatal accidents across the EU, with a slight increase in fatalities (12 more) compared to 2022. **Nearly one quarter (792) of fatalities at work happened in the construction sector which is by far the most dangerous economic sector,** followed by sectors such as transport, manufacturing or agriculture.¹⁶

Comparing 2023 figures with 2019, the numbers of fatal accidents in the construction sector have increased significantly in countries such as Croatia, Belgium, Bulgaria, Germany, Italy, Portugal, Spain or Sweden.

Though there is no data available, interviewees reported that **serious accidents, including deaths, in the construction sector too often involve posted workers who lack proper safety clothing and equipment, the required safety training or adequate knowledge about workplace related safety risks.**

At the same time plenty of previous research and case studies on the sector have highlighted the prevalence of labour exploitation, criminal and blackmailing behaviour against workers by labour intermediaries, gangmasters or so-called ‘Kapos’.

Migrant workers are completely powerless against exploitative employers and superiors, as in many cases their work and residence permits depend on their employment contracts. This leaves them vulnerable and helpless if they lose their jobs, which often means homelessness.

Besides the fact that the working conditions of these employees stand in stark contrast to the social and employment policy objectives of the European Union, **the economic impact would also be severe.**

Research findings on the transformation of business models have highlighted the impacts and consequences of **shifting away from a quality-based approach toward a competitive model that focuses solely on cost reduction and externalisation,** particularly in the area of labour costs: An inherent and institutional hesitation to invest in a skilled workforce and a rationalised economic logic of

profit maximisation that sees labour costs strictly as expenditure (financialised capitalism) leads to further production fragmentation in which complex and long subcontracting chains across borders play a crucial role for the provision of cheap labour.

As **research on Sweden** shows, this development leaves the industry facing several challenges. By prioritising a financialised production fragmentation based on standardised work, the previously “high road” model that gave Swedish building companies competitive advantages during the second half of the twentieth century has been undermined. As a result, building companies face a tough dilemma: strategies of short-term profit maximisation (financialised production fragmentation) or a sustainable Swedish building industry with a skilled-workforce, high-education levels and high-quality production, as their competitive advantage? (see Ahlstrand 2025)

It should also not be forgotten that business models based solely on labour cost reduction have a significant impact on the market. Here, too, the logistics industry serves as a warning: **smaller companies are no longer competitive, and companies that act within the regulatory framework of working conditions, that adhere to collective agreements and invest in training and further education are coming under increasing pressure.**

5.3 “ECMIN Plus” approach

In response to the increase of cross-border employment in recent decades and the often-precari-ous situation of mobile migrant workers across different sectors, **trade unions have played a central role supporting mobile migrant workers.** Based on their experience of the realities of work, trade unions not only have repeatedly demanded improvements and strengthening of workers’ rights, but have also initiated practices and projects to inform, advise and support mobile migrant workers for a better enforcement of workers’ rights in the event of legal violations, social fraud and infringements (see Cremers 2023).



¹⁶ Eurostat, Fatal Accidents at work by NACE Rev. 2 activity [hsw_n2_02__custom_20102965]

As regards the construction sector, since 2009, the EFBWW and its affiliates are implementing with the support of co-financing from the European Union the “*European Construction Mobility Information Network*” (ECMIN) and the website www.constructionworkers.eu. The website is a tool to provide basic information to posted workers on the applicable wages and working conditions in the construction industry. Over the years, the website has been further developed and today it contains information about the applicable wages and working conditions in **36 countries in 40 languages**, covering the growing number of language regions of posted workers in and outside Europe.

The website and database of the applicable rights for workers on issues such as salary, working time, holidays and in case of sickness or injuries is a **unique tool that helps workers to know about their rights**. As we learned from interviews, in the context of this study as well as from responses to a written survey carried out by the EFBWW in 2024, the ECMIN project is regarded as extremely helpful for migrant mobile construction workers but also for national construction trade unions who use the so-called ECMIN Cards for getting in touch and informing mobile workers about this information channel.

As a recent evaluation of *Google Analytics* data of the ECMIN website impressively shows, the number of visitors since 2020 have increased considerably from around 10,000 visitors in 2020 to more than 150,000 in 2025.¹⁷ This illustrates that the ECMIN information platform is addressing a strong and obviously increasing demand. Furthermore, the impressive increase in website visits indicates a growing popularity of and knowledge about the ECMIN website.[]

However, according to the EFBWW member organisations involved in this study at national level, it **is noted that posted workers as well as mobile migrant workers in distress increasingly get in touch with the ECMIN secretariat with the need to get advice and support in more complex and very specific requirements**.

Though trade unions in recent years have increasingly been assigned to activities providing legal advice and support for mobile migrant workers, this often goes beyond labour and relates to social security or legal issues or residence issues, housing, etc. As such legal assistance normally is reserved for trade union members, unions have been

very creative to develop specific forms of temporary membership, including group membership to represent mobile migrant workers.

Because advice and practical support need to be tailored to specific situations and issues and due to the increasing complexity of cross-border labour mobility and subcontracting chains, the **ECMIN network and its members are currently not able to organise the help and support that migrant mobile construction workers would need**. Interviewees highlighted that this lack of ability also results from a lack of personnel resources as the provision of legal advice or other types of help is normally reserved for trade union members while temporary mobile migrant workers are unlikely to join a trade union due to the temporary nature of their work in a receiving country.

To address this gap, the **ECMIN Plus Approach would extend and complement current offers of the EFBWW network of trade unions** by providing initial help in cases of inquiries and requests for help by workers in distress.

5.4 “Beyond Whistleblowing” approach

As shown in this report and many other research studies, there is a **significant gap between the claim of a social Europe and the reality in several parts of the labour market**. The EU’s various attempts to secure, as laid down in the Acquis, the claim of rights-based labour market mobility in a social Europe with various directives have had no or insufficient success.

This scenario and the related approach of moving forward would not only build on suggestions received in the context of interviews carried out in this study, but also more recent good promising practices that according to stakeholders involved have been quite effective. Such practices have been developed more recently in the context of **national approaches to fight social fraud, exploitation and work-related crime** in countries such as Austria, Belgium, the Netherlands or the Nordic countries.

In some countries public whistleblowing mechanisms have been established in line with the EU Directive (EU) 2019/1937 the protection of persons who report breaches of Union law (EU Whistleblowing Directive).

¹⁷ See an overview of Google analytics data in the annex.

As noted already in this report, the Swedish construction trade union in the region of Stockholm and Gotland (in collaboration with the respective employer organisation) in the context of the **Fair Play Bygg project** has established a communication or whistleblowing line where workers can report suspected social crime. After the tip-off has been received, the project takes action to obtain more information on the suspected crime by examining and evaluating the information received, if needed collecting additional information provided by other workers or through public available sources and then compiling the information and handing it over to the authorities for further investigation. According to the *Byggnads* trade union this approach has been very successful to carry out targeted inspections and investigations on social fraud and crime.

However, as shown in this report, **there is a need to go beyond whistleblowing** and the detection of social fraud or unlawful practices and actively provide support for mobile construction workers in distress and support them in enforcing their legitimate rights. And this is a challenging task because it must be built on trust and the willingness to cooperate and make evidence available. However, there have also been a number of **promising national cases** reported in the context of this study as the successful project of the **trade union contact** point at the Austrian – Slovenian border (see section 3.1).

Other projects that illustrate the potential and related **added value of solidarity across borders** have been the trade union collaboration projects with trade union organisations or other sectoral organisations in main sending countries as reported in France or Italy (Maghreb region) or Spain, referring to the REDER collaborative project of construction trade unions in eight European countries¹⁸ or the POST-MEET Project, a collaborative initiative of trade unions, paritarian institutions, public authorities and labour inspectorates designed to improve access to essential information on transnational posting in the construction sector.¹⁹

However, practices such as the establishing of whistleblowing-type alert mechanisms so far are limited to the provision of – normally anonymous – tips, focussing rather on targeting the reasons for

exploitation, fraud or other illegal practices than supporting its victims. Any approach of providing help to affected workers in distress, would require a personalised support mechanism.

18 In particular the REDER (French Acronym for *European Network For a Fair and Responsible Posting*) project, coordinated by construction trade unions and labour inspectorates in Belgium, Bulgaria, France, Italy, Poland, Portugal and Spain. See ELA 2021: Success Stories in preventing and combatting undeclared work. Platform Undeclared Work: Working Group on Success. European Labour Authority.

19 The project was completed in 2026. See: <https://aeip.net/4923-2/>.

6

Operational and Financial Feasibility

In this chapter, the two approaches of “ECMIN Plus” and “Beyond Whistleblowing” as described above will be discussed with view on operational and financial feasibility (sections 5.1 and 5.2).

In addition, section 5.3. gathers initial and very preliminary ideas on financial feasibility of implementing the “ECMIN Plus” approach.

6.1 Implementation and feasibility of the “Beyond Whistleblowing” approach

A “Beyond Whistleblowing” approach, combining an alert mechanism of highlighting unlawful practices, labour exploitation, and other issues that put mobile migrant construction workers in distress with elements of providing them with help and support would require a European mechanism covering all EU Member States that consists of the following elements and features:

- Establish a single **European 24/7 Helpline and Alert Mechanism** offering a free and confidential channel (by phone, text messenger, social media, etc.) for initial advice available in many languages, possibly also supported by direct automated translation services.
- Depending on specific requests and needs, **posted workers will receive a response within 24 hours** by a qualified advisor in his or her language, providing advice and support on the specific case.
- In case of **social fraud, abusive or illegal practices**, advisors may also alert responsible national or local authorities such as police, labour inspectorates, social security institutions, social services or welfare organisations.
- As an **Alert Mechanism**, the Helpline would also function as an intelligence tool on mobile migrant work trends, subcontracting and related issues in the construction sector. Therefore, a close collaboration with EU agencies and institutions, namely ELA should be organised.
- Against this and the close linkage to ELA and other EU institutions and agencies, the **provision of advice and counselling support services** via the helpline mechanism should **not be limited to the construction sector** but may cover other economic branches, particularly those with a high risk of fraudulent and exploitative practices.

This scenario would require additional resources and financing for both EU level coordination and implementation and, depending on concrete needs and demands, national level.

This will require resources by country and sector specific expertise as well as expertise in employment and social legislation. This again brings into question the potential allies and supporting partners. Here, trade unions involved in this study have highlighted national governments (namely those countries that have put the fight against social crime, fraud and labour exploitation on the policy agenda), labour inspectorates, joint construction sector funds at national and the European Labour Authority at the transnational level. In some countries, also employer organisations have been mentioned as a potential ally.

It should be noted that the ELA in 2024 launched a study of examining a “live helpdesk service to address labour mobility questions for individuals, employers, and social partners” (ELA 2024). Such a helpdesk should complement other ELA information webtools and information activities and is likely to cover also social security aspects.

The planned ELA helpline will not provide for the provision of help and support services by personalised counselling or advice service or the establishment of an alert mechanism / helpline. Therefore, the “Beyond Whistleblowing” approach might be considered as a complementary instrument of providing not only information but also support for workers in distress.

6.2 Implementation and feasibility of the “ECMIN Plus” approach

More than 80% of the respondents of the EFBWW survey of national affiliates and all interview partners involved in this study were strongly in favour of setting up a **mechanism such as a helpline or alert mechanism for mobile migrant workers in distress or need for help and advice**. This would reflect best the current needs not only of posted workers in the construction sector but also the specific needs of temporary mobile workers, including TCNs that are trapped in precarious working and living conditions; lose their job due to sickness or because of an accident.

The **needs of these target groups go well beyond the scope of information that is provided via the current “constructionworkers.eu” website** and would require more effort than sharing information

on applicable working conditions and providing contacts to the national construction trade union(s).

The current ECMIN project helps workers by providing one place for a comprehensive body of information on applicable workers' rights in the field of salaries, working time, holiday claims and in the field of health and safety at work. Building on this and addressing more specific needs for information and advice, the *ECMIN Plus* approach would include the move from informing about rights to **actively supporting posted workers in need due to criminal behaviour and/or denying them social rights and claims**.

Such an approach would complement the already existing activities of the experienced and well-known ECMIN activities of the EFBWW. It already consists of the largest network that informs mobile

construction workers about basic labour and social rights, covering more than 30 European countries and providing information in 40 languages. At the same time and due to the successful communication and promotion across different sending and receiving countries (see section 3.1) the website and platform has gained thousands of visits and social media followers.

The following table provides an overview of the ECMIN Plus approach, building on the already existing information hub www.constructionworkers.eu organised by the network of construction sector trade unions under the coordination of the EFBWW secretariat. Besides already existing features, the table also includes (highlighted in green) additional services of providing help and support that would complement the existing website and platform (see table 2).

KEY FEATURES OF THE “ECMIN PLUS” APPROACH		T2
Geographic and sectoral scope	EU27 plus non-EU Member States in Europe and TCN Construction sector	
Languages	40 Languages (current ECMIN coverage)	
Target Group(s) ECMIN project	Migrant and posted construction workers (including from third countries)	
Access and Interaction	www.constructionworkers.eu website, frequently updated; social media (Facebook); posters and flyers (EMIN Cards) in different languages	
Type of Services	Detailed information on applicable wage and working conditions such as wage and salary levels, allowances, premiums, working time, wage deductions, sickness/injuries Weblinks for further information	
Additional services under the ECMIN Plus Approach	Case management: 1) Initial contact of helpline by worker (phone or messenger, email, etc.) in own language 2) Helpline coordinates a rapid response by national trade union contact or other network member who will get in touch with the respective workers for a first exchange on the issue at stake / need for help /related issue(s) 3) Trade union advisor / counsellor will involve relevant colleague in the respective country to provide support / advice to the worker – depending on language capacities, this might be done in collaboration with trade union advisors in the home country of the respective worker. In case of following up the counselling 4) In case this is needed, there will be follow-up by involving legal or other experts; taking action in the sending or receiving country of posting (e.g. informing labour inspectorates, writing letters to companies, etc.)	
Governance	EFBWW secretariat and national affiliates	
Actors involved	EFBWW secretariat and affiliates plus advisors and counsellors from other trade union related help and support services	
Funding and resources	EU co-funding of Helpline coordination and necessary additional personnel resources provided by construction trade unions and additional counsellors	

Due to the increase in the number of needs for help and the expected trend of a growth in the number of posted workers in the construction sector, **such an approach also would require an increase of capacities and resources** at European and national level.

However, **advice and support require a special relationship based on trust**. Governmental institutions cannot guarantee this, as the workers concerned are in a particularly vulnerable situation and are afraid of sanctions or – in the case of third-country nationals – the loss of their residence permit. Therefore, **such a helpline and support mechanism should be coordinated by the EFBWW**. This would guarantee not only an efficient and needs-based effective implementation but also – as it will be linked to already existing experiences and existing practices – to resource efficiency.

As stressed in previous statements of the ETUC or the trade union coordinated *European Support Network for fair mobility* (DGB 2025), due to their specific knowledge and competencies at the level or workplaces and workspaces, trade unions should play a strong role in support and advice structures for mobile migrant workers. However, with reference to the PWD enforcement obligations, **this role cannot be done solely by trade unions, NGOs and civil society groups but needs continuous support**, including financing from public institutions at European and national level.

Against this, there should be a **close collaboration with the ELA**. As a public institution the ELA has a different role than the advisory centres but could be involved in a supportive capacity, e.g. by providing translation and interpreting services or,

in individual cases, by helping to clarify complex issues. The same approach applies at national level, where enforcement, financial and control authorities, in particular, can benefit from the expertise and experience of the advisory centres.

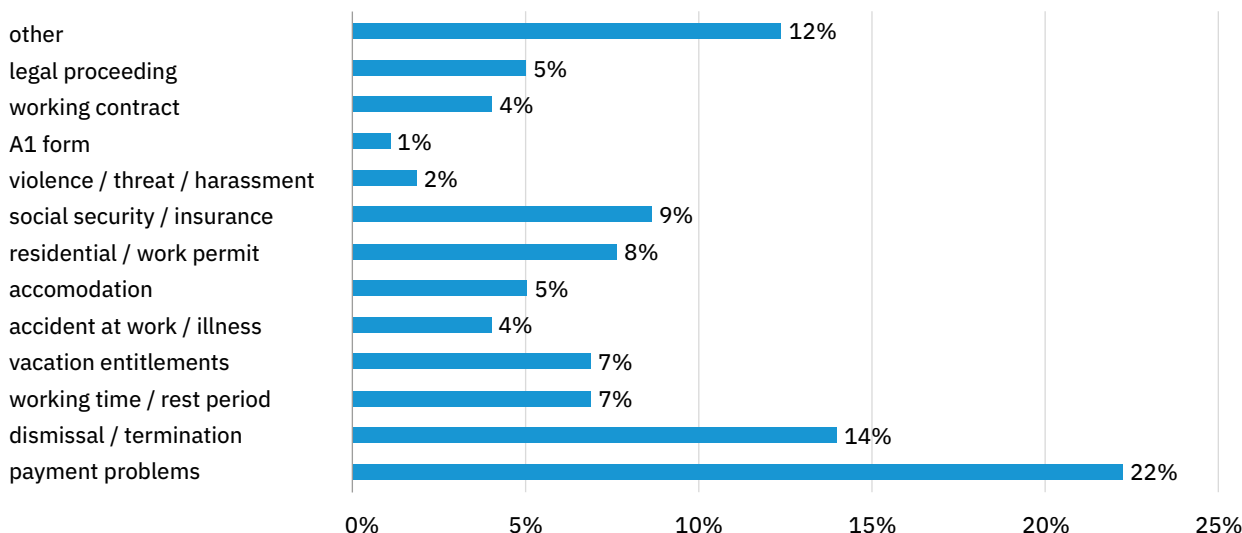
In this context, the documentation of advisory work of other **European counselling and support projects such as the FELM (Fair European Labour Mobility)**, coordinated by the German DGB trade union confederation in collaboration with trade unions in Austria, Poland, Slovenia, Romania and Hungary provide some valuable information on quantitative and qualitative efforts and required resources. The project was implemented from 2022, and qualitative data have been documented in a report that covers advice services from July 2022 to the end of December 2023 (FELM and DGB Bildungswerk 2025).

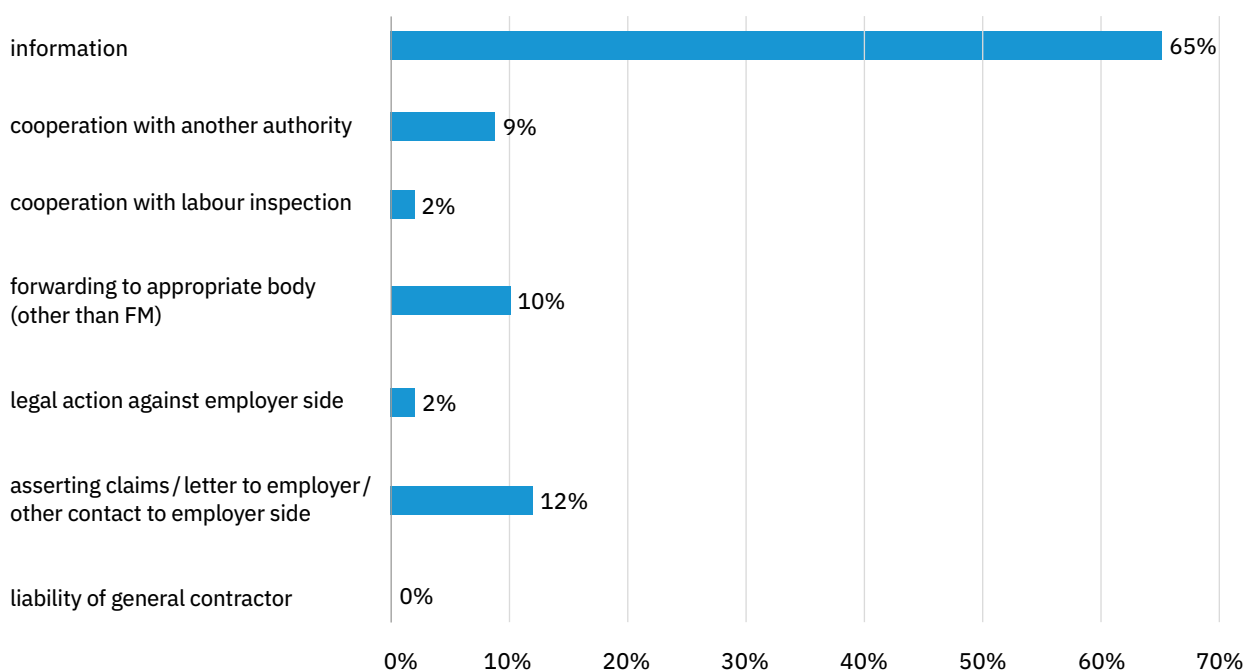
In the period of the project, **the project supported 1,266 workers in 1,024 cases with information on legislation and procedures, contacts and supported problem-solving solutions**. The construction sector by far was the most important sector of advisory services carried out by the project, followed by transport (30%). According to the FELM coordinator this underlines the fact that in these sectors often groups of workers are collectively affected by fraudulent employers, leading them to seek advice as a collective group.

As regards the scope and forms of advice, in most of the cases, the advisors did not only provide general information on posting or mobile work, but they counselled on certain problems (see figure 1). As the cases are often complex, detailed advice and sup-

FELM: QUALITATIVE ASPECTS OF ADVICE AND SUPPORT SERVICES – THEMATIC SCOPE OF ADVICE SERVICES

F1





Source: Fair Mobility / DGB Bildungswerk: Quantitative evaluation of counselling of the project “Fair European Labour Mobility – FELM” implemented (07/22–12/23).

port is necessary, including for example checking the documents (employment contracts, payslips, working time records, applicable collective agreements, etc.) and, if necessary, contacting the authorities (e.g. in the event of an accident at the workplace or writing letters to employers or general contractors. As the figure also shows, among the cases handled, a high number (22%) revolved around issues related to payments such as incorrect wage reductions, missing payments, or improper overtime compensation.

According to the FELM coordinator, fraudulent employers often use tactics such as establishing letterbox companies or misusing bankruptcy procedures to avoid their obligations towards wages and social security contributions. Several cases also dealt with incorrect dismissals, problems related to social security and insurance, accommodation issues and work permit, vacation (such as cheating of payments for paid leave) and with working time and rest periods.

The advice services in most of the cases took the form of providing oral information to the worker (see figure 2), accompanied by counselling and advice. Cooperation with other institutions has proven to be valuable for solving cases. This could take the form of forwarding the case to another help and support body or cooperation with other actors and authorities (e.g. paritarian institutions, labour inspectorates).

6.3 Financing of the “ECMIN Plus” approach

Under the “ECMIN Plus” approach, the activities of the existing EFBWW coordinated network of information provision should be complemented by an EU-dedicated network of advisory hubs to provide construction workers employed temporarily in another Member State with advice on employment and social legal issues and support them claiming their rights.

Based on interviews carried out in this study as well as evidence gathered on required resources for advisory and counselling support services in European projects such as the European Fair Labour Mobility (FELM) project or the trade union coordinated Fair Mobility Project of the German Confederation of Trade Unions, Fair Mobility, a first and very cautious estimation of costs and financial feasibility was carried out in the context of this study that is displayed in the table below (see table 3).

It should be noted that the cost estimation assumes significant co-financing by already existing counselling activities of national trade unions. Therefore, **a more accurate and realistic estimation of financial requirements needs to be determined by further investigations and calculations.**

Basic assumptions Helpline complements already existing activities of the EFBWW coordinated network in the construction sector by additional services
For the 1st year, about 500 counselling cases of different scales (< 1h; 1–3h; > 3h) are assumed. It is also assumed that the number of cases will increase after year 1.

Technical implementation of the helpline	Including running costs	10,000 €
Rent office space		12,000 €
Helpline personnel	1 FTE x 125,000 EUR	125,000 €
Administration and support (including reporting and annual documentation)	1 FTW x 70,000 EUR plus 3,000 EUR for annual reporting	73,000 €
Promotion, campaigns and PR		20,000 €
Counselling services year 1	1,500 hours of counselling x 50 EUR advisor fee	75,000 €
Translation and interpreting costs		30,000 €
Advisor trainings, annual meeting of the network	50 national counsellors and advisors	30,000 €
Sub-total		375,000 €
Indirect costs	7% of total costs	26,250 €
Total costs		401,250 €

Conclusion

Towards a European
Trade Union Coordinated
Support Mechanism
for Mobile Construction
Workers

Cross-border worker mobility in the EU is steadily on the rise, driven by labour shortage because of demographic change, cost-driven business models and internationalisation of subcontracting chains in the construction sector. A significant increase in the mobility of third-country construction workers is a major trend that is likely to continue in the coming years.

While European information and support services have been developed for companies operating across borders, hardly any corresponding contributions exist for migrant mobile workers. This situation urgently needs to change because for mobile migrant workers, particularly those who only work temporarily in another EU state, the situation is often precarious and shaped by extreme labour exploitation, highly precarious working conditions, often neglecting even basic safety and health standards. Due to a lack of understanding the local language and the applicable labour laws, they find it challenging to assert, let alone enforce, their rights.

Trade unions have reacted to the new challenge of highly precarious employment relationships of mobile migrant labour, arisen as a result of and/or the compliance with the principle of equal treatment, with various initiatives, national and transnational projects and activities to better protect workers from exploitation, often together with social and welfare associations and NGOs or in transnational cooperation.

As shown in this report, the construction sector trade unions at national level as well as on a transnational scale have been particularly active in providing information to posted construction workers in distress and need. However, as this report also shows, much more is needed not only in the field of securing fair working conditions but also health and safety issues and social security.

Experience shows that 'one size fits all' does not exist, but in particular **activities that go beyond the provision of information**, such as easily accessible advice and support, relying on trade unions as experts in the world of work and in the languages of origin, are crucial for the enforcement of workers' rights. Furthermore, support and advice services need to go beyond borders of the respective member state.

These tasks cannot be solved by the European Labour Authority. The ELA, established two years ago, has shown that it can improve the flow of basic information between EU-countries for mobile migrant labour. However, the ELA is not an alterna-

tive to counselling and support networks for mobile migrant labour in the EU states. It remains to be seen whether transnational controls can be expanded and will have the potential to substantially curb the abuse of mobile migrant labour.

Such support is needed on a permanent basis as the current landscape of temporary EU co-funded projects absorb a lot of administrative resources that could be used better and more efficient.

Key features of such a European coordinated mechanism should be,

- **Strong sector-specific focus:** Focus on the construction sector due to its classification as the largest high-risk sector and the specific challenges.
- **Trust-based and worker-oriented:** The support mechanism should be independent from governmental institutions and should be implemented by workers organisations themselves.
- **European coordination:** Based on a comprehensive and experienced network of national level construction workers unions, the mechanism should be coordinated and managed by the EFBWW.
- **Advice and support** should be available to all workers and migrant workers employed in another EU Member State for a limited period. Specifically, it should target migrant and posted workers (also from third countries).
- As companies operate across Europe and people are working across borders, **counselling structures also need to be transnational**. For posted workers, for example, the legal and factual situation in their host and home country must be clarified and the relevant organisations in both countries must be contacted.
- The EU-wide coordination body would also ensure **close cooperation with the European Labour Authority (ELA)**.
- **Sustainable and continuous funding:** It is not possible to finance the counselling structures via trade union efforts and resources only. Advice for cross-border mobile workers is a task for society as a whole and it therefore needs to be financed from public funds. As it also contributes to fair competitive conditions in the design of the EU internal market, it should be financed from the EU budget.

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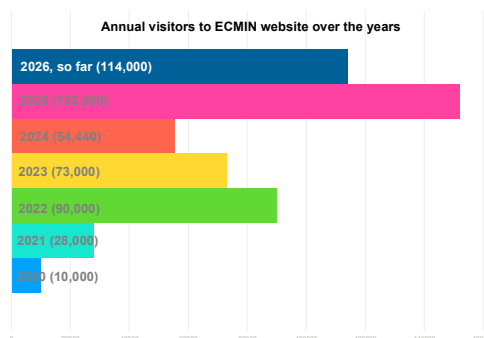
INTERVIEWS

	ORGANISATION	COUNTRY	DATE
1	Gewerkschaft Bau-Holz	Austria	28.10.25
2	FCIW-Podkrepa	Bulgaria	04.12.25
3	Fo Construction	France	06.11.25
4	Filca Cisl	Italy	12.11.25
5	Latvian Building sector trade union	Latvia	04.12.25
6	ACCG FGTB/ ABVV	Belgium	21.10.25
7	FNV	Netherlands	06.11.25
8	CCOO del Hábitat	Spain	29.10.25
9	SGH	Croatia	03.11.25
10	Byggnadsarbetareförbundet (Byggnads)	Sweden	20.10.25

Website analytics

Updated analysis

- Numbers for the year so far are very positive, peaks are clearly linked to adverts
- In this time period, most users have visited from China, Türkiye, Greece, Romania and Belgium
- English remains the most popular language to access the website
- Chinese is the second most-common language of website users, followed by Turkish in third
- Next most common are Greek, Romanian, Arabic, Spanish, Portuguese, Finnish and French



Website analytics

Popular pages

(1 January 2025 – 28 February 2026)

- Of the top 100 pages that people spent the most time on, I picked out ten most popular:

#1 Slovenian-language page for salary information in Belgium (334 views, average engagement time 1m 24s)

#2 Italian-language page for salary information in Austria (179 views, average engagement time 1m 35s)

#3 Slovenian-language page for salary information in Italy (135 views, average engagement time 1m 24s)

#4 Greek-language page for salary information in The Netherlands (95 views, average engagement time 1m 25s)

#5 Polish-language page for salary information in France (55 views, average engagement time 1m 27s)

#6 Estonian-language page for salary information in Germany (45 views, average engagement time 1m 21s)

#7 Albanian-language page for salary information in The Netherlands (34 views, average engagement time 1m 38s)

#8 Estonian-language page for salary information in Albania (29 views, average engagement time 1m 23s)

#8 Romanian-language page for salary information in Cyprus (29 views, average engagement time 1m 39s)

#10 Swedish-language page for salary information in Poland (28 views, average engagement time 3m 09s)

Website analytics

How users access the website

(1 January 2025 – 28 February 2026)

- Over half of users access the website via Google Search directly, having first searched for information about salaries and conditions in their host or prospective host country
- One-sixth of users access the website “cross-network”, meaning via ads that appear on a variety of networks (e.g. YouTube, Gmail)
 - Despite ads increasing visibility and visitors, SEO is clearly strong as many people find the website when looking for related search terms – in previous analysis, one third of users arrived via cross-network
- Users remain mostly interested in basic salary information about popular host countries

Advertising

Google Ads

- Ran ads this year in six different time periods
 - 18-28 April 2025
 - 12-26 May 2025
 - 2-20 June 2025
 - 9-23 September 2025
 - 6-12 October 2025
 - 12 January-28 February 2026
- Aim was to run them during work periods, avoiding holidays
- Performance Max Campaign presented images and videos across all of Google's advertising channels: Search, Shopping, YouTube, Display, Discover, Gmail, and Maps



Search

Display

YouTube

Discover

Gmail

Advertising

Billboard Ads

- In September 2025, three different billboards went up in Brussels, chosen as a Belgium was a popular country
- Located near Yser metro station, where there were a lot of construction works ongoing
- Contained web domain and QR code for people to scan



