



AD HOC QUERY ON 2020.26 Seasonal Workers during the Covid-19 pandemic crisis

Requested by Adolfo SOMMARRIBAS on 9 May 2020

Compilation produced on 30 July 2020

Responses from Belgium, Bulgaria, Croatia, Cyprus, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden plus Norway (21 in Total)

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1. Background information

Due to the Covid-19 pandemic crisis Member States have enforced a lockdown in their countries which included closed borders and quarantine rules. The European Union has also closed the external borders of the European Union to third-country nationals. These actions are greatly affecting the agricultural sector as third-country national seasonal workers cannot enter the European Union in order to do the harvests.

In order to see the impact of these decisions the EMN and the European Commission will like to ask the following questions:

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2. Questions

1. Is your Member State confronted with this problem?

Available choices: Yes, No, Not Applicable

2. If your answer to question 1 was YES, has your Member State foreseen a contingency plan or measures (i.e. admitting TCN seasonal workers under certain sanitary conditions and restricted rules of admission and stay, mobilising other workers, granting temporary authorisations to work to asylum seekers,...) in order to resolve the lack of work force to do the harvests in your Member State?

Available choices: Yes, No, Not Applicable

3. If your answer to question 2 was YES, can you please describe the contingency plan of your Member State?

4. If your answer to question 2 was NO, is your Member State discussing adjusting policy or administrative practice to address this problem?

We would very much appreciate your responses by **3 July 2020**.

3. Responses

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		Wider Dissemination ²	
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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."



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	<p>EMN NCP Belgium</p>	<p>Yes</p>	<p>1. Yes</p> <p>2. Yes</p> <p>3. To respond to the lack of seasonal workers in the agricultural and horticultural sectors, the federal agency for the reception of asylum-seekers Fedasil and the regional employment agencies VDAB (in Flanders) and Forem (in Wallonia) set up a programme to guide asylum-seekers to seasonal work. In the context of this programme, asylum-seekers are informed about the possibilities to engage in seasonal work within the reception centres.</p> <p>As a rule, asylum-seekers are only allowed to work from 4 months after the introduction of their application for international protection, provided they possess a certificate of registration and have not yet received a decision at first instance by the Office of the Commissioner General for Refugees and Stateless Persons (CGRS).</p> <p>On 11 April 2020, however, the government decided that asylum-seekers would be allowed to work from the moment their file has been transferred from the Immigration Office to the CGRS until the moment they receive a decision at second instance (i.e., even during the first 4 months of their procedure and/or at the appeal stage), on condition that they had filed their application for international protection by 18 March 2020 and that their employer provided them with a place to stay. The rule entered into force on 1 April 2020 and lasts until 30 June 2020 (Special powers decree n° 14 of 27 April 2020, available in French at http://www.ejustice.just.fgov.be/eli/arrete/2020/04/27/2020030838/justel).</p> <p>At the same time, students were able to engage in seasonal or other remunerated activities for a longer period of time, as their working hours between April and June 2020 would not be taken into account for the calculation of the yearly maximum of 475 working hours.</p> <p>Furthermore, temporarily unemployed persons (both Belgian citizens and foreign nationals) were allowed to work in the agricultural and horticultural sectors in a more flexible way, receiving a salary for their work while maintaining 75% of their unemployment benefits. The rule entered into force on 1 April 2020 and lasts until 31 May 2020 (Royal Decree of 23 April 2020, available in French at http://reflex.raadvst-consetat.be/reflex/pdf/Mbbs/2020/04/30/143967.pdf).</p> <p>Finally, standard measures for seasonal work were relaxed so that seasonal workers were allowed to work for longer periods of time: most importantly, the maximum number of working days in the agricultural sector and horticultural sector was doubled, while in fruticulture enterprises were allowed to double the working days of a third of the seasonal workers employed. These rules entered into force on 1</p>
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			<p>April 2020 and last until 31 December 2020 (Royal Decree n° 5 of 9 April 2020, available in French at http://www.ejustice.just.fgov.be/eli/arrete/2020/04/09/202001918/justel).</p> <p>4. N/A.</p>
	EMN NCP Bulgaria	Yes	<p>1. No For Bulgaria this problem is not relevant. The number of TCN occupied in agricultural sector as seasonal workers is very low. The most impacted sector is tourism as there is the predominant number of seasonal workers hired.</p> <p>2. Not Applicable</p> <p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Croatia	Yes	<p>1. No</p> <p>2. Not Applicable</p> <p>3. N/A</p> <p>4. N/A</p>


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	EMN NCP Cyprus	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3. Contingency plan includes two measures: i) all residence permits of seasonal workers already granted, have been extended for a period of three (3) months. ii) asylum seekers may be granted temporary authorization to work as seasonal workers in the agricultural sector</p> <p>4. N/A</p>
	EMN NCP France	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3.</p> <p>on 24 March 2020, the French Minister of Agriculture asked to workers who cannot work because of the Covid 19 lockdown (because of the closure of restaurants or shops, partial unemployment, etc.) to go to work in the agriculture sector. There is an estimated lack of 200,000 people in the next three months in this area because of the lack of European and third country seasonal workers blocked by the Covid 19 epidemic.</p> <p>The main trade union for the agriculture sector (FNSEA - Fédération nationale des syndicats d'exploitants agricoles) has also been discussing with the Government specific measures related to work conditions during this period.</p> <p>A dedicated web site has been created (des bras pour nos assiettes : https://desbraspourtonassiette.wizi.farm/)</p> <p>This platform Wizifarm puts for free the farmers' needs through the potential workers. Wizifarm explains that 'When an employee uploads the job position, the platform sends to them some profiles already selected through criteria of competencies, availabilities, localisation,</p>


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			<p>qualifications and interest'. Employers can then contact workers directly through an intern mailbox.</p> <p>Other sites related to agriculture sector also provide for free all job advertisements related to this area.</p> <p>According to the Minister of Agriculture during a press conference on 23 April, this dedicated platform will continue after the end of the lockdown on 11 May. The Minister mentioned that 'More than 300,000 French persons have already registered on this platform https://mission.wizi created to find a solution to the lack of workers because of the pandemic. He also indicated that at this date of 23 April, 15,000 out of 300,000 persons registered already got to work for nearly 5,000 farms. He also mentioned that all farms do not need workers at the same time.</p> <p>Other local initiatives can also be reported: for example in the Seine et Marne department (Paris region), thanks to a call to refugees launched by the Prefect in cooperation with the reception centers for refugees, more than 50 refugees accepted to work in local agriculture companies.</p> <p>4. N/A</p>
	EMN NCP Germany	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3. Entry of a limited number of seasonal workers from abroad under strict conditions (taking into account the recommendations of the Robert Koch Institute to minimize the risk of infection) only by air (7 German airports). One goal is to also find domestic workers for the upcoming work, e.g. Short-time workers, unemployed people, students. Many asylum seekers can already work under current law.</p>



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			<p>More detailed information on virus-related measures is available on the website of our Ministry of the Interior:</p> <p>https://www.bmi.bund.de/EN/topics/civil-protection/coronavirus/bmi-infor...</p> <p>4. n/a</p>
	EMN NCP Greece	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3. a) Short term residence permits (validity of less than 5 years): under regular circumstances, they are renewed in line with the provisions of Immigration law. Due to closure of Immigration services to the public from 12.03.2020 until 15.05.2020 included, the validity of residence permits (LTR or STR) which expired after 1 December 2019 or shall expire until 30 June 2020 is extended until 31 December 2020, by Decision of the Minister of Migration & Asylum. Similarly, the validity of "certificates of application for residence permit" (i.e. certificates granted upon submission of the application for a residence permit, provided that all supporting documents are complete and certifying temporary legal residence in Greece, 1 year max, until issuance of the permit) which shall expire until 30 June 2020, are extended until 31 December 2020.</p> <p>b) National entry visas, which have been issued for work (including seasonal workers) or other reason and have expired or shall expire by 31 August 2020, are extended until 30 September 2020.</p> <p>c) Special measures were adopted on 13 April 2020 to address urgent seasonal labour shortages in agriculture through labour force already in the country: a) automatic extension for a period of 6 months of the validity of work permits already granted in accordance with Article 13A of Immigration Law (L.4251/2014), i.e. work permits granted on an exceptional basis to third-country nationals who do not hold a residence permit, for their</p>


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			<p>exclusive employment in agriculture, in order to cover urgent needs that cannot be covered otherwise due to force majeure and to inability to conclude timely legal agreements to address the needs of the exploitation. b) exceptional fast-track procedure in force until 30 June 2020 for hiring third country nationals who already live in the country and do not hold a residence permit, for their employment exclusively in agriculture, under conditions and in order to cover urgent needs that cannot be covered otherwise due to force majeure and to inability to conclude timely legal agreements to address the needs of the exploitation.</p> <p>d) A special provision has been adopted on 1 May 2020 to address urgent seasonal needs in agriculture: Employers wishing to hire a TCN who is exempted from entry visa requirement, may, by derogation of the legislation in force, lodge an application with the competent Immigration Service, by 30 June 2020, to “invite” the TCN to enter Greece for reasons of employment in seasonal rural work. The application states the personal identity details and the citizenship of the TCN and shall be sent by courier service or by electronic mail, accompanied by the required supporting documents. TCNs who, without prejudice to public order and security, will be allowed to enter the country under this fast-track procedure, shall have the right to work as seasonal workers, for as long as they are allowed to reside in the country without visa requirement. The details of the procedure that will be followed for the necessary health checks are currently being determined by the competent authorities.</p> <p>4.</p>
	EMN NCP Hungary	No	
	EMN NCP Ireland	Yes	<p>1. No No, as Ireland does not have a seasonal employment permit to admit TCNs on a seasonal basis.</p> <p>2. No</p>

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			<p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Italy	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3. The Italian Government is currently working on a National Action Plan to address the lack of labour force in the agricultural sector. The Action Plan is expected to have three pillars:</p> <ol style="list-style-type: none"> 1. implementation of the measures of the Three-Year Plan for the prevention and fight against illegal recruitment and exploitation of workers (the so-called “caporalato”) with an urgent mapping of agricultural labour needs and the use of the projects already financed by both the Ministries of Labour and the Interior; 2. acceleration of the platform for matching supply and demand; 3. adoption of the "Decree flows 2020", whose text can guarantee the conversion of existing seasonal contracts and the use of the 18 thousand quotas of seasonal entries reserved for both agriculture and tourism. <p>To support businesses and help workers, including those in the fishing industry, through Decree-Law n. 18 of 17 March 2020, the Government has envisaged the possibility for Regions to grant derogating wage subsidies for the duration of the suspension of the employment relationship. It has further worked for an allowance in favour of professional farmers, agricultural entrepreneurs and for fixed-term agricultural workers.</p> <p>Moreover, to facilitate the employment of those who are already working, the law converting Decree-Law n.18 of 17 March 2020 has extended the validity of residence permits for seasonal work until 31 December 2020. Additionally, to make it easier for companies that employ occasional labour, it has guaranteed that the relatives of the entrepreneur can operate in the countryside. The medical examination for seasonal workers will have a duration of one year, thus simplifying the bureaucratic burdens for both for workers and businesses.</p> <p>On May 19, 2020, the Italian Government adopted Decree-Law n. 34, titled "Urgent measures in the area</p>

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			<p>of health, support to work and the economy, as well as social policies related to the epidemiological emergency from COVID-19".</p> <p>It contains several novelties with respect to seasonal workers.</p> <p>More specifically, to ensure adequate health protection and to encourage the emergence of irregular employment relationships, article 103, paragraph 1, of the above-mentioned decree enables Italian employers or nationals of a EU Member State, or foreign employers in possession of the residence permit – as envisaged in Article 9 of Legislative Decree No 286 of 25 July 1998 (i.e. long-term resident's EU residence permit), et seq. amendments – to apply for an employment contract with foreign citizens present on the national territory or to declare the existence of an irregular employment relationship still ongoing with Italian citizens or foreign nationals.</p> <p>To this purpose, foreign citizens must have been registered (i.e. "subjected to photodactyloscopy") before March 8, 2020 or they must have stayed in Italy before that date by virtue of the declaration of presence, in accordance with Law no. 68 of May 28, 2007, or by certificates containing a certain date from public bodies. In both cases, foreign citizens must not have left the national territory after March 8, 2020.</p> <p>Article 103, paragraph 2, enables foreign citizens, with a residence permit expired as of October 31, 2019, not renewed or converted into another residence permit, to apply for a temporary residence permit, valid only in the national territory, for a duration of six months from the submission of the application.</p> <p>To this purpose, these citizens must have been present on the national territory on 8 March 2020, without having left the same date. They must have performed working activities in the areas referred to in paragraph 3 before 31 October 2019. If at the end of the duration of the temporary permit, the citizen produces a subordinate employment contract or the salary and social security documentation proving the performance of the work activity, the permit is converted into a work residence permit.</p> <p>Article 103, paragraph 3, lays down the areas concerned by both procedures provided for by paragraph 1 and 2:</p> <ol style="list-style-type: none"> 1. agriculture, livestock and animal husbandry, fisheries and aquaculture and related activities; 2. assistance to the person or for members of the family, even if they do not live together, suffering from pathologies or handicaps that limit their self-sufficiency; 3. domestic work to support family needs. <p>As stated in article 103, paragraph 4, the duration of the employment contract and the agreed remuneration shall not be less than the one provided for in the collective labour agreement at national level. If the employment relationship terminates, even in the case of a seasonal contract, the provisions of article 22, paragraph 11, of legislative decree no. 286 of 25 July 1998, shall apply to carry out further working activities^[1].</p> <p>In line with article 103, paragraph 5, the application referred to in paragraphs 1 and 2 shall be filed from 1 June</p>
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			<p>until 15 July 2020, with the modalities established by decree of the Minister of the interior in agreement with the Minister for Economic Affairs and Finance, the Minister for Labour and Social Policy, and the Minister for Agricultural, Food and Forestry Policy at:</p> <ol style="list-style-type: none"> 1. the National Social Security Institute (INPS) for Italian workers or nationals of a EU Member State; 2. Immigration Offices (i.e. Sportello Unico per l'Immigrazione) for foreign workers, as referred to in paragraph 1; 3. the police headquarters (i.e. Questura) for issuing residence permits, as referred to in paragraph 2; <p>Article 103, paragraph 7, provides a description of the costs of the above-mentioned procedures. Indeed, the applications are submitted upon payment of a flat-rate contribution set at € 500 for each worker; for the procedure mentioned in paragraph 2, the contribution shall be equal to €130. It is also envisaged a payment of a lump-sum contribution for the sums due from the employer for remuneration, contributions and tax purposes, as established by decree of the Minister for Labour and Social Policy in agreement with the Minister for the Economy and Finance, the Minister for the Interior and the Minister for Agricultural and Forestry Policy. The same decree also establishes the limits of the employer's income required to sign the employment contract, the appropriate documentation to prove the work activity referred to as well as the detailed procedures to apply. Pending the completion of the procedures referred to in paragraphs 1 and 2, the submission of the applications allows the work activity to be carried out; in the hypothesis referred to in paragraph 1 the foreigner worker carries out the work exclusively in the employ of the employer that has applied.</p> <p>Article 103, paragraph 8, describes the cause of inadmissibility of the claims mentioned in paragraphs 1 and 2, limited to cases of conversion of the permit of stay in employment. In this regard, it constitutes a cause of inadmissibility the conviction of the employer in the last five years, even with non-final judgment, for:</p> <ol style="list-style-type: none"> 1. aiding and abetting illegal immigration to Italy and of illegal immigration from Italy to other States or for offences aimed at the recruitment of persons to prostitution or exploitation of prostitution or minors to be exploited in illicit activities, as well as for the offense of which to Article 600 of the Criminal Code; 2. illegal intermediation and exploitation of labour in accordance with Article 603-bis of the Criminal Code; 3. offences provided for by article 22, paragraph 12^[2], of Legislative Decree No 286 of 25 July 1998, and subsequent amendments thereto modifications. <p>Similarly, article 103, paragraph 10, lists the foreign nationals who shall not be admitted to the procedures provided for in paragraphs 1 and 2. They are:</p>
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			<ol style="list-style-type: none"> 1. foreign nationals in respect of whom an expulsion order has been issued pursuant to Article 13, paragraphs 1 and 2, letter c), of Legislative Decree No 286 of 25 July 1998, and Article 3 of Decree-Law No 144 of 27 July 2005, converted, with amendments, by Law No 155 of 31 July 2005, and subsequent amendments. 2. foreign nationals who are reported, also on the basis of international agreements or conventions in force for Italy, for the purposes of non-admission in the territory of the State; 3. foreign nationals who have been convicted, even with a non-final sentence, for one of the crimes provided for in Article 380 of the Code of Criminal Procedure or for crimes against personal liberty or for drug offences, aiding and abetting illegal immigration to Italy and illegal emigration from Italy to other States or for crimes aimed at recruiting persons for prostitution or exploitation of prostitution or minors to be employed in illegal activities; 4. foreign nationals who are considered a threat to the order public or the security of the State or of one of the countries with which Italy has signed agreements for the abolition of internal border controls and the free movement of persons. In assessing the dangerousness of the foreigner, account is also taken of any convictions, even with non-final sentences, for one of the offences provided for in Article 381 of the Code of Criminal Procedure. <p>Finally, article 103, paragraph 11, states that from the entry into force of the decree until the conclusion of the proceedings, criminal and administrative proceedings against the employer and employee shall be suspended, respectively:</p> <ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> a. for the employment of workers for whom the application has been made declaration of emersion, even if of a financial nature, tax, social security or welfare; b. for illegal entry and stay in the national territory, with the exclusion of the offences referred to in Article 12 of the Decree Legislative Decree No 286 of 25 July 1998, as amended. <p>During the settlement of regularization proceedings, the foreigner may not be expelled except for serious reasons (article 103, paragraph 17).</p> <p>[1] Article 22, paragraph 11, of legislative decree no. 286 of 25 July 1998 states that the loss of employment does not constitute a ground for revoking the residence permit of the non-EU worker and his legally resident family members. Moreover, a foreign worker in possession of a residence permit for subordinate work, who loses his job also due to resignation, can be registered in the employment lists for the period of residual validity of the residence permit, and in any case, except for a residence permit for seasonal work, for a period of not less than one year or for the entire duration of the income support benefit received by the foreign worker, whichever is longer.</p>
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			<p>[2] Employers who employ foreign workers who do not have the residence permit provided for in this article, or whose permit has expired and whose renewal, revocation or cancellation has not been requested, within the terms of the law, is punished with imprisonment from six months to three years and a fine of 5000 euros for each worker employed.</p> <p>4. N/A</p>
	EMN NCP Latvia	Yes	<p>1. No YES (because practical entry of seasonal workers cannot be organized) and NO because number of seasonal workers admitted in Latvia is very moderate (under 200 persons per year). Latvia has not interrupted approval of invitations submitted by employers but embassies do not issue any visas at least until 12th May 2020, so the possibility to enter Latvia during this period is quite low. Rising unemployment rate due to the COVID related dismissals increases availability of local labour force as well.</p> <p>2. Not Applicable</p> <p>3. N/A</p> <p>4. No</p>
	EMN NCP Lithuania	Yes	<p>1. No</p> <p>2. Not Applicable</p> <p>3. It was not reported as an issue as of now. According to media reports agriculture sector representatives are hoping that Lithuanians who have returned from emigration or lost their jobs due</p>



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			<p>to pandemic might balance the possible shortage of seasonal workers.</p> <p>4. N/a</p>
	EMN NCP Luxembourg	Yes	<p>1. No</p> <p>2. Not Applicable</p> <p>3. N/A.</p> <p>4. No. At the moment there are no discussions on this subject.</p>
	EMN NCP Netherlands	Yes	<p>1. No</p> <p>2. Not Applicable</p> <p>3. Not Applicable</p> <p>4. No, the Netherlands is not considering adjusting policy procedures because as of 2011, hardly any residence permits or work permits for the purpose of seasonal work have been issued to TCN in the Netherlands. The main reason for this is that there is enough labour supply from Dutch and other EU citizens to do this work. Source (in Dutch): https://zoek.officielebekendmakingen.nl/kst-34590-3.html</p>



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	EMN NCP Poland	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3. Current regulations allow the entry of foreigners working in Poland, both in relation to EU citizens and third countries nationals, including seasonal work. As a rule, all persons coming to Poland have to be placed in a mandatory 14-day home quarantine. However, pursuant to the regulation of the Council of Ministers of April 19 this year, this obligation does not apply when crossing the border of the Republic of Poland for the purpose of work on a farm, which is located on both sides of the border of the Republic of Poland. More detailed information can be found on the Board Guard website: https://www.strazgraniczna.pl/pl/aktualnosci/8304,Koronawirus-informacje...</p> <p style="text-align: right;">In Poland,</p> <p>seasonal workers are mainly from third countries, not from other Member States. Thus, due to the introduction of restrictions on crossing the border, the validity of all documents enabling residence and work in Poland, including seasonal work, has been extended for the period of epidemic/epidemic emergency - plus 30 days after its abolition.</p> <p>Polish Government has developed a proposal to allow seasonal work without the need to have a new work permit for foreigners who, after the announcement of the state of emergency epidemic (March 13 this year) had a valid work permit or a declaration on entrusting work to a foreigner, regardless of which industry it concerned. In this way, farmers will be able to employ foreigners who are already in Poland and, for example, have lost their job or have a reduced employment dimension and are looking for additional employment. This change is currently being proceeded in the Parliament.</p> <p>4. N/A.</p>
	EMN NCP Portugal	Yes	<p>1. No</p> <p>So far, this issue has not been flagged as problematic. However, it is mainly from May onwards that such a need occurs, so this situation may change.</p>


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			<p>2. Not Applicable</p> <p>3.</p> <p>4. Measures were taken in several areas, including agriculture, to swiftly regularize immigrant workers. Another set of measures is being studied to allow unemployed people to work in agriculture.</p>
	EMN NCP Slovakia	Yes	<p>1. Not Applicable No such information available at this stage.</p> <p>2. No Slovak Republic does not have any special scheme or conditions for seasonal workers during the crisis situation in relation to the Covid-19 pandemic.</p> <p>3. N/A</p> <p>4. N/A</p>
	EMN NCP Slovenia	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3. Temporary Measures Act Relating to Judicial, Administrative and Other Public Legal Matters for the Control of the Spread of Infectious Disease SARS-CoV-2 (COVID-19) (Official Gazette RS, No. 36/20) extends the validity of the single residence and work permits for seasonal work longer than 90 days (as well as all other</p>


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			<p>residence permits) issued to third-country nationals and residence registration certificates issued to citizens of EEA member states who perform seasonal work in the Republic of Slovenia (as well as all other residence registration certificates issued to citizens of EEA member states), which expire during the validity of the said Act, for a further period of 8 days after the termination of measures under the said Act (until 9 July 2020 at the latest). Residence permits and residence registration certificates for citizens of EEA member states will only cease to be valid before this date if the Government of the Republic of Slovenia finds that the reasons behind the measures referred to in the Act have ceased to exist and publishes a decision to this effect in the Official Gazette of the Republic of Slovenia. In this case, (temporary) residence permits and residence registration certificates for citizens of EEA member states will cease to be valid on the eight-day following the termination of measures under the Act.</p> <p>The Intervention Measures Act to Suppress the COVID-19 Epidemic and Mitigate Its Implications for Citizens and the Economy (Official Gazette RS, No. 49/20) enables persons whose employer has ordered them to wait at home, to perform temporary and occasional work in agriculture on the basis of civil law contracts and with the consent of the employer.</p> <p>4. N/a</p>
	EMN NCP Spain	Yes	<p>1. Yes</p> <p>Due to different measures adopted by other countries or by Spain, the agricultural sector is being affected. For example, the Ministry of Social Inclusion, Social Security and Migration has issued an instruction regarding the suspension of several administrative deadlines. Among these, all procedures under the Order n. TSM/1277/2019 (which regulates the collective management of labour migration with countries of origin) are suspended. Therefore, and despite the fact that more than 17,000 residence and work permits had been granted, 10.631 Moroccan workers who were supposed to travel to Spain for working during the berries harvesting season will not be able to do so. On the other hand, for those Moroccan workers who had already come to Spain before the COVID 19 crisis and, whose contracts ended and do not work anymore (but cannot go back to Morocco), the employers should maintain their accommodation ensuring minimum living conditions and avoiding</p>


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			<p>situations of vulnerability.</p> <p>2. Yes</p> <p>3. The Government has therefore adopted Royal Decree Law 13/2020 of 7 April adopting urgent measures in the field of agricultural employment. The main objective of this law is to promote the temporary employment of workers in the agricultural sector by establishing extraordinary social and labour measures to make employment more flexible. These measures apply until 30 June 2020 and may benefit the following population groups: Unemployed people or termination of activity of self-employed workers Workers whose contracts have been suspended as a result of temporary cessation of activity Migrant workers whose work permit expires between 15 March and 30 June 2020. For this purpose, their work permits are automatically extended until 30 June. This also applies to 7.050 Moroccan workers who are already in Spain working during the berries harvesting season and whose permits expired during the state of alarm. Young people between 18 and 21 years of age who are third-country nationals in a regular situation (students, asylum seekers...). They are automatically entitled to work, until 30 June 2020, without any previous procedure. In any case, they should be located in the same or nearby municipalities where the work is to be done.</p> <p>4.</p>
	EMN NCP Sweden	Yes	<p>1. Yes</p> <p>2. No</p> <p>3. NA</p>

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			<p>4.</p> <p>On 17 March, the Government decided to temporarily ban non-essential travel to Sweden from all countries except European Union Member States, the United Kingdom, Norway, Iceland, Liechtenstein and Switzerland. This entry ban is now in effect until 15 July. The entry ban does not apply to people who have particularly urgent needs or who are to carry out essential functions in Sweden.</p> <p>Foreigners who are going to work within the production of food items or with other forms of food supply in the agricultural industry, can under certain circumstances be covered under the exemption for essential functions and be allowed to enter Sweden if they can present proper documentation supporting this.</p> <p>The Swedish Police Authority, however, does not consider foreigners who are going to work in e.g. forestry or gardening with flowers, trees, bushes, grass or other forms of horticulture which do not carry fruits, vegetables or berries, to be covered by the exemption. According to the judgement of the Swedish Police Authority, the work needs to include a certain kind of production or collection of food items, in order to be exempted from the entry ban as an essential function. Such as picking berries, dairy production, growing potatoes, harvest grains, or other kinds of work which directly handles eatable or drinkable products.</p> <p>All decisions about how the exemptions are to be interpreted, will be made at the border control.</p>
	EMN NCP Norway	Yes	<p>1. Yes</p> <p>2. Yes</p> <p>3.</p> <p>May 07 , 2020 Norway opened its borders for entry by seasonal agricultural workers. The Government has decided to allow seasonal agricultural workers from all other countries to enter Norway.</p> <p>Though normally a seasonal worker cannot work in Norway for 12 months in a row, in 2020, seasonal workers in Norway can renew their residence permit for more than six months. If a seasonal worker is already in Norway and has or has recently had a residence permit as a seasonal worker, he/she can renew his/her residence permit even if this means that he/she will have a permit as a seasonal worker for</p>

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			<p>more than six months in total. The foreign national must have a job offer for seasonal work in the agriculture, horticulture, forestry, fishing or fishing industries. The job offer can be with the foreign national's present employer or with a new employer.</p> <p><i>To apply for a renewed residence permit:</i></p> <ul style="list-style-type: none">• Register the application online.• Pay the application fee• The police will let the foreign national know how to submit the documents for the application.• There is no need to meet with the police to submit the application <p>The foreign national can start working in the new job/new contract period as soon as he/she has registered the application in the online application portal and paid the application fee.</p> <p>4. N/A</p>
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