



EFFAT'S DEMANDS IN VIEW OF THE POST-2020 CAP REVISION



A SOCIAL CAP FOR ACHIEVING FAIR WORK IN EUROPEAN AGRICULTURE



Main Goals of the CAP

At its inception, the broad purpose of the Common Agricultural Policy (CAP) was to stabilise the market, guaranteeing the availability of supplies and reasonable prices for consumers. To achieve these ends, the CAP is intended to:

- “Increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and the optimum utilisation of the factors of production, in particular labour”.
- And, crucially for this paper, “to ensure a fair standard of living for the agricultural community, in particular by increasing the individual earnings of persons engaged in agriculture” (Article 39 of the Treaty on the Functioning of the European Union).

The criteria for receiving CAP subsidies are legally underpinned, with payments subject to cross-compliance (Regulation UE 1306/2013) and, in cases of non-compliance, to reduction or termination. Such considerations include a farm’s respect for environmental standards, public health and animal welfare.

Respect for workers’ rights and social conditions, however, is conspicuous by its absence from the CAP cross-compliance procedure. This same failing applies to the conditionality chapter of the European Commission’s proposal for the CAP post 2020, (COM(2018)392), designed to replace the current cross-compliance mechanism.

It is no surprise, therefore, that, in practice, the CAP has largely failed insofar as the social situation of workers is concerned, such that, today, some 4 million agricultural workers, many of them migrant workers, operate in conditions characterised by illegal employment, exploitation, and precarious working, whether as seasonal workers, day labourers or other insecure statuses.

The Covid-19 pandemic shed a light on the poor labour conditions in the agri-food sector which have been ignored for too long.

The [Farm to Fork Strategy](#) has acknowledged the crucial importance of agricultural workers underlining the need to mitigate the socioeconomic consequences impacting the food chain and ensure that the key principles enshrined in the European Pillar of Social Rights (EPSR) are respected. The Commission has made clear that the CAP will be an instrument to implement the objectives of the Farm to Fork Strategy. EFFAT calls once more on the European Parliament, the Commission and national Governments to make sure the Farm to Fork objectives and the EPSR principles are translated into concrete amendments in the upcoming CAP revision.

This demand is also supported by the European Parliament. In a [resolution](#) adopted on 19 June 2020, the European Parliament stressed the need to make sur that both the Farm to Fork Strategy and the upcoming revision of the CAP deliver for agricultural workers in Europe.

This brief position paper seeks to offer a pathway to achieve a more social CAP, first outlining the importance and experience of workers in the sector before going on to detail EFFAT’s specific demands for the ongoing CAP reform negotiations.

Why agricultural workers matter

In addition to landowners and their families, over 10 million workers are employed in the European agricultural sector, constituting an important slice of Europe’s rural population. At the most important fundamental level, these workers sustain Europe, providing nutritious food to as many people as possible; given the projected long-term growth in food demand, allied to increasing food scarcity, delivering greater self-sustainability in the European food system is of paramount importance.

On a daily basis, agricultural workers also tackle hydrogeological instability, land degradation and soil erosion, contribute to sustainable forest management and the production of renewable raw materials and energies, and help maintain local biodiversity.



In short, their work is vital for the preservation and long-term social, economic and environmental sustainability of rural areas and their communities, and forms the backbone of Europe's prosperity, health and security.

Falling overall employment in agriculture has too often given EU decision-makers a misleading impression of the sector: the number of workers in European agriculture has, in fact, been rising slowly for years, though this has not been able to compensate entirely for the decline in the number of farmers. Still, a closer look at the agricultural labour market reveals the growing importance of agricultural workers to the stabilisation of rural employment.

Agricultural workers are demonstrating astounding dedication to their jobs during the Covid-19 pandemic, exposing themselves to risk of contagion due to the frequent lack of effective health protection measures. Now is the time to deliver long-term solutions to the challenges they face, and the CAP must contribute to improving their conditions.

The situation for workers in European agriculture

The agriculture sector in Europe is blighted by low average incomes coupled with a high working time load; a high proportion of illegal and precarious working conditions, especially for migrant and seasonal workers from both inside the EU and third countries; deplorable housing, an extremely high incidence of accidents and illness – agriculture ranks first among European sectors for workplace accidents and illness; and low participation in education and training programmes. Taken together, these paint a bleak picture with workers falling prey to widespread exploitation, including gangmaster practices and other forms of modern slavery. This situation encourages, and is in turn exacerbated by, social dumping which affects all workers in the agriculture sector.

EFFAT's Demands in view of the post-2020 CAP revision

- **ending CAP subsidies for employers not respecting workers' rights and not complying with applicable working conditions resulting from relevant collective agreements as well as EU and national social and labour law and ILO Conventions**
- **mandatory provision of educational and training programmes for agricultural workers**
- **payments to farmers must take into consideration the level and the quality of employment existing in each farm**
- **the real cost of wages and social security contributions to be factored into the newly proposed capping of direct payments**



1. Stop subsidies to employers who do not respect workers' rights and applicable working conditions resulting from relevant collective agreements and social and labour law

EFFAT is calling for a social agricultural policy that distributes European subsidies only to farms that comply with applicable working and employment conditions and/or employer obligations resulting from relevant collective agreements and International, EU and national social and labour law. Compliance must be insured in particular with respect to conditions of employment, working conditions, awareness of terms and conditions of employment, remuneration, working time, health and safety, gender equality, free movement of workers, equal treatment, posting of workers, conditions of stay of third-country nationals, protection in the event of termination of employment, temporary agency work, information and consultation of workers, prohibition of child labour and protection of young people at work, social protection, social security coverage, training.

The exclusion from direct payments of employers who do not respect applicable working and employment conditions and employer obligations would help in ensuring a level playing field in terms of competition. This is also in the interest of all farmers who comply with their obligations as employers. It should no longer be possible for European taxpayers' money to be used to promote violations of the law and social dumping.

Employers should always be able to provide evidence of legal employment practices and respect for applicable working conditions resulting from collective labour agreements and social and labour law.

This assessment process could be pursued under the framework of [Directive \(EU\) 2019/1152](#) on transparent and predictable working conditions (that, as of 1st August 2022, will repeal and replace Directive 91/533/EEC):

According to this new Directive, employers will be required to provide in writing to their workers all relevant information pertaining to their employment relationship, including, inter alia, remuneration details, place of work, the identities of the parties to the employment relationship, the date of its commencement, the duration of the contract (if temporary), a task description, work pattern, and overtime arrangements. Upon transposition of the Directive, this information will have to be made available no later than seven calendar days after the first working day (instead of within two months as per Directive 91/533/EEC).

Funds that are withheld from employers as a result of this cross-compliance mechanism can be used instead within the same region for other objectives under the CAP. In particular, EFFAT believes that the declared objective *to promote employment, growth, social inclusion and local development in rural areas, including bio-economy and sustainable forestry* should be further promoted in the upcoming revision.

2. Mandatory access for employees to training and further education (2nd pillar)

EFFAT is calling for the inclusion of educational and training programmes for agricultural workers in the framework conditions of national programmes delivered under [the Second Pillar of the CAP](#).

CAP's Second Pillar enables Member States to finance training programmes for people working in the agricultural sector. In a number of countries, this funding is being used to train agricultural workers, enabling them to work better, to improve the quality of their work and to protect the environment. Employability is similarly improved, with workers given the skills to cope better with down-the-line changes in their work, and the broader world of work as, for example, digitalisation plays an ever-increasing role. In this way, by providing workers with the tools to broaden their skillset, workers are more able and more likely to move up the career ladder, creating new opportunities for fresh employment.



EFFAT believes, therefore, that as a matter of obligation, CAP-financed training programmes in EU Member States should be promoted and made available to agricultural workers as well as employers and other sector stakeholders.

In addition, EFFAT demands:

- That payments to farmers proposed by the Commission take into consideration the total number of workers employed on each farm, the total amount of worked hours and the total sum of wages and social security contributions. A calculation based only on the quantity of eligible hectares is not sufficient.
- That the real cost of wages and social security contributions is factored into the newly proposed capping of direct payments. It should be noted that this ought not represent an additional bureaucratic obstacle for employers as these sums are known to them and can be called up in any accounting system without extra effort.