

EFFAT Report

Covid-19 outbreaks in slaughterhouses and meat processing plants

State of affairs and demands for action at EU level

7 September 2020



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Executive summary

Exploitative working conditions, up to 16-hour working days, low pay, illegal wage deductions and job insecurity are but some of the injustices facing meat workers in Europe.

This EFFAT report outlines the sector situation in regard to Covid-19 across various European countries. It also provides an overview of the work arrangements and business practices pursued by meat companies to cut costs and escape employer liability.

Whether employed through abusive subcontracting practices, as temporary agency workers, posted workers or forced to accept (bogus) self-employed status, the working, housing and employment conditions of a vast proportion of meat workers in Europe are simply deplorable – both a cause and symptom of exploitation, social dumping and unfair competition. Taken together, these paint a bleak picture of a sector in need of urgent and serious reform.

EFFAT calls for concrete and urgent actions, including binding measures, to be adopted both at national as well as EU level. EU initiatives are specifically needed to tackle social dumping and to put an end to the unfair competition that has destroyed thousands of jobs over recent years across several Member States. Moreover, an immediate EU response is necessary because the critical conditions faced by meat workers are also a consequence of the loopholes, shortcomings and inconsistencies of many areas of EU law. Chapter five of the report offers to policymakers, in particular the EU Institutions, a detailed explanation of **EFFAT's 10 demands for action at EU level**:

1. A comprehensive EU initiative on subcontracting focused on two main objectives: regulating the use of subcontracting in the meat sector, leading to direct employment; and instituting a system of full chain liability covering both cross-border and domestic situations. The initiative should also aim at addressing the deliberate manipulation of collective bargaining systems. In addition to regulating subcontracting, actions are needed to combat bogus self-employment and regulating the use of temporary agency work.
2. A legally-binding EU instrument ensuring decent housing for all mobile workers moving within the EU under the framework of the free movement of workers.
3. The urgent introduction of a European Social Security Number (ESSN) and the prompt revision of Regulation 883/2004 on social security coordination.
4. The accelerated empowerment of the European Labour Authority (ELA), in particular with respect to joint and concerted inspections and the fight against undeclared work.
5. A clear focus in the upcoming EU initiative on fair minimum wages on strengthening sectoral collective bargaining and guaranteeing respect for workers' and trade union rights, including site access and the right to organise and bargain collectively.
6. EU-OSHA and other competent authorities such as the European Centre for Disease Prevention and Control (ECDC) to assess which other factors, apart from deplorable housing and working conditions, may have contributed to the spread of Covid-19 at meat company premises.
7. Incorporation into the scope of the announced EU initiative on due diligence of both subcontracting and supply chains.
8. Effective measures to address the excessive bargaining power of retailers and to mitigate the consequences of unfair competition within the EU and at international level. In this respect, EFFAT calls on the EU Institutions to meet [EFFAT's demands](#) on the Farm to Fork Strategy.
9. Member States and the Commission to ensure compliance with the revised posting of workers Directive. EFFAT also calls for the improvement of the current EU legal framework governing regular labour migration channels to ensure full equal treatment.
10. Effective measures at EU level to tackle the use of letterbox companies.

Meat workers are demonstrating astounding dedication to their jobs during this crisis. It is now time to deliver the long-term solutions needed to improve their working and living conditions.

1. Introduction and context

Outbreaks of Covid-19 in slaughterhouses and meat processing companies continue to occur in a number of countries in Europe and around the globe.

The explanation for why meat processing plants became vectors for the spread of Covid-19 in Europe is to be found in the poor working and deplorable housing conditions affecting thousands of meat workers in numerous countries across Europe.

EFFAT and its affiliates have sought tirelessly over many years to reveal the true, harsh reality of the sector to the EU institutions and national governments.

Although meat workers were classed as essential at the outset of the pandemic, there is continued evidence that precautionary measures to protect them from infection are often either incomplete or unobserved.

It is time to adopt effective long-term strategies to eradicate all forms of labour exploitation found in the meat sector and to improve the terms and conditions for its workers.

EFFAT calls for urgent action, including targeted binding measures, to be adopted both at national as well as at EU level. EU initiatives are specifically needed to tackle social dumping and to put an end to the unfair competition that has destroyed thousands of jobs over recent years in several Member States. Further, EU action is essential to address some of the issues that exacerbate the critical conditions faced by workers in the meat industry and that are often closely associated with areas in which the EU has clear competences, including, *inter alia*, labour mobility, social security coordination, the cross-border provision of services, labour migration channels, health and safety, international trade, as well as, more broadly, company and labour law.

Meat companies are greatly benefiting from the freedoms of the single market. It is now time to guarantee this is accompanied by fairness for workers.

Evidence shows that in countries where collective labour agreements are respected and cover all employees in the sector, fewer workers have tested positive for Covid-19, and where outbreaks have occurred, they have been managed in more effectively. This is no coincidence - it shows once more the enormous value of well-functioning collective bargaining systems in ensuring decent working and employment conditions including health and safety protection.

This report on conditions in the meat sector has been developed thanks to the sustained contribution of EFFAT affiliates via questionnaires and videoconferences. The document aims to identify the main reasons for the spread of the virus among meat workers based on the information reported by affiliates. It also describes the situation in various European countries in relation to the number of Covid-19 clusters that have emerged in meat processing plants since the beginning of the pandemic, and the work arrangements and business practices characterising the sector at national level.

The last chapter, detailing EFFAT's proposed action points, is addressed to policy makers, most especially the EU Institutions.

2. A brief overview of the working and employment conditions in the European meat industry

The European Union's meat industry comprises almost one million workers¹ and more than 32,000 companies, with its production representing (in 2019) 1.53% of EU-27 GDP.²

The sector in Europe has been characterised for decades by social dumping as well as aggressive competition between companies at both national and cross-border level, resulting in a race to the bottom in wages and working conditions. Retail pressure has been squeezing prices for years, driven in part by significant competition from outside the EU.

The meat sector is a fragmented industry, with excess capacity and consequently under cost pressure from more powerful customers, who have access to imported product and can apply pressure in respect of cost.³ Margins are normally low and volatile, yet meat companies, especially the biggest ones, can be extremely profitable businesses.

In several countries, employers adopt strategies that hit workers in various ways: increasing line speeds with health and safety implications, pushing for flexible labour arrangements, driving down wages and labour standards and making increased use of precarious workers.

Meat processing plants are usually labour-intensive. Although modern processing plants have made ergonomic improvements over the years, repetitive strain injuries are common, as are cuts, slips and falls. The job is intense and physically demanding. The cold and humid environment only adds to the tough working conditions. Not surprisingly, then, labour turnover rates in most European countries are high. And, due to the intensification of work, a growing number of workers are now suffering from new occupational diseases, such as musculoskeletal disorders (MSDs), and from psychosocial factors at work (the most common being work-related stress).

Job insecurity, poor wages and long working hours are often the norm for many meat workers.

A vast proportion of the workforce employed in the European meat sector are mobile workers, in particular cross-border and migrant workers from both inside the EU and third countries. Many of those employed in western European countries come from Central and Eastern Europe (CEE) under the framework of the free movement of workers. Workers from CEE are usually recruited by labour intermediaries who charge them a recruiting fee plus the cost of travel to reach their country of destination. Many of these workers are then employed by temporary work agencies or through abusive subcontracting practices, allowing employers to escape liability. In some countries, subcontractors operate as bogus cooperatives with workers sometimes employed as self-employed. Posting of workers in the framework of the provision of services is still a recurrent practice although limited by comparison with earlier years. The use of letterbox companies to avoid or circumvent applicable remuneration, social security contributions and taxes is also frequent.

Trade unions frequently report wage disparities between the above workers and their counterparts directly employed by meat companies. Wage deductions for accommodation, transport and working tools are also often imposed on migrant and cross-border workers. Due to the low pay, workers use to share overcrowded accommodation which sometimes are even directly linked to their work contract or owned by the employer, whether subcontractor or temporary labour agency. (*Further details on the different business practices and work arrangements used by meat companies to drive down costs and escape liabilities can be found in the country report chapter*).⁴

¹ Eurostat: Annual enterprise statistics by size class for special aggregates of activities (NACE Rev. 2)

² Eurostat: Annual detailed enterprise statistics for industry (NACE Rev. 2, B-E)

³ [Putting meat on the bones](#) - A report on the structure and dynamics of the European meat industry, EFFAT, 2011.

⁴ For an overview of the working conditions and labour relations in the pork industry with a special focus on Germany, Belgium, Denmark, Italy and Poland see also Meat-up-ffire, Piera Campanella and Davide Dazzi. Meat-up-ffire Up and Down the Meat Value Chain (University of Urbino Carlo Bo as lead applicant). EFFAT contributed actively to the project.

3. Why meat companies became hotbeds for Covid-19

According to preliminary IUF research findings, the following have been identified as the key factors contributing to the spread of Covid-19 in the meat industry:

Lack of social distancing in the workplace: Workers in slaughterhouses often work elbow-to-elbow. Staggering work shifts and breaks to facilitate social distancing are possible but not all meat companies are willing to slow down their production pace during the pandemic. As has been well established, not respecting social distancing contributes to the spread of the virus.

Unhealthy housing conditions: In almost all European countries, the meat sector is highly dependent on migrant and cross-border workers. These workers often live in overcrowded flats where several individuals occupy one room. They must tolerate these unacceptable conditions for two main reasons: because housing is often directly linked to their work contract, or because their wages are too low and so they seek to reduce the cost of accommodation. Self-evidently, respecting social distancing in accommodation like this is simply impossible.

Insufficient inspections: In several countries, the frequency of labour inspections has decreased during the pandemic. This has made it easier for breaches of law and violations of special precautionary health and safety measures to go unaddressed.

Common transport: Many workers reach their workplace via public transport or carpooling, often organised directly by the employers. It is therefore possible that measures to ensure social distancing during transport may not have been respected.

Ventilation: The spread of the disease is twenty times⁵ more likely where there is insufficient ventilation, as is the case in some meat plants, especially older ones.

PPE: Protective equipment must be provided, be appropriate and must be worn. This is not always the case. There should be training on the use of PPE.

Cold: Certain parts of meat processing plants are inevitably very cold. It is the case, however, that the virus transmits more easily in colder temperatures.

Job insecurity and lack of social protection: Employment conditions for many meat workers are extremely precarious. Meanwhile, the level of sick pay ranges frequently from very low to non-existent. This undoubtedly influences worker calculations, when experiencing Covid-19 symptoms, not to report their health status for fear of losing their job or being unable to afford a decent standard of living.

With all that said, it is also true that in numerous countries precautionary measures have been adopted – at governmental level or through collective bargaining agreements at interprofessional or sectoral levels – to safeguard workers' health and safety during the pandemic.

These measures include, *inter alia*, the provision of information on the risks of the virus, temperature monitoring at the entrance to facilities, staggering working shifts to ensure social distancing, the use of protective equipment, changes to workstation design with the installation of Perspex or Plexiglas, alterations in the layout of common areas (canteen, locker rooms) to ensure social distancing, and clear processes to manage employee sickness.

⁵ Source: IUF consultation with Imperial College, London

4. Country Reports (listed on the basis of the number of workers tested positive to Covid-19)

One note of caution, this report captures a dynamic situation subject to ongoing change.

Germany

Germany is so far the European country with the most cases of workers in the meat sector testing positive for Covid-19.

Massive outbreaks of Covid-19 in slaughterhouses and meat processing plants have prompted a wave of intense media scrutiny, helping to make working and housing conditions in the industry a top political issue for weeks. EFFAT member organisation, NGG, responded quickly, demanding, as part of a broader package, a ban on subcontracting and temporary agency work, an increase in fines for infringements and extended controls.

The largest Covid-19 outbreak was reported at a Tönnies factory in Rheda-Wiedenbrueck (North Rhine-Westphalia) in June 2020. The slaughterhouse, considered the biggest in Europe, saw 1,550 of its 7000 workers test positive for Covid-19, triggering its temporary, complete closure on 18 June 2020. All workers that tested positive, as well as their relatives and those working in close proximity, were obliged to quarantine. The neighbouring districts of Gütersloh and Warendorf were also placed for a short period under the same lockdown restrictions that were enforced throughout Germany during the early stages of the pandemic in March 2020.

The factory was subsequently reopened, with regular testing of the workers taking place. While isolated cases continue to emerge, there have been no subsequent major outbreaks such as in June.

Earlier in May, following an outbreak at a meat processing plant in the town of Coesfeld, near the western German city of Münster, the state of North Rhine-Westphalia became the first to activate an "emergency mechanism" and delay the loosening of lockdown restrictions in the Coesfeld administrative district until 18 May 2020. The localised spike in cases came after a test of 200 employees at the Westfleisch meat processing plant revealed 151 to be positive for Covid-19. The plant was then shut down.

Elsewhere, 109 workers tested positive at a plant in Bad Bramstedt in the district of Segeberg. Over 200 hundred Romanian workers tested positive for Covid-19 at a slaughterhouse in Birkenfeld, in the Baden-Wurttemberg region. And a plant in Schleswig-Holstein was closed after 128 employees tested positive.

These are just some of the most relevant cases. More Covid-19 outbreaks were reported at other slaughterhouses and meat industry facilities.

According to NGG, the challenging working, housing, and employment conditions of a large section of the meat industry workforce have contributed to the spread of the virus in meat processing plants. **One of the main reasons why working conditions are so poor is the subcontracting system that for almost twenty years has been a major cause of social dumping within the sector in Germany and across Europe.** The subcontracting system developed in Germany has resulted in thousands of job losses in other EU countries, especially in neighbouring countries such as Denmark, France, the Netherlands, and Belgium.

In Germany, approximately 110,000 workers are currently employed in the meat sector, of which around 30,000 are employed through subcontractors. Those employed by subcontracting companies are mainly migrant and cross-border workers coming from Central and Eastern European countries (CEE). In big meat companies (e.g. Danish Crown, Tönnies, Westfleisch, Vion), the number of workers employed through this business practice can account for up to 90% of the total workforce.

The core activities of the meat companies (receiving, slaughtering, deboning, cold storage, pre-cutting, fine-cutting, packing and distribution) are usually carried out by subcontractors. Workers employed by subcontractors perform their tasks in company facilities and although meat companies claim not to have any responsibilities for those workers, evidence shows that they have a major

influence on the working and employment conditions that apply. Direct orders are often given by the contracting firm's foremen to the subcontracted workers.

The use of subcontracting firms allows meat companies to cut costs and sidestep any liability in case of violation of workers' rights, illegal remuneration, social security contributions and corporate taxations. The system is the major driver of the continuous race to the bottom in terms of wages and working conditions

How the subcontracting system functioned in Germany until 2015

From 2004 to 2015, the majority of subcontractors were companies based in Central and Eastern Europe (CEE). Workers were usually posted as part of the freedom to provide services within the EU (Art. 56 TFEU). It is worth noting that until 2015, the German law on posted workers did not apply to the meat sector. Thus, most workers were employed under the terms and conditions of the home country, generating considerable savings for their employers and, of course, for the main German contractors. The meat sector was the biggest recipient of posted workers after construction.

In those years, low wages and exploitative working conditions used to go hand in hand with gangmaster practices and a lack of social security coverage (including unemployment, sickness and pension benefits). Meat processing companies used to contract out the work to various subcontractors who via a web of letterbox companies would subcontract the work on to other companies and sign contracts with workers that rarely lasted longer than six months. For more information on how the system worked until 2015, see the case of Danish Crown in the [ETUC 2016 Report on Letterbox Companies](#).

The system as it works today

Nowadays, there are still around 5000 meat workers in Germany posted from firms based in Central and Eastern European countries.

The vast majority of subcontracted workers today have a German work contract and are employed by a German subcontractor. Their labour relations should therefore be regulated by German law (e.g. working-time, health and safety provisions, remuneration).

Most of the changes took place in 2015 when, also thanks to pressure from NGG, a statutory minimum wage was introduced in Germany (at present € 9,35 per hour).

At the same time, several meat companies including Danish Crown, Tonnies, Vion and Westfleisch signed a Voluntary Declaration (*Freiwillige Selbstverpflichtung*) in 2015 committing no longer to make use, as of 30 June 2016, of firms established in other countries responsible for posting workers to Germany, and requiring contract partners to employ workers under German law.

In 2017 the GSA Fleisch law was adopted (Gesetz zum Schutz der Arbeitnehmerrechte in der Fleischwirtschaft). This legislation brought in some new restrictions such as a prohibition on imposing wage deductions for working tools.

Notwithstanding these developments, the working conditions of meat workers employed in the German meat sector are still extremely critical. No real improvement has been made. **And the reason is that the subcontracting system - the main cause of workers' rights violations and social dumping - still applies.**

Workers employed by subcontractors generally work between 48 and 65 hours per week while their colleagues directly employed by meat companies normally work around 40 hours per week, and no more than 48 hours per week. For subcontracted workers, the working day can be up to 16 hours, six days per week.

Wage disparities between subcontracted and directly contracted workers are also widespread. Subcontracted workers earn on average 40% to 50% less than meat workers directly employed by meat companies.

Low pay is (often) a consequence of unpaid overtime due to hours not being recorded accurately (handwritten time recording is common) as well as illegal wage deductions from the workers' net

salary for working materials - e.g. knife, apron, gloves. Considering that such deductions are applied to the minimum wage, these workers live in poverty.

Housing conditions are also extremely poor. Workers employed by subcontractors frequently live in overcrowded flats, as many as five or six to a room. Accommodation is provided directly or indirectly by the subcontractor. In other words, the employer is also the landlord. Workers are therefore doubly dependent on their employer, who deducts the rent (between 200 and 350 Euros per month) directly from their salary.

Work contracts are temporary and job insecurity is extremely high. These factors are likely to have influenced many subcontracted workers who, when experiencing symptoms, have not reported their sickness for fear of losing their job.

The role played by labour intermediaries located in the departure countries is also still a matter of concern.

The vast majority of workers employed by subcontractors reach Germany under the framework of the free movement of workers. A recruiting agency or other form of labour intermediary recruits these workers in CEE countries, only then to charge them a recruiting fee and the travel costs for their journey to the destination country. Once they reach Germany, these workers are employed by a German subcontractor; however, in the majority of cases, these are little more than a front – with an office in Germany and a skeleton staff – to dissimulate the strong connections between the intermediary in the departure country and the subcontractor established in Germany.

The lack of proper inspections during Covid-19 has contributed to the spread of the virus (though it is worth noting that neither do inspections in the German meat sector work properly in normal circumstances). Federal and local government are not exerting sufficient control on the companies. And there is a lack of coordination among labour inspectorates and the different controlling agencies. For example, the application of the minimum wage is managed by one agency, the health and safety standards by local government authorities, and accommodations standards by another governmental agency. A further issue is the fact that sanctions are not effective and do not act as a deterrent against breaches of applicable legislation.

The lack of social distancing and proper PPE, cold temperatures, lack of inspections and proper ventilation are some of the main causes facilitating the spread of the virus among meat workers.

It is also no coincidence that the vast majority of those that have tested positive for Covid-19 are workers employed by subcontractors mainly coming from CEE. Living in overcrowded accommodation is certainly playing an important role in spreading the virus among these vulnerable workers.

The pressure from NGG persuaded the federal government to propose long-term solutions

As soon as the Covid-19 pandemic started, NGG reiterated some clear and long-standing demands to end abuse and exploitation in the meat sector:

1. Subcontracting practices for the industry's core activities (e.g. slaughtering, deboning, cutting, processing, and packing) must be prohibited.
2. Accommodation of subcontracted workers must meet clear, nationwide rules and standards for decency. A price limit for workers' accommodation should be set.
3. An industry-level collective agreement covering all workers in the meat industry (including those employed by subcontractors) should be negotiated setting a higher minimum wage for all meat workers.
4. Special prosecutors should be appointed to deal with the violation of health and safety measures.

In addition, on 14 May 2020, NGG wrote to the Federal Minister of Labour and Social Affairs calling for all workers in the slaughtering and meat processing industry to be immediately tested for Covid-19. NGG has also demanded that SARS-CoV-2 be recognized as an occupational disease.

Thanks to the pressure exerted by NGG and the media attention on Covid-19 outbreaks in meat factories, in May the German government committed to finding long-term solutions to improve the situation in the meat sector. On 29 July 2020, the cabinet approved a draft bill proposing, *inter alia*, the following elements:

- Banning of subcontracting and temporary work in companies whose core activity is slaughtering and meat processing, with the exception of companies with less than 49 employees
- Strengthening labour inspection and improving coordination between national and local authorities and agencies dealing with different types of inspections (e.g. housing, pay, working time)
- Ongoing funding of the DGB project *Faire Mobilität* (information and legal advice for migrant and cross-border workers)
- Digital recording of working hours
- Higher sanctions
- Better standards for accommodation of cross-border and mobile workers

The draft bill started its legislative process in the Parliament (both Bundestag and Bundesrat) on 10-11 September. The proposal is expected to be adopted by 9 October.

NGG will do whatever it takes to improve terms and conditions of meat workers, both nationals and foreigners. It has organised various demonstrations throughout September to apply pressure, alongside the support of NGOs and other civil society organisations, on German politicians to pass the bill promptly into law.

Nevertheless, the lobbying of meat companies is quite aggressive and there is a definite risk that the draft measures will either not be adopted or be so watered down as to be ineffective. **The abusive subcontracting system established in the German meat sector is a major cause of social dumping and has contributed to destroying thousands of jobs in other EU countries. It is therefore in the interests of all Member States that the German government's proposals are swiftly adopted and accompanied by strong complimentary action at EU level (as highlighted in chapter 5 of the report).**

Ireland

The meat processing sector is a very significant sector of the Irish economy and supports thousands of direct and indirect jobs. The sector was classed as essential by the government and meat processing has continued throughout the crisis.

In Ireland there are approximately 15,000 meat workers and 49 meat plants.

Up to the start of September, there have been 1450 meat plant workers with confirmed Covid-19 cases (circa 10% of the workforce) in 20 clusters. In some of the affected plants, up to 25% of the employees have been infected.

According to SIPTU, EFFAT's Irish affiliate, the reasons why meat companies in Ireland became vectors for the transmission of Covid-19 include close proximity working, bottlenecks in canteens/toilets, noise pollution causing workers to shout to communicate, bad ventilation systems, low wages causing workers to car pool, share accommodation and in many cases share rooms within that accommodation.

SIPTU reports that the health and safety authority did not commence inspections at meat plants until late in May and that such inspections are still very few. Moreover, unannounced inspections have not materialised in practice.

There is a lack of staff working in the sector because wages, terms and conditions are too low. Workers earn just the minimum wage or slightly above it. Hourly rates of basic pay across the industry generally range from €10.10 per hour to €12.50 per hour, with some skilled workers able to accrue an additional premium payment through piece-rate or bonus. As wages are too low workers save

costs in all possible manners including carpooling and accommodation sharing. Moreover, some workers have their accommodation linked to their employment contract. Housing is normally extremely basic, and rooms are shared.

Nine out of ten workers in the Irish meat processing Industry do not have a sick pay scheme and this is a significant contributing factor to the spread of Covid-19 within the workplace. According to SIPTU, Irish meat plant operatives work an average 4.7 weeks per year more than their EU counterparts and rank bottom of the list on actual hourly wages received.

The sector depends to a large extent on migrant workers, particularly from Brazil and South Africa. There are also many cross-border and migrant workers coming from Central and Eastern Europe. To deal with labour shortages, the government issues work permits every year to third-country nationals to be employed in the industry. In 2019 the government issued a total of 917 work permits. From January to April 2020, 800 work permits had already been issued.

A large proportion of workers are employed by temporary labour agencies. Subcontracting is also a common practice.

Violations of workers' rights are more frequent in the red meat industry – as it is poorly organised. The situation is slightly better in the pork and poultry industry where the level of unionization is higher. Still, access to site for trade unions is extremely challenging; the employer doesn't have an obligation to bargain collectively even if high levels of union membership exist.

In early March 2020, SIPTU raised concerns with employers and public representatives about the potential of the spread of Covid-19 in meat processing facilities.

On 3 April 2020, EFFAT's Irish affiliate SIPTU wrote to the Minister for Agriculture, Food and the Marine (Michael Creed) highlighting the importance of worker health and safety in the meat processing sector in advance of an EU Special Agricultural Committee.

In April 2020, unions called for mandatory temperature testing at meat processing facilities. On the 28 April 2020, SIPTU wrote to the health and safety authority requesting inspections at meat processing facilities. Unions in the sector also worked closely with the Migrant Rights Centre of Ireland (MRCI) in highlighting the increased vulnerability of migrant workers.

Throughout April 2020, SIPTU sought to engage with government and the representatives of the meat processing industry to highlight their concerns but their requests were ignored.

[Specific guidelines](#) for the meat sector on how to protect workers during the Covid-19 outbreak were released by the health and safety executive (HSE) on 18 May (and were [updated](#) on 30 June). The guidelines aim to ensure respect for clear processes upon entry into the company facilities. They also provide recommendations on how to ensure social distancing along the production line, in canteens, in offices, locker rooms and toilets. Recommendations on how to manage the staggering of work shifts are also provided.

In June 2020, the Irish Government's (Oireachtas) Committee on Covid-19 started to work much more closely with sectoral representatives and requested submissions relating to the Meat Processing Industry from SIPTU, Meat Industry Employers and the Migrant Rights Centre of Ireland. See [here](#) the full statement from SIPTU spokesperson Greg Ennis at the hearing that took place in front of the Irish Government Committee on Covid-19 on 13 August.

SIPTU reports that the slow response of government and some statutory authorities to the concerns of unions in the sector contributed to the high number of cases.

On 10 August and 1 September 2020, meetings between SIPTU and Meat Industry Ireland (MII) took place in Dublin. Both parties agreed to seek a meeting with the HSE to discuss the need for repeat blanket testing of workers in the industry with an emphasis on speed of testing, speed of results and a protocol to deal with a range of potential scenarios. MII also agreed to bring the SIPTU Charter on Covid-19 to its members for consideration. This Charter addresses such issues as support for unannounced inspections, compliance with HSE guidelines and temperature testing, the need for negotiations on terms and conditions of employment with particular reference to pay and sick pay. A

further meeting was scheduled for September 18th 2020, at which a joint charter/protocol is expected to be finalized and agreed.

While the Charter/Protocol is near completion, it will not include commitments on pay and sick pay standardization provision; direct engagement with each separate employer will now have to take place. In addition, the roll-out of repeat blanket testing (which the government belatedly implemented on August 21st 2020) has been temporarily postponed, as significant surge in demand for testing across the country has exceeded state testing capabilities. This is a major concern for SIPTU and its thousands of meat sector workers.

In short, SIPTU's demands included:

- Repeat blanket testing of workers within the industry with rapid results i.e. within 24 hours. A clear protocol as to how cases or suspected cases of Covid-19 are isolated within the workplace and as to how co-workers within that work area/employment are treated.
- A collective agreement for the industry that improves pay, terms, conditions and ensures pensions and sick pay for all meat workers in Ireland.
- A 'Sector Specific Strategy' that takes into account workers' considerations and input.
- A law banning sub-contracting and bogus self-employment within the Irish Meat Processing industry
- The establishment of a 'Farm to Fork' taskforce to deal with this unprecedented crisis (the Minister for Agriculture has regrettably already rejected this proposal).

The lack of an active system of dialogue between stakeholders in the meat processing is an obvious weakness and needs to be addressed. A system of collective bargaining would have helped in preventing the high number of cases in the sector.

Spain

The lack of transparency of some meat companies doesn't allow for a reliable reporting of Covid-19 infections in Spain.

However, of those cases that have been reported:

At the end of August 2020, a Covid-19 outbreak occurred at the Uvesa work centre in Tudela (Navarre). 175 people out of 600 tested positive. The Navarre Ministry of Health ordered the closure to proceed with the cleaning and disinfection of all the facilities. Production stopped for four days.

Around 200 workers tested positive at the Avidel's plant (Vall Companys Group) in Lleida; 50 workers tested positive at the SAMY (Leridana de Piensos) facilities in Lleida; 250 workers tested positive at Alimentaria Guissona in Lleida; 70 workers at Frivall's (Vall Companys Group) in Cuenca.

In April 2020 at Litera Meat (Pini Group) in Binéfar, Aragon, there were conflicting reports about the number of workers who became infected by the virus. Initial serological tests came back positive for about 200 workers, while subsequent tests carried out by management indicated only 11 positive cases.

At a similar time, more than 100 workers out of 530 at the Uvesa meat plant in Rafelbuñol (Valencia) went on sick leave for Covid-19 related symptoms. They were unable to get tested because the Spanish health system was under enormous strain during this period and no tests were carried out unless in case of hospitalization.

As in every country, the factors behind the spread of the virus are manifold. These factors include common transport and unsafe housing conditions – more often than not, cost-saving mechanisms, especially for migrant and cross-border workers, in the face of the ubiquitous low wages in the sector.

Measures to protect workers' health during the Covid-19 outbreak have been implemented by the Spanish Government. Moreover, the Food Industry Employers' Federation (FIAB), together with EFFAT affiliated trade unions CC.OO Industria and FICA-UGT adopted [Joint Recommendations](#) to deal with Covid-19 at company level.

Together, these allow for, *inter alia*: shift staggering when entering and leaving the facilities; temperature checks upon arrival at the company; a distance of 2 metres between work stations; physical barriers between workers where 2-metre separation cannot be facilitated; (compulsory) hand washing and other hygiene measures; the provision of masks and/or facial screens by companies; and reinforced cleaning regimes for all common areas (bathrooms, changing rooms, stairs, handrails, meeting rooms, etc.).

Spain, with some 100,000 workers and almost 3,700 active companies, is the European Union's second largest meat producer by number of tonnes produced (14.6% of the total), and the third largest by value of its production (11.3% of the total). The Spanish meat sector is also an expanding industry that has witnessed significant growth over the last decade: from 2008 to 2017, at the height of the economic crisis, the industry's production value grew by 33.4%, almost 10,000 jobs were created, and the number of hours worked went up by 13%.

Nevertheless, the sector is plagued, like Germany, Ireland, France, Italy and other countries, by illegitimate subcontracting. Companies regularly outsource certain core industry activities (mainly slaughtering and cutting), with the result that many jobs are temporary and insecure. Most commonly, there is a principal contractor which enters into commercial service agreements to outsource activities to a varying number of companies, which then act as subcontractors for the main contractor. Most of these outsourcing activities do not require subcontracting chains with several tiers, or the participation of companies located outside of Spain, or the temporary transfer of workers from other EU countries. In fact, the great majority of companies that use this model are Spanish-owned and operate from within the territory.

The companies that act as subcontractors in the meat industry are today mainly multiservice companies. These companies are sometimes established by temporary work agencies to avoid employer's obligation to ensure equal treatment as per the temporary agency workers directive.

This subcontracting system renders employment in the meat sector even more precarious, allowing employers to avoid their responsibilities regarding working conditions, remuneration levels, social security contributions and taxes.

Workers employed through subcontracting are only covered by the collective agreement of the multiservice company. Despite the fact they perform their tasks in meat plants and are employed in slaughtering and processing activities, these workers are not covered by the two national collective agreements covering the Spanish meat sector: the collective bargaining agreement of the poultry and rabbit slaughtering industry and the national collective bargaining agreement of the meat industry – the latter serves as the reference agreement for the sector due to the number of companies and workers it covers.⁶

The collective bargaining dumping which arises from these abusive subcontracting practices is the cause of major differences in wages, working time and social security coverage between workers employed by subcontractors and workers directly employed by the meat company.

Until a few months ago, the vast majority of subcontracting firms used to operate as worker cooperatives (*cooperativas de trabajo asociado*), employing around 25,000 workers in the sector. Members of the cooperative operate under a self-employment social security regime, and are only paid for work performed. Therefore, their inactivity – voluntary or forced – carries with it no economic cost for the cooperative or, of course, the meat company.

Thanks to the mobilisation of EFFAT affiliates, a good number of these workers are now directly employed by meat companies and as such covered by the applicable sectoral collective agreement. However, in some cases, bogus self-employed workers have not been absorbed into the workforce

⁶ Resolution of 19 March 2019, of the Directorate-General for Employment, by which the State collective bargaining agreement for the meat industry is registered and published, BOE, no. 86, of 10 April 2019; Resolution of 25 January 2018, of the Directorate-General for Employment, by which the Collective bargaining agreement for the poultry slaughtering industry is registered and published, BOE, no. 39, of 13 February 2018.

of the main contractors, but rather have fallen prey to alternative forms of subcontracting (e.g. multiservice companies, commercial companies, etc. as described above).

The impossibility of legally obliging worker cooperatives or other subcontracting practices to apply the sectoral collective bargaining agreement in force is a major issue in Spain, as in other countries, and a major driver of social dumping and unfair competition.

EFFAT's Spanish affiliates demand:

- a) an increase in the number of inspections and the level of sanctions in the sector.
- b) a ban on the subcontracting of companies' main activities.
- c) action to prevent the proliferation of sham cooperatives and bogus self-employment
- d) the repeal of certain provisions of the 2012 labour reform

The Netherlands

A Vion slaughterhouse in Groenlo, near the German border, was closed down on 20 May 2020 after 45 workers tested positive for Covid-19. Testing in fact followed pressure from the German authorities, as the majority of workers employed in Groenlo live in Germany.

A subsequent round of tests revealed over 20% of employees to have tested positive for Covid-19 (147 out of 657); the plant was temporarily closed and all employees obliged to quarantine.

During the same week, a different Vion pig slaughterhouse in Apeldoorn was closed down for 1 day after it was discovered that social distancing was not being respected in 17 vans transporting (mostly foreign) employees to the location.

A few weeks beforehand, at another Vion site, this one in Scherpenzeel processing poultry, 28 employees were found to have contracted the virus.

The Van Rooi Meat processing plant in Helmond, Noord-Brabant also closed down due to Covid-19 at the end of May after a random trial turned up 21 positive cases out of 130 workers; the factory employs approximately 1700 workers.

Some 80% of the workers in the Dutch meat industry are from CEE and are employed via temporary agencies. They are paid the minimum wage and many also depend on the temporary employment agency for their transport and (routinely overcrowded) accommodation.

Temporary employment agencies often also arrange transport and accommodation. Many migrant and cross-border workers live together in large groups. They can live in flats, but also bungalows or caravans. These conditions have of course contributed to the spread of the virus

Because most of these temporary agencies are based in the Netherlands, Dutch statutory provisions and the Dutch collective agreements for the temporary agency sector apply for the (majority of) these workers. Posting of (agency) workers through temporary agencies based in other Member States is less prevalent than recruiting foreign workers (albeit with the help of foreign placement agencies) and hiring them through a Dutch temporary employment agency.

EFFAT's Dutch member organisations made clear early on that every worker employed in the meat sector must be tested for Covid-19, all the while reemphasising the indispensability of decent accommodation for migrant and cross-border workers. In parallel, they also insist that companies must be required to employ workers directly.⁷

⁷ Article 5 of Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work establishes the principle of equal treatment for temporary agency workers. The basic employment and working conditions shall be – for the duration of the assignment at the user company – equal to those of a worker employed directly by that company to occupy the same position. However, because of a combination of compliance issues with circumventing business practices, equal treatment for temporary agency workers is often not respected.

The government set up a special taskforce in May with social partners seeking proposals to improve the working and living conditions of migrant workers. The aim is twofold: reducing the risk of Covid-19 outbreaks among migrant workers, and improving their working and living conditions.

The UK

On 18 June 2020, the 2 Sisters chicken processing plant in Anglesey, Wales announced its closure for a fortnight after local health authorities confirmed there to be 58 cases of coronavirus among staff on site, out of a workforce of 560 people.

Two other food processing plants – the Kober meat factory in Yorkshire that supplies bacon to Asda, and Rowan Foods in Wrexham which supplies supermarkets across the UK – also closed amid outbreaks. Tests at the Kober plant revealed 165 positive cases, all of whom were then required to self-isolate for 14 days. According to Kober bosses, the plant partially reopened in week commencing 22 June 2020, with only workers tested and declared healthy permitted to return to work.

Despite strong advocacy by trade unions to adopt stringent workplace safety measures, employers were regarded as slow to react to the emerging situation and reluctant to adopt social distancing guidelines (particularly in processing areas). Indeed, according to Unite the Union, a substantial body of workers walked out at a Moy Park plant in Northern Ireland on 25 March 2020, only returning to work after assurances were provided that stronger safety measures would be taken.

Union representatives in UK meat processing plants report that most production lines are not covered by social distancing. Risk assessments, if done at all, have had little trade union input.

After pressure from the Unions, some employers have amended shift times and adapted the layout of common areas (e.g. locker room, canteen). However, the government's initial decision to issue only guidelines, not enforceable by law, meant that in the meat processing industry, respect for social distancing remained incomplete.

In part, this was because, rather than accepting slower production lines to allow for social distancing, in the wake of panic-buying by the public, employers sought to increase production levels to keep pace with demand. Indeed, production levels rose by up to 40% during this period.

Meat processing plants mainly employ migrant workers who live in poor and cramped housing with multiple occupants working and living together.

Workers remain fearful of their safety at work, but feel compelled to turn up all the same by the prospect of losing out on their already low salary, and the inadequate sick pay regimen: 95 pounds a week is not enough to live on. A GMB member survey identified that over 65% of workers felt they could not afford to miss work. In light of this, GMB wrote to the Secretary of State for Food and Drink calling for an industry summit with supermarket retailers to establish minimum industry standards such as full pay for absences due to Covid-19..

France

Covid-19 clusters have also been confirmed at meat companies in France.

Below some of the most relevant cases:

On 9 August in the Elivia slaughterhouse in Lion-d'Angers (Terrena group);

On 21 August, when the virus infected one third of the employees of the Société de Transformation des Volailles de l'Ouest STVO in Saint-Mars-la-Jaille (Loire-Atlantique);

At the beginning of August, at the SVA Jean Rozé slaughterhouse in Vitré (Ille-et-Vilaine), where 21 new cases of Covid-19 were detected among employees;

On 18 May 2020, when according to the Val de Loire regional health authority ~10% of workers at the Tradival slaughterhouse, owned by the farming cooperative Groupe Sicarev, tested positive for Covid-19, leading to the plant's temporary closure;

At the Kermené abattoir in Côtes-d'Armor, northern Brittany, where 115 workers tested positive for the virus. More than 2800 workers are employed at the plant;

9 staff (out of 700) at a slaughterhouse in Arrivé owned by poultry group LDC. (All staff who tested positive went into self-isolation.)

As in other countries, the vast majority of workers employed in the sector are migrant and cross-border workers predominately from CEE, though a good number arrive from Africa, too. Subcontracting practices as well as the posting of workers are widely used.

Italy

Over the summer, 141 workers in the Trento region – working for several different meat companies – tested positive for Covid-19. The company with the most cases was Furlani carni.

On 2 August 2020, 182 workers tested positive for Covid-19 at the chicken slaughterhouse of the Aia Group in Vazzola (Treviso). The factory employs in total 700 workers. The company didn't close but production was reduced by 50% to ensure better social distancing. This decision has been contested by Trade Unions.

On 29 June 2020, twelve workers tested positive for Covid-19 at the Ghinzelli slaughterhouse in Viadana (Mantova). Each of the twelve workers infected is employed by a workers' cooperative acting as a subcontractor.

This incident followed the earlier outbreak at the Gardani meat plant (also in Mantova) where twelve workers also tested positive for Covid-19. Once again, those testing positive were subcontracted workers.

A further case, reported on 30 June 2020, confirmed two workers testing positive at the Martelli slaughterhouse in Dosolo (Mantova).

On 13 March 2020, a trilateral agreement between government, unions and employer representatives was reached, imposing some clear precautionary measures. EFFAT affiliates subsequently concluded several agreements formalising at company level the implementation of these measures (check out the dedicated Covid-19 page on the EFFAT website).

In Italy, as in other countries, the meat sector widely relies on abusive subcontracting practices. The dominant business model of the Italian meat sector is based on recourse to small workers' cooperatives to which are outsourced the whole business cycle (slaughtering, deboning, cutting, processing, and packing) except for management and administrative jobs. It is no surprise, therefore, that many of the workers who tested positive for Covid-19 were employed along the subcontracting chain by bogus cooperatives. This modus operandi enables the main contractors to achieve considerable savings: while employees directly employed by meat companies continue to benefit from the collective agreement for the food sector, subcontractors apply the collective agreements for the logistics and service (Multiservizi) sectors, which provide for lower wages and labour standards. Furthermore, because these cooperatives are technically legal, they can impose wage cuts and unreasonable dismissal on the workers under their control. This is a clear example of collective bargaining and wage dumping. As in Spain, these are sham cooperatives. Workers are not even aware of cooperatives' meetings or of decisions being taken on their behalf. Illegal practice in relation to working hours, health and safety, taxes, and social security contributions is widespread. The workforce of this subcontracting chain comprises almost entirely migrant workers from non-EU countries (such as Albania, Ghana, Ivory Coast and China) operating in extremely precarity.

Belgium

At the beginning of August 2020, a Covid-19 outbreak occurred at the meat company Westvlees in Westrozebeke. 74 workers out of 260 in the meat cutting department tested positive. In response, all the other 557 workers were also tested, revealing 20 more positive cases. Company fully cooperated with the authorities and took additional measures in concertation with the trade unions.

Shared accommodation, and poor ventilation in the workplace, seem once again to be at the core of the problem. Also, the ventilation system is identified as a possible reason of the outbreak.

Since the beginning of the pandemic, only one major outbreak has occurred in Belgium, when 80 workers became infected at a Lovenfosse Group factory – equivalent to just less than one quarter of the entire workforce – of whom two lost their lives. Despite this, the factory was not closed. Although the factory was not closed, the situation appears to be under control, with protective measures such as temperature checks having been adopted by the company.

One of the main issues Belgian unions are facing is the housing conditions of posted and subcontracted workers. EFFAT's Belgian affiliates have called on the national authorities to improve standards and increase the number of inspections.

Posting of workers is still widely used in the Belgian meat sector. The posting of workers does attract the interest of Belgian companies, as in this way they can avoid the expensive national insurance contribution regime for a certain period of time.

Likewise, using subcontractors registered and operating in the logistics or the food commerce sectors is another common way in which meat companies cut costs: it enables them to circumvent the collective agreement for the meat sector and instead take advantage of other collective agreements less favourable to workers.

While not legitimisation, it should be noted that in Belgium, meat workers employed through subcontractors – whether posted or not – gain at least the minimum wage agreed at sectoral level for the Belgian meat sector. Further, social dialogue at sectoral level works well and the industry-level collective agreement is binding and universally applicable on all the employers and employees in the sector within their scope of application.

During the pandemic, the social partners agreed on clear instructions to be implemented at company level. Sectoral guidelines paid specific attention to the work carried out by subcontractors and posted workers. Posters in different languages (Arabic, Romanian, Bulgarian, Polish) were required to be distributed to workers to inform them of the risks of the pandemic and the precautionary measures to observe.

In Belgium, Covid-19 was recognised as an occupational disease in essential sectors (including the food manufacturing industry), albeit in a strictly limited context: this designation applied only for the period between 13 March and 17 May 2020, and only where it was impossible to maintain a social distance of at least 1.5 metres. Trade unions strongly opposed these conditions.

In 2013, Belgian authorities pushed by the unions tried to ramp up international pressure on the German government in order to protect the country's meat industry. A formal complaint was filed before the EU Commission by the then ministers for economic affairs and for employment.

In 2012, companies in the meat sector signed a protocol with the federal government to combat social dumping and abuses in the sector: a system of joint and several liability along the subcontracting chain applies. As a result of this legislation, working conditions in the Belgian meat sector are generally superior to those in neighbouring countries.

Denmark

At the end of July 2020, an outbreak at a Danish Crown slaughterhouse in Ringsted (Zealand) left 142 employees testing positive for Covid-19. The slaughterhouse was closed for two weeks.

It seems the infection spread initially among migrant Polish workers operating in the plant. Local media reports at the time cited employee concerns that the management had been too slow to engage in workplace-based contact tracing. Since the outbreak, 800 employees have been asked to stay at home for varying degrees of time.

A dispute is currently ongoing concerning the sick pay allowance of the 800 employees who have been asked to stay home after the outbreak started. The sick pay allowance was around 20 Euros an hour against the usual wage which is around 25 -27 Euro per hour. The Food Workers Union NNF

has raised a case against the company in the framework of the industry level collective agreement. In August, three workers tested positive for Covid-19 in a chicken-slaughterhouse in northern Jutland. Fortunately, these cases occurred independently in different parts of the slaughterhouse and the outbreak was suppressed before it spread further.

In the previous weeks and month only 5 cases of Covid-19 had been detected in Denmark's meat industry.

In Denmark, all meat workers are covered by collective bargaining agreements and the level of trade union membership is very high. 25% of the total workforce are migrant workers but they are hired directly by the company. There is no subcontracting and workers live in their own accommodation. Social distancing has been well respected during the pandemic. When this has not been possible plexiglass barriers have been set up. The slaughterhouses are following the national rules for social distancing, increasing personal protective equipment, shift staggering and proper arranging of working stations.

Pig slaughterhouses in Denmark are renowned for their technologically advanced slaughtering process, which means higher levels of productivity, and the need for fewer employees in comparison with international competitors. Many slaughterhouses are still controlled by farmers' cooperatives that date back centuries and exert considerable control over the industry. Still, Denmark has seen a decline in the workforce employed in the sector over the last couple of decades due in large part to the aggressive social dumping facilitated by the German meat sector.

Poland

In April 2020, a number of workers were quarantined at a poultry processing plant owned by Danish Crown in Czystew, resulting in some of the lines shutting down temporarily. In May 2020, in Starachowice, over 100 workers became sick at a Smithfield plant. It was temporarily closed but by 1 June 2020 had re-opened some lines and departments.

A process of industry transformation and modernisation began soon after Poland joined the European Union in 2004. This was at least in part a consequence of the massive influx of foreign capital into the meat industry and the ability to export tariff-free to EU markets.

Given its central position in Europe and its comparatively low labour costs, Poland became a significant importer of live pigs as well as fresh/frozen meat and as such a big player in the market for pig slaughtering and pig meat processing. Less strict environmental and meat quality laws were an additional attraction to multinational groups in relocating their facilities to Poland.

Ultimately, the country contributed to reshaping in particular the EU pork industry by exporting both manpower and companies to other EU markets. On the other hand, due to the country's strategic position, meat companies based in Poland could in turn benefit from cheap labour from eastern European countries. It seems that in most factories, untrained or undertrained employees work up to fourteen hours, and that overtime is often unpaid, especially in the areas of the country with high unemployment.

Norway

There have been two clusters of Covid-19 in Norwegian meat plants since the beginning of the pandemic. In both cases, operations were closed down for a few days. In one of the plants, the workers infected were temporary agency workers.

The grinding to a halt of hospitality earlier in the pandemic meant a few companies that only produce products for the hotel and restaurant sector were forced to close temporarily.

Due to closed borders, the sector also had to deal with labour shortages: the meat industry in Norway is highly dependent on workers from EU countries. Many of these workers, very often employed through temporary work agencies, travel between Norway and their own country on a regular basis.

The authorities did ultimately decide to allow cross-border workers from EU countries to come to Norway to work in the meat sector. They were able to work immediately, without 14 days quarantine, but had to remain isolated on site and outside work for 14 days upon arrival.

Adaptive measures have been in force at plant level for several months, including shift staggering, social distancing, layout changes in cafeterias and other common areas, the use of protective equipment when social distancing cannot be respected, sick pay leave in case of Covid-19 symptoms, and the translation of relevant information into the languages of the workforce.

Austria

No cases of Covid-19 have been detected so far in Austria's meat sector. All unionized enterprises with works council representatives in the sector have applied specific Covid-19 health and safety measures to protect workers in slaughterhouses and meat packaging plants.

It is inevitably more difficult to assess the implementation and respect of such measures in non-unionized companies.

Sweden

The meat sector has not been affected so far, at least not as a specific industry. Precautionary measures have been taken in all production facilities to ensure social distancing and to minimise the risk of contagion.

It is worth noting that the rules governing hygiene standards in the food processing industry were already extremely strict prior to the Covid-19 pandemic.

Croatia

So far, there have been no cases of Covid-19 infections among meat workers in Croatia. EFFAT's Croatian affiliates remain active in the fight against Covid-19 in all companies in which workers are unionized. This has helped in limiting the spread of the virus.

Albania

The situation in Albanian meat companies is under control. This is because all measures to prevent the spread of the virus have been respected.

The meat processing sector in Albania is made up of small businesses, which mostly offer the service of meat trading and not that of processing. With small numbers of employers, the risk of infection at work is lower.

Currently, all meat trading centres are observing social distancing and have taken all necessary measures for the correct implementation of the safety protocols issued by the Ministry of Health and Social Protection on the basis of the World Health Organization (WHO) recommendations.

5. EFFAT 10 demands for action at EU level

It is clear that the problems affecting the meat sector are far from being merely national. The Covid-19 outbreaks must be a wake - up call for the EU Institutions to put an end to labour exploitation and the structural issues affecting the sector over decades.

Low pay and poor terms and conditions in the sector are the consequence of several factors including:

- Abusive subcontracting practices, the violation of temporary agency workers' rights, bogus self-employment and, more broadly, the use of work arrangements and business practices implemented to cut costs and escape employer liability.
- Collective bargaining dumping through the applications of less favourable collective agreements.
- Job insecurity and the violation of workers' rights to be organised and to bargain collectively.
- Shortcomings in the EU legal framework regulating the free movement of workers, social security coordination, posting and labour migration from third countries.
- Housing being coupled to work contracts and illegal wage deductions for working tools.
- The lack of sick pay.
- Illegal labour intermediation and gangmaster practices.
- Lack of labour inspections.

Against this backdrop, it doesn't come as a surprise that in those countries with strong and well-functioning collective bargaining systems, working and employment conditions are decent and the number of Covid-19 outbreaks is limited, with cases being managed more effectively.

Structural problems affecting the whole food chain, such as an increasing level of concentration, excessive bargaining power of retailers, and aggressive competition at EU and international level contribute to determining a race to the bottom in terms of wages and working conditions.

A new vision for the sector must be developed with the full involvement of social partners at national and EU level. The approach must be holistic and should encompass a wide range of initiatives, from social policy to responsible consumer consumption.

EFFAT has identified the following 10 demands for action at EU level to relaunch the sector with a new sustainable vision:

1. EFFAT calls on the EU Commission to propose a **comprehensive EU initiative on subcontracting^[1] that focuses on two main objectives:**
 - **The initiative must regulate the use of subcontracting in the meat sector, leading to direct employment.** Subcontracting should (by definition) be used for accessory tasks that are not part of a company's core business. However, this is not the prevailing practice in the meat sector where the meat industry's core activities (e.g. slaughtering, deboning, cutting, processing, and packing), although performed in the client (meat company) facilities, are carried out by workers who are employed by subcontracting firms and subject to highly exploitation and under-protection. Action at EU level limiting the use of subcontracting in the meat sector is further justified by the strong transnational dimension that characterises the sector today. Meat companies are greatly benefiting from the freedoms of the single market; it is now time to ensure greater fairness for workers. To this end, an EU initiative in this area should also aim at **tackling the collective bargaining and wage dumping** which gives rise

^[1] It is worth recalling that on 19 June 2020, the European Parliament adopted the [Resolution European protection of cross-border and seasonal workers in the context of the COVID-19 crisis](#) calling on the Commission to propose long-term solutions to deal with abusive subcontracting practices and to safeguard seasonal and cross-border workers employed along the subcontracting and supply chain. The resolution also acknowledges the challenges faced by temporary agency workers and "bogus self-employed workers".

to unequal treatment between workers directly employed by the client and those employed along the subcontracting chain.

- **The initiative should also require Member States to institute a general system of joint and several (full chain) liability covering sanctions, back payments and compensation in case of non-respect of the applicable legislation.** Subcontracting full chain liability should factor in a range of different subject matters including wage floors or statutory minimum wages, (circumvention and evasions of) social security contributions and taxes, undeclared work, health and safety, and (violation of) the rights to organise and bargain collectively. At national level, subcontracting chain liability systems differ significantly in terms of sectors covered, matters (e.g. minimum wages, social security contributions), and liability coverage (e.g. only one step in the chain, joint and several liability, full chain liability). At EU level, the measures regulating subcontracting liability come into force only in specific situations (e.g. public procurement, posting of workers, employment of third-country seasonal workers, and sanctions for employers hiring undocumented workers) being in most cases only an option for Member States or are limited to one step down the subcontracting chain. Furthermore, a due diligence exception is sometimes inserted but defined at national level, not the European level. **It is now time to ensure coherence by putting forward an ambitious EU initiative that requires Member States to introduce a general full chain liability mechanism covering both cross-border and purely national situations.**

In addition to regulating subcontracting, actions are needed to tackle other business practices and work arrangements used to escape employer liability. This means in particular **combating bogus self-employment and regulating the use of temporary agency work.**

2. EFFAT calls for a **legally binding EU instrument ensuring decent housing for all mobile workers.** EFFAT welcomes the Commission [Guidelines](#) on *Seasonal workers in the EU in the context of the Covid-19 outbreak* issued on 16 July 2020, and calls on the Commission, the German EU Council Presidency and Member States to ensure compliance and enforcement of these Guidelines. Nevertheless, EFFAT believes the EU must go further and adopt binding measures. As also acknowledged by the Commission Guidelines, the provision of decent housing is currently missing from the applicable EU legal framework covering cross-border, seasonal and migrant workers moving across Europe within the framework of the EU free movement of workers. Despite the lack of compliance and enforcement, provisions requiring decent housing are so far only included in the legal framework regulating the posting of workers or the employment of third-country national seasonal workers. Housing conditions for all mobile workers should ensure a decent standard of living according to clear criteria. The size of the accommodation must ensure social distancing.
3. EFFAT calls on the Commission to propose the introduction of a **European Social Security Number (ESSN).** The European Commission has previously announced that a proposal for a European Social Security Number was underway. The proposal however never materialised. The European Social Security Number would make it easier for supervisory authorities and trade unions to perform checks to ensure decent pay and working conditions by containing the necessary information to combat underpayment, fraud and social benefit abuse. EFFAT is also urging Member States **to prioritise the prompt revision of Regulation 883/2004** on the coordination of social security.
4. There is a crying need to **accelerate the empowerment of the European Labour Authority (ELA),** in particular with respect to joint and concerted inspections and the fight against undeclared work. The ELA could, if adequately supported, have played a crucial role during this pandemic in monitoring compliance with EU laws on labour mobility, social security coordination and provision of services. It is now long time past to make sure the ELA runs at full speed and capacity.
5. The upcoming **EU initiative on fair minimum wages should promote sectoral collective bargaining and guarantee respect for workers' and trade union rights including site access and the right to organise and bargain collectively. The initiative must respect national systems of industrial relations and the autonomy of social partners.**

6. EFFAT calls on **EU-OSHA and other competent authorities, such as the ECDC, to determine as quickly as possible the other factors, aside from deplorable housing and working conditions, which may have contributed to meat companies becoming vectors for the spread of Covid-19. Clear parameters should be established on factory and workstation layout, work organisation and ventilation requirements.** The Commission has announced a long-awaited update of the **EU Strategic Framework on Health and Safety at Work**. EFFAT welcomes this commitment and encourages the Commission **to implement the enforcement commitments on Covid-19 prevention included in the compromise revision agreed between the European Commission and the European Parliament on the Biological Agents Directive**, so as to ensure that measures against the risk of contagion are enforced throughout all workplaces in Europe. EFFAT also invites the Commission to promote further [EFFAT and FoodDrinkEurope's Joint Guidelines](#) to protect the health and safety of workers in the food business during the Covid-19 outbreak. Moreover, **EFFAT demands Covid-19 is immediately recognised by the Commission as an occupational disease.**
7. The announced **EU initiative on due diligence should be binding and ambitious.** This pandemic underlines the necessity of mandatory measures to guarantee the full respect and enforcement of human rights, including workers' and trade union rights, in companies' activities, including throughout their subcontracting and supply chains and franchise systems, at national and cross-border level.
8. Long-term solutions can only be effective if they aim **to tackle the imbalances and distortions of competition affecting the meat value chain.** It is particularly important **to address the excessive bargaining power of retailers and mitigate the consequences of unfair cross-border European and international competition.** EFFAT's proposals on food labelling and responsible food consumption, alongside EFFAT's broader demands for the Farm to Fork Strategy (for full details, see here: [EN](#) | [FR](#) | [DE](#)) ought also to prove helpful in this regard, and should be taken on board by the EU Commission.
9. The meat sector depends highly on cross-border and migrant workers from within the EU and third countries. EFFAT calls on Member States **to ensure compliance with and enforcement of the new posting of workers Directive**, and calls on the EU Commission **to improve the current EU legal framework governing regular migration channels (family reunification, long-term residency, seasonal workers, Single Permit Directive) so as to guarantee uniform rights at work, equal treatment, higher protection in the labour market and adequate enforcement measures for the EU acquis.** The EU should pursue the improvement of the working and living conditions of all workers and their family members regardless of their migration status.
10. Effective measures **to tackle the use of letterbox companies** should be considered, such as direct liability in employment relationships even if they involve intermediaries, the introduction of the real seat principle in EU company law, and financial transparency in the form of public country-by-country reporting.

As in each and every Member State there are specific issues to be addressed, so initiatives at EU level must of course be accompanied by targeted national reforms.

Next steps

In the short-term, EFFAT calls on the European Commission to prioritise the following three proposals:

1. Launching a comprehensive EU initiative regulating the use of subcontracting in the meat sector and providing for a general system of full chain liability in both cross-border and domestic situations. Furthermore, actions are needed to combat bogus self-employment and regulating the use of temporary agency work in the sector.

2. Ensuring Member States' compliance with the European Commission Guidelines on seasonal workers, while proposing at the same time a binding EU instrument ensuring decent housing for all mobile workers moving within the EU under the framework of the free movement of workers.
3. Proposing the introduction of a European Social Security Number (ESSN) and ensuring the prompt revision of the 883/2004 Regulation on social security coordination.

EFFAT calls on the German EU Presidency to support and advance these demands during its semester of Presidency at the Council of the European Union.