

Report from
EMN Sweden
2015:1

Determining labour shortages and the need for labour migration from third countries to the EU - Sweden



Determining labour shortages and the need for labour migration
from third countries in the EU: Sweden

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Summary

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

This report, which represents the Swedish contribution to the European Migration-Network (EMN) study “Determining labour shortages and the need for labour migration from third countries to the EU”, looks into the Swedish rules and policies on labour migration from third countries, recent public and policy debates on the subject and e.g. instruments used for identifying current and future labour and skills shortages. In addition, the report discusses the role of social partners and other stakeholders in the field. Following the entry into force of the current legal framework for labour migration in 2008, Sweden remains one of the most open Member States to labour migration from third countries. The Swedish system is essentially demand-driven and employers can relatively easy hire third country nationals. Some of the other questions the study aims to highlight, e.g. instruments used in Member States for anticipating the need for labour migration and how Member States monitor the outcomes of labour migration policy in relation to shortage occupations thus have less relevance in the Swedish context. Such questions are more geared towards Member States which e.g. impose various types of restrictions on labour migration from third countries (e.g. quotas, access to the labour market limited to certain sectors or professions).

Sweden’s current labour migration policy was established in 2008. The legal framework has undergone some minor changes since, in particular relating to measures to counteract abuse of the rules by untrustworthy employers. The system is demand-driven and employers can freely hire third country nationals to fill vacancies if they cannot find suitable Swedish or European Union (EU) candidates. An offer of employment in line with existing collective agreements is a basic requirement for a work permit. Family reunification is possible. Specific national provisions exist for certain categories of (labour) migrants, e.g. guest students and highly skilled workers. Asylum seekers for whom the claims for asylum have been rejected can under certain circumstances change status and be granted a work permit. Conditions of entry and stay for third country nationals in national legislation are not restricted to shortage occupations. Sweden does not employ any quotas or caps with regard to labour migration. Immigration is generally identified as one of several possible means to address labour shortages. An ageing population and as a consequence a shrinking work force is frequently mentioned as the major driving force to pursue an open labour migration policy. The exploitation of foreign workers by disreputable employers has been a major topic in recent public and policy debates in the area of labour migration. The Social Democrat – Green Party coalition, which assumed office following the September 2014 elections, has signalled it intends to take additional measures at the national level to prevent exploitation.

The Public Employment Agency (Arbetsförmedlingen, AF) and Statistics Sweden (Statistiska Centralbyrån, SCB) are the principal public agencies that produce outputs pertaining to labour market shortages. They both publish regularly forecasts, surveys (including employer surveys) and reports in the area. AF uses in its methodology definitions to denote e.g. labour shortage and structural imbalances on the labour market. Among SCB’s outputs is a recurring report that measures vacancy degree.

SCB also publishes a regular report, Labour Market Tendency Survey, which analyses job prospects for a wide range of educational programmes. AF publishes a shortage index, which in effect measures both shortage occupations and surplus occupations. A weighted index is used. Outputs analyse both the short term (up to 1 year) and long term (5, 10, 25 years) and cover both the national and regional perspectives. The levels of analysis include sectors and occupations. AF's shortage lists analyse job prospects for some 200 common occupations. The assessment is based on interviews with private employers and other key stakeholders on the labour market. To conclude, shortage lists are compiled and published, but for the purpose of evaluation and forecasting, and for the use by Government ministries and the operations of public agencies in the labour market field, not with the purpose to determine whether an employer may recruit a third country national to fill a particular vacancy. There is no formal mechanism to monitor intra-EU mobility on the occupational level. Statistics exists in this regard, but is incomplete.

Social partners and other stakeholders do not play a formal role in identifying the need for migrant labour since the system is principally employer-driven. However, major social partners such as Svenskt Näringsliv (the Confederation of Swedish Enterprises), LO (the Swedish Trade Union Confederation), TCO (the Swedish Confederation of Professional Employees) and SACO (the Swedish Confederation of Professional Associations) are active in policy and public debates in the area and publish ad-hoc reports and other outputs. The legislative framework foresees a formal role for employee organisations in the processing of a work permit application by the Swedish Migration Agency. These shall be given the opportunity to state an opinion on whether the pay, insurance coverage, and other terms of employment offered to a work permit applicant are in line with those in Swedish collective agreements or practice in the industry or occupation.

The outcomes of labour migration policy in relation to shortage occupations are not monitored by formal tools or mechanisms. The system is based on the employers' themselves deciding whether or not to recruit third country nationals to fill vacancies. Ad-hoc analyses and reports have been published by various public agencies, e.g. the AF, and government-related research institutes as well as by social partners, the academia and the OECD. A report by the AF, published in 2013, indicated that relatively few employers considered hiring a third country national to fill a vacancy (which was due to a national labour shortage). Computer specialists headed a top ten list of occupations subject to third country recruitment. For this occupational group a shortage of labour was reported simultaneously. However, among the top ten occupations were also a number of occupations where there was considered to be a surplus of labour according to the aforementioned shortage index.

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1 Introduction: objectives, methodology and definitions

As identified in a recent study commissioned by the European Commission (DG Employment, Social Affairs and Inclusion), there are several important challenges affecting Europe's future labour market, including an ageing society requiring more effective use of the labour force; rapid technological changes and development; increasing demand for highly skilled labour; and uncertainty about future growth in European economies¹. In this respect, it is essential to identify and address labour market shortages, which could affect growth through their adverse effects on labour productivity.

While to a certain extent, skills mismatches will always exist as a part of the frictional dynamics of the labour market (i.e. cyclical labour shortages), persistent or structural shortages can be detrimental to economic recovery and growth. Some structural changes, such as the adoption of new technologies, may increase the demand for certain skills that are not immediately available in the labour market, creating skills shortages even when unemployment is high. In this respect, one of the main challenges faced by policy makers is identifying real, structural labour shortages, which cannot be met by the local labour force even if the labour market is functioning well or measures are taken to improve it, e.g. by supporting labour matching or by increasing the attractiveness of the work in light of scarce labour supply.

While migration is not necessarily a panacea for the economic problems in Europe, it is seen as part of the response to labour market policies and identified shortages. Labour and skills shortages are frequently cited by policymakers and employers as amongst the main reasons for attracting foreign labour. The ability to attract skills and talents and to recruit from abroad when necessary can help foster growth and innovation.

Access to information and analysis on the functioning of the labour market is crucial in order to develop relevant policy measures. Examining and assessing the extent of labour shortages is key to developing a credible labour migration policy. Mechanisms used for identifying current and future skills shortages and for anticipating the need for migrant labour can include lists of shortage occupations, employers' needs analysis, labour market needs analysis, survey, forecasts and foresights, qualitative studies, etc.

The aim of this focussed study is to provide an overview of the mechanisms in place in (Member) States to determine labour shortages and to quantify the needs for labour migration. The study will also assess how the impact of labour migration on national labour markets is monitored and what kind of instruments are used to that end.

The study includes in its scope all skill and qualification levels of third-country nationals and is not limited to highly skilled or skilled third-country nationals.

¹ "Mapping and analysing the bottleneck vacancies in EU labour markets" (September 2014) commissioned by the European Commission, Available at: ec.europa.eu/social/BlobServlet?docId=12625&langId=en

1.1 Objectives

More specifically, the study aims to:

- Provide an overview of national labour migration policy and recent public and policy debates on labour migration;
- Analyse whether there is a link between identified labour shortages and labour migration policy;
- Provide an overview of mechanisms for identifying labour and skills shortages and for anticipating the need for migrant labour, and ;
- Examine how are the lists of shortage occupations defined and classified as well as whether Member States make any distinctions between different types of shortages (e.g. current vs. longer-term shortages; temporary vs. permanent shortages);
- Explore the role of social partners and other stakeholders and whether there are any formal mechanisms to consult/involve social partners in determining labour shortages and the anticipated need for migrant labour;
- Compare across (Member) States how the impact of labour migration on shortage occupations is monitored;
- Where available, provide statistical overview on the number of workers employed by selected occupations and estimated unfilled vacancies of the top shortage occupations and occupations included in the shortage lists

1.2 Definitions

In this study, terms and definitions are used, to extent possible, as they are given in the EMN Glossary & Thesaurus².

‘Circular migration’ is a repetition of legal migration by the same person between two or more countries. (Source: EMN Glossary V3)

‘Contract migrant worker’ refers to a person working in a country other than their own under contractual arrangements that set limits on the period of employment and on the specific job held by the migrant. (Source: EMN Glossary V3)

‘Economic migration’ refers to migration mainly for economic reasons or in order to seek material improvements to livelihood. (Source: EMN Glossary V3)

‘Employee’ is defined as a worker holding an explicit or implicit employment contract, which gives them a basic remuneration that is not directly dependent upon the revenue of the unit for which they work. (Source: EMN Glossary V3)

‘Employer’ is considered any natural person or any legal entity, including temporary work agencies, for or under the direction and/or supervision of whom the employment is undertaken. (Source: EMN Glossary V3)

‘Employment’ is defined as the exercise of activities covering whatever form of labour or work regulated under national law or in accordance with established practice for or under the direction and/or supervision of an employer. (Source: EMN glossary V3)

² The EMN Glossary and Thesaurus, available at the European Commission’s EMN website.

'Immigration quota' is defined as a quota established for and by the country, normally for the purposes of labour migration, for the entry of immigrants. (Source: EMN Glossary V3)

'Intra-corporate transferee' refers to a third-country national subject to a temporary secondment from an undertaking established outside the territory of a Member State and to which the third-country national is bound by a work contract to an entity belonging to the undertaking or to the same group of undertakings which is established inside this territory. (Source: EMN Glossary V3)

'Intra-EU mobility' is an action of persons (EU nationals or legally resident third-country nationals) undertaking their right to movement by moving from one EU Member State to another. (Source: EMN Glossary V3)

'Labour market test' a mechanism that aims to ensure that migrant workers are only admitted after employers have unsuccessfully searched for national workers, EU citizens (in EU Member States this also means EEA workers) or legally residing third-country nationals with access to the labour market according to national legislation. (Source: EMN Glossary V3)

'Labour migration' is a movement of persons from one state to another, or within their own country of residence, for the purpose of employment. (Source: EMN Glossary V3)

'Labour shortage' is a shortage or insufficiency of qualified candidates for employment (in an economy, country) (Collins Dictionary)

'Mobility partnership' refers to cooperation arrangement, on the basis of political declarations, that provides the bilateral framework for dialogue and practical cooperation to address relevant migration and mobility issues of mutual concern primarily with EU neighbourhood countries, including short and long-term mobility, on a voluntary basis. (Source: EMN Glossary V3)

'Occupation' is defined as a set of jobs whose main tasks and duties are characterised by a high degree of similarity. (Source: EMN Glossary V3)

'Social partners' refers to employers' associations and trade unions forming the two sides of social dialogue (Source: European Quality Assurance in Vocational Education and Training (EQAVET); European Commission Glossary³)

'Seasonal worker' is a third-country national who retains their principal place of residence in a third country and stays legally and temporarily in the territory of a Member State to carry out an activity dependent on the passing of the seasons, under one or more fixed-term work contracts concluded directly between that third-country national and the employer established in that Member State. (Source: EMN Glossary V3)

'Skills shortages' refers to shortages of particular skills on the labour market. Skills shortages can be cyclical and structural. On the one hand, shortages are common during periods of rapid economic growth, when unemployment is low and the pool of available workers is reduced to a minimum. However, these type of shortages tend to be overcome along the cycle. On the other hand, some structural changes, such as the adoption of new technologies, may increase the demand for certain skills that are

³ Available at: <http://www.eqavet.eu/qa/gns/glossary/s/social-partners.aspx>

not immediately available in the labour market, creating skills shortages even when unemployment is high. In fact, having a large pool of unemployed people provides no guarantee that employers can find appropriately skilled individuals to fill their vacancies. (Source: OECD)

'Social dumping' refers to the practice whereby workers are given pay and/or working and living conditions which are sub-standard compared to those specified by law or collective agreements in the relevant labour market, or otherwise prevalent there. (Source: EMN Glossary V3)

1.3 Methodology

The study is based on common specifications decided upon by the EMN, in order to facilitate a comparison between EU Member States (and Norway). The specifications provide the questions that the study should answer, as well as an outline, common definitions and practical instructions for all participating EMN Contact Points.

The Swedish study is based primarily on a desk review of Sweden's legal framework and policies concerning labour migration from third countries and recent reports and publications in the field. In particular, reports and analyses from the Public Employment Agency (Arbetsförmedlingen) have been very useful for the study. The Public Employment Agency was also particularly helpful in providing comments and feedback on several drafts of the study during the writing process. The final draft of the study was also circulated to e.g. work permit experts at the Swedish Migration Agency and the Ministry of Labour.

This report in a more reader-friendly format is based on the Swedish contribution to the EMN study "Determining labour shortages and the need for labour migration from third countries to the EU", which was carried out within the framework of the EMN work programme for 2015. The original version of the Swedish contribution to the EMN study can be obtained from the Swedish EMN National Contact Point upon request.

A Synthesis report, which is a comparative report bringing together the main findings from the national reports and placing these within an EU perspective, was published. The report, entitled "Determining labour shortages and the need for labour migration from third countries in the EU - Synthesis Report for the EMN Focussed Study 2015", is based on national contributions from 25 Member States. These reports and other EMN (focussed) studies developed to date including Synthesis Reports, National Reports and Common Specifications are available at the European Commission's EMN website⁴.

⁴ http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/index_en.htm

2 General overview of the national labour migration policy and recent public and policy debates on labour migration

This section aims to outline the national migration policy and recent public policy debates on migration. Firstly, it examines whether the conditions for entry and stay for third-country nationals provided in national legislation are directly linked to shortage occupations. It further explores the policy instruments in place used for managing economic migration (for example quotas, labour market tests, points-based systems, other instruments). Secondly, the section focuses on recent public debated on labour migration especially with regard to debates on how labour migration is planned to be utilised to address labour market shortages. Thirdly, the section looks at the extent to which Member State view immigration as a tool to address labour shortages and the overall role envisaged by policy for migration to address labour shortages.

Q1. Please briefly describe how the national labour migration policy functions in your (Member) State. (Maximum 1 page)

- (a)** Are conditions for entry and stay for (categories of) third-country nationals provided in national legislation linked to shortage occupations?
- (b)** What are the instruments in place in your Member State for managing economic migration (quotas, labour market tests, points-based systems, other instruments) and how are they linked to labour shortages identified (for example, labour market test is not applied for third-country nationals applying for jobs listed in lists of shortage occupations)
- (c)** To what extent does you Member State view immigration as a tool to address labour shortages? What overall role for migration to address labour shortages is envisaged by policy in your Member State?

Q1. The current labour migration policy was introduced in December 2008. The legal framework has undergone some minor changes since, but it remains largely intact. Under the previous system third-country nationals could be hired only after an examination of the labour market situation of a particular occupational profile and when it was established that a shortage existed. The assessment was carried out by the Public Employment Service (AF). Trade unions also had a prominent role. The new legislation introduced an employer-driven labour immigration policy based on needs analysis. Employers now have the right to recruit third-country nationals to fill vacan-

cies if they cannot find suitable Swedish or European Union (EU) workers.⁵ There are no quotas in place to determine how many labour migrants can enter the labour market. The policy stresses flexibility for employers in order to respond to changing realities on the labour market. The system is open to labour migrants of all skills levels and nationalities and does not set any priorities as to whether migrants stay for short term periods or permanently. Labour immigrants (and their family members) who are registered in the Swedish population register are, like other immigrants, entitled to free Swedish language tuition (SFI).⁶

A basic requirement for being granted a work permit in Sweden is that there is an offer of employment that will enable the person to support himself or herself. The terms of employment offered must be at least those specified in relevant Swedish collective agreements or provided by common practice in the occupation or industry. In addition, the scope of work has to be to such an extent that the employee has a pre-tax salary of at least SEK 13 000 per month. Trade unions are given the opportunity to state their opinion on the conditions of employment to ensure sound competition, protect employees and prevent wage dumping. For first time applicants, the work permit is restricted to a certain employer and a certain occupation for two years. After two years, the work permit is tied to a certain occupation as the only restriction. Work permits may be granted for the duration of the employment, but for no longer than two years at a time. After an aggregate period of four years in Sweden, permanent residence can be granted. Family accompaniment for labour migrants is possible from day one. This provision covers spouse (partner) and children up to the age of 21 years. Accompanying persons can also receive a work permit regardless of whether they have an offer of work when leaving their country of origin. A labour migrant who loses his or her job or gives notice while in the possession of a valid work permit has up to four months to find a new job.

Specific national provisions exist for certain categories of (labour) migrants. Among these are guest students who, under certain conditions, may apply for a residence and work permit while in Sweden before their residence permit for studies expires. This possibility was extended in 2014. Guest students who fulfil certain conditions can now be granted a temporary residence permit for six months to search for a job after the finalisation of their studies. In certain circumstances, asylum seekers who have received a final decision rejecting their application for asylum can apply for a residence and work permit while in the country. The person must have been working for at least four months and been offered at least one year of continued employment that meets the basic work permit requirements. In addition, the application must be made within two weeks of the final decision rejecting the asylum application. Visiting researchers from third countries are covered by the EU Researchers Directive.⁷ Self-employed persons may be granted a residence permit under

⁵ The principle of community preference applies (Council Resolution of 20 June 1994 on limitations on admission of third-country nationals to the territory of the Member States for employment). When recruiting new employees, the employer must make it possible for people resident in Sweden, other EU/EEA countries and Switzerland to apply for the position. In practice this is done by advertising the vacancy with the Swedish Employment Service for ten days, it will also then be available within EURES (the European Job Mobility Portal).

⁶ All persons who stay, or can be expected to stay, in Sweden for a year or longer are entered into the population registry. Upon registration, they have basically the same social and economic rights and entitlements as all other persons who reside permanently in the country, including welfare rights.

⁷ Council Directive 2005/71/EC of 12 October 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research.

the condition he or she is able to conduct the business activities in question.⁸ Policy measures aimed specifically at highly skilled workers include a special temporary tax break.⁹ In addition, the "EU Blue Card Directive"¹⁰ was implemented into Swedish law¹¹ 1 August 2013.

The 2008 reform has been supplemented with measures to counteract abuse of the new labour immigration rules, e.g. the exploitation of workers by disreputable employers. Starting 1 January 2012, the Swedish Migration Agency applies stricter control measures for work permit applications within certain business sectors, e.g. companies in cleaning, hotel and restaurant, service, construction and agriculture and forestry as well as all new enterprises. Additional measures were introduced 1 August 2014 giving the Migration Agency increased powers to conduct follow-up checks and revoke permits if the conditions of the work permit are no longer met or if the employment does not begin within four months. An obligation carrying a penal sanction to provide written information, at the request of the Migration Agency, about the terms of employment has been introduced for employers. Measures to facilitate the process include fast-tracking procedures for certified employers who recruit workers from third countries, which were introduced by the Migration Agency 1 October 2012.

12 13

(a) No, there is no such link since national legislation on labour immigration is demand-driven. However, a list of shortage occupations is published twice annually by the Swedish Migration Agency, primarily for internal use.¹⁴ This list is drawn up in consultation with the Swedish Public Employment Service, which shall give employer and employee organisations the opportunity to state an opinion.¹⁵ As a rule, an employee needs to apply for a work permit in his or her home country (through a web based application or to submit it to a Swedish mission abroad) and wait there until a permit is granted and then enter Sweden.

For occupations on the aforementioned shortage list it is possible for the employee to submit the application while in Sweden and wait for the Migration Agency's decision without leaving the country. In addition to the occupation being on the shortage list (1) and the requirement that the applicant has entered the country with a referral to visit an employer for an interview (2), there are two other conditions that need to be

8 For further details, please refer to the report *Admitting third-country nationals for business purposes: SWEDEN – report from EMN Sweden 2014:4* (Migrationsverket, 2015)

9 For further details, please refer to the report *Attracting highly qualified and qualified third-country nationals to Sweden – report from EMN Sweden 2013:1* (Migrationsverket, 2013), p. 12, p. 18.

10 Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

11 Regeringens proposition 2012/13:148, *Genomförande av blåkortsdirektivet*, Stockholm, 11 April 2013.

12 Migrationsverket : *Certifiering av företag aktuella i arbetstillståndsärenden* (VCI 3/2012).

13 This section builds largely on the report *Attracting highly qualified and qualified third-country nationals to Sweden –report from EMN Sweden 2013:1* (Migrationsverket, 2013) as well as public information on Sweden's labour migration policy and its legislative framework available at: <http://www.migrationsverket.se>, <http://www.regeringen.se>

14 Migrationsverket: *Migrationsverkets författningssamling - Migrationsverkets föreskrifter om förteckning över slag av arbeten inom vilka det finns stor efterfrågan på arbetskraft* (MIGRFS 02/2015).

15 The list is published in accordance with Chapter 5, section 12 of the Aliens Ordinance (2006:97).

fulfilled for the exception to be applicable. The application for a work permit needs to be submitted before the applicant's legal stay in the country expires (3). Finally, a condition is that the employer would be caused inconvenience if the applicant has to travel to another country to submit an application there or that there are some other exceptional grounds (4).¹⁶ The inconvenience mentioned could be of economic practical nature, e.g. that the employer is facing an urgent need for a certain competence profile and that there would be adverse economic consequences for the employer if the applicant has to return to his or her home country to apply.¹⁷ It should be noted that there is no absolute requirement a profession is on the shortage list, but if it is not the applicant or the employer would have to demonstrate convincingly that the profession in question is in high demand.¹⁸

The sole purpose of this shortage list is to serve as a basis for the decision whether an applicant in a particular profession applied for can be granted a permit without leaving the country. The shortage list is published e.g. on the website Work in Sweden (<http://work.sweden.se/>), operated by the Swedish Institute (SI). In connection with the publication of the most recent labour shortage list (February 2015), the Migration Agency received a considerable number of telephone enquiries in the wake of articles on the shortage list featured in Bosnian media.¹⁹ Reports like these indicate the purpose of this shortage list is misinterpreted by some groups of potential labour migrants.

(b) None of the instruments mentioned are in place for managing economic migration and hence there is no link to identified labour shortages. Priority examination exists according to the principle of Community preference, i.e. that a national from the EU/EEA and Switzerland is given priority to apply for a vacancy before recruitment from a third country is carried out. However, the employer is not obliged to interview or hire EU/EEA nationals or a national from Switzerland to fill the vacancy.

(c) By policymakers, immigration is generally identified as one of several means to address labour shortages.²⁰ The Parliamentary Committee on labour immigration set up for the purpose of a review of the previous legislation, culminating in the 2008 reform, e.g. noted that targeted measures are needed to increase the employment rate among young people, older workers and immigrants. However, it was considered an open question whether such measures were adequate to cater for the future demand of labour supply. Increased intra EU-mobility and labour immigration of third-country nationals were considered as two of several complimentary means to address the future supply of labour.²¹

An ageing population and as a consequence a shrinking work force is frequently mentioned as the major driving force to pursue an open labour migration policy.²²

¹⁶ According to Chapter 5, Section 18, third paragraph of the Aliens Act (2005:716).

¹⁷ Prop. 2007/08:147 p. 58.

¹⁸ Migrationsverket: *Handbok i migrationsärenden – ansökan efter besök hos arbetsgivare*, p. 14.

¹⁹ Documented in an internal e-mail from the Migration Agency's Customer Service to the Unit for Migration Intelligence, 26 February 2015.

²⁰ See e.g. Prop. 2007/08:147, *Nya regler för arbetskraftsinvandring*

²¹ See e.g. SOU 2006:87 *Arbetskraftsinvandring till Sverige – förslag och konsekvenser Slutbetänkande av Kommittén för arbetskraftsinvandring*, p. 157, Stockholm, 2006.

²² See e.g. the Government's FAQs on labour immigration, available at: <http://www.regeringen.se/sb/d/13738>

Q2. Please briefly describe any recent public and policy debates in the area of labour migration, especially with regard to debates on how labour migration is planned to be utilised to address labour market shortages. (Maximum 0, 5 pages)

The exploitation of foreign workers by untrustworthy employers has been a major topic in this context in the public debate and media coverage.²³ There have been reports on the conditions of e.g. seasonal workers (berry pickers, workers in the forestry sector) where some employers are alleged to have paid much lower wages to their employees than were originally agreed. A judicial process is expected to start in March 2015 for one of these cases, the ruling of which can become of principle importance.²⁴

The 2008 reform on labour immigration legislation was launched by the Centre-Right Government together with the Green Party and reconfirmed in a broader deal on migration policies in 2011. In the period leading up to the 2014 general elections, the Social Democrats vowed to make changes to the current rules if they were to gain power.²⁵ A particular topic of contention between the former Government and on the one side and the Social Democrats and trade unions on the other side has been the question of making a job offer legally binding for the employer.²⁶

The Social Democrat-Green Party Government which assumed office after the election has initially announced it will leave the 2008 reform essentially intact and the Social Democrats have backed down from their demands on more drastic changes of the reform in order to accommodate to those of the coalition partner the Green Party.²⁷ It should be noted too that the counter measures initiated by the former Government 1 August 2014 aimed to address some of the criticisms of the reform often voiced in public and policy debates on labour immigration, see Q1. for further information. However, there are reports that the Government intends to take additional measures at the national level to prevent exploitation.²⁸

Debates specifically on how labour migration is, or could be, utilised to address labour market shortages appear to be scarce. The premise that labour migration could address significantly the problem of a shrinking work force has been criticised by some social partners, e.g. LO.²⁹

²³ See e.g. the EMN synthesis report *Satisfying Labour Demand Through Migration (2011)*, p. 29.

²⁴ "Oseriösa arbetsgivare ska stoppas", *Dagens Nyheter*, 24 February 2015.

²⁵ "Löfven: Riv upp lagen om arbetskraftsinvandring", *Dagens Nyheter*, 29 January 2013.

²⁶ See e.g. *Landsorganisationen i Sverige (2013): Fusk och utnyttjande – om avregleringen av arbetskraftsinvandringen*.

²⁷ "S har gjort upp med MP om migrationspolitiken", *Svenska Dagbladet*, 30 September 2014.

²⁸ See 26, and the government's Budget Bill 2015, Expenditure Area: Migration, p. 30.

²⁹ See 28, p.31 ff.

3 Overview of instruments used for identifying current and future labour and skills shortages and for anticipating the need for labour migration

This section aims to examine the existing instruments and approaches used in (Member) States to identify current and future labour and skills shortages and the anticipated need for migration labour. Firstly, it examines how labour shortages are defined and classified at national level (Q3) as well as whether there are any distinctions made among different types of shortages (Q4). Secondly, this section provides an overview of existing instruments and tools used in (Member) States to identify labour shortages and the need for migration labour to fill shortages in the labour market (Q5). The section explores the role and involvement of social partners and other national stakeholders (Q6). Finally, it aims to collect a summary of the results/findings of the identified instruments.

Q3. *Definition and classification of labour shortages*

- (a)** *How are labour shortages defined, identified and classified in your Member State?*
- (b)** *What is the level of analysis (e.g. by sectors, by occupations or by qualifications or skill levels)?*
- (c)** *Are classifications of shortages defined in legislation or soft law (e.g. circulars, regulations, policy documents)? If yes, please describe and provide examples for each of the classifications.*
- (d)** *To which extent the level of analysis includes region/local level?*

Q3. The Public Employment Agency (AF) and Statistics Sweden (SCB) are the principal public agencies engaged in forecasting of developments on the labour market. The Institute for Evaluation of Labour Market and Education Policy (Institutet för arbetsmarknads- och utbildningspolitisk utvärdering, IFAU), a research institute under the Swedish Ministry of Employment, and the National Institute of Economic Research (Konjunkturinstitutet, NIER) are two other public bodies that carry out analyses relating to the labour market. In particular the AF and SCB publish forecasts relating to labour shortages, unmet labour demand and imbalances pertaining to demand and supply of labour (e.g. with regard to sector, qualifications, skills, occupation and the geographical (regional) dimension of these parameters). Forecasts, surveys and reports cover both the short and long term perspective. A few other government agencies also publish reports and forecasts in special fields. For instance, the National Board of Health and Welfare (Socialstyrelsen) publishes projections on the future supply and demand of a number of medical professions. In addition, social partners such as Svenskt Näringsliv (the Confederation of Swedish Enterprises) and the major trade

union confederations LO (the Swedish Trade Union Confederation), TCO (the Swedish Confederation of Professional Employees) and SACO (the Swedish Confederation of Professional Associations) publish ad hoc reports and papers on labour market issues, including the question of labour shortages and labour migration.

(a) The AF conducts and publishes occupational forecasts twice a year. Nearly 12 000 interviews with private employers as well as a number of public employers on the national, regional and local levels form the basis of this forecast. The definition used by the AF to denote labour shortage is the share of employers which have stated they have experienced a shortage of labour in connection with recruitment in the past six months. A breakdown to sector level and the regional level of this measurement is possible.³⁰ These surveys form the basis for the shortage lists published by the AF.

The SCB publishes regular reports on a wide range of labour market aspects. SCB's Job Vacancy Survey is a quarterly publication on job openings and unmet labour demand.³¹ The purpose of the report is to give a high precision description of unmet labour – vacancies – and job openings on the whole of the labour market (levels of analysis include the business sector and region). Vacant positions which can be filled immediately are defined as vacancies. The survey uses the term vacancy degree, which equals the number of unfilled vacancies in relation to the number of employees in a certain group. Thus, the term vacancy degree indicates the relative shortage of labour.³² The yearly publication Labour Market Tendency Survey by SCB provide information on the current and future prospects of 70 educational programmes (chiefly university programmes). The survey is directed to employers who are inquired about a range of issues, including their assessment of the supply of suitable labour. It is carried out via a questionnaire to the employers. There is no specific definition of labour shortage in the questionnaire; employers are asked to indicate the "supply of applicants" from a particular educational programme according to the descriptions "good", "balanced", or "shortage".³³

In addition, the SCB publishes long term reports every third year, entitled Trends and forecast for education and labour market. The purpose of the report is to assess future supply and demand of labour divided into various categories of educations. The forecast ranges up to a 15 to 25 year range. The most recent forecast includes the perspective up until 2035.³⁴

The National Institute of Economic Research (NIER) publishes monthly and quarterly reports (Economic Tendency Survey), with the purpose to present up to date and

30 Arbetsförmedlingen: Arbetsmarknadsutsikterna hösten 2014 – prognos för arbetsmarknaden 2014-2016, p. 55 f., p. 129 ff. Available at: <http://www.arbetsformedlingen.se/download/18.4dc389314a103f6fdb1480/1418391724915/Arbetsmarknadsutsikterna+h%C3%B6sten+2014.pdf>

31 The Job Vacancy Survey is an enterprise-based survey covering both the public and the private sector. The purpose of the survey is to contribute information about the labour demand. The number of job openings follows Eurostat's definition of vacancies. Unmet demand is measured by vacancies, defined as unoccupied job openings to be filled immediately.

32 For more detailed information, please refer to SCB. Available at: http://www.scb.se/Statistik/AM/AM0701/_dokument/AM0701_BS_2014.pdf

33 For more detailed information, please refer to SCB. Available at: http://www.scb.se/Statistik/UF/UF0505/_dokument/UF0505_BS_%202014.pdf

34 For more detailed information, please refer to SCB. Available at: <http://www.scb.se/sv/Hitta-statistik/Statistik-efter-amne/Utbildning-och-forskning/Analyser-och-prognoser-om-utbildning-och-arbetsmarknad/Trender-och-prognoser-om-utbildning-och-arbetsmarknad/#>

reliable indicators pertaining to outcome, the present situation and expectations for important economic variables lacking current quantitative data. The reports are based on a survey covering more than 6 000 private employers who are, inter alia, interviewed about experienced shortages in connection with recruitment. The questionnaire used does not contain an explicit definition of labour shortage. It should be noted that labour shortage is merely one of a whole range of questions posed to employers. The questions in the monthly business tendency survey are harmonized with EU guidelines.³⁵

(b) As indicated above (Q3.), various methodologies are used to identify and define labour shortages and to produce labour market needs forecasts. The Public Employment Agency (AF) carries out analyses and forecasts primarily by sectors and occupations. These analyses are not limited to labour shortages, but cover a range of other factors as well.

(c) Classifications of shortages are not defined in legislation or soft law. Classifications would be found in reports and related outputs that analyse labour shortages and related matters. Statistics Sweden (SCB) publishes detailed explanatory annexes to its statistical outputs, which contain information on e.g. the purpose of the statistics, definitions and classifications. These are available at SCB's website www.scb.se under each respective statistical output. The SCB's Labour Market Tendency Survey classifies shortage on a -100 to +100 scale, where shortage is equal to a net of less than -20. The Public Employment Agency (AF) provides separate chapters on the methods used for the various outputs and these contain e.g. methodological deliberations, definitions and classifications. E.g. the AF's shortage index uses a weighted index from 1-5, where a particular threshold in the index equals shortage.

(d) The AF's forecasts include the national as well as the regional level. Twenty-one regional forecasts are published parallel to the national forecast, including two thematic forecasts on the mining industry and the maritime industry.³⁶ The SCB's surveys also include the national and regional levels. The level of analysis is not generally extended to the local level.

Q4. Do any distinctions between different types of labour shortages exist in your Member States, such as for example:

- short-term (current) shortages and longer-term (projected) shortages; or
- cyclical shortages (shortages occurring due to short-term imbalances in the supply and demand in the labour market and/or by providing incentives to the labour force) and structural shortages (which are due to changes, such as the adoption of new technologies, may increase the demand for certain skills that are not immediately available in the labour market, creating skills shortages even when unemployment is high).

If yes, please describe.

³⁵ For more detailed information, please refer to NIER's website. Available at: <http://www.konj.se/698.html>

³⁶ Arbetsförmedlingen: Arbetsmarknadsutsikterna hösten 2014 – prognos för arbetsmarknaden 2014-2016, p. 129 f. Available at: <http://www.arbetsformedlingen.se/download/18.4dc389314a103f6fdb1480/1418391724915/Arbetsmarknadsutsikterna+h%C3%B6sten+2014.pdf>

Q4. Yes, the Public Employment Agency (AF) produces short-term occupational forecasts (up to the one year perspective) as well as longer term occupational projections (5 year to 10 year range), please see Q6. (a) for more detail. Cyclical imbalances on the labour market, primarily in relation to unemployment but shortages are mentioned as well, are analysed and discussed in e.g. reports by the AF.³⁷ Statistics Sweden's (SCB) forecasts and reports also cover both the short and long term perspectives, please see Q3. (a) for more detail.

³⁷ See e.g. *Arbetsförmedlingen: Arbetsförmedlingens arbetsmarknadsrapport 2014*, p. 48 ff. for a detailed discussion. Available at: http://www.arbetsformedlingen.se/download/18.75050d89144b969bc3a2fe8/1401701874712/Arbetsmarknadsrapport_2014.pdf

Q5. Please complete the table below identifying the instruments/tools in your (Member) State used to identify labour shortages and the need for migration labour. You can list more than one instrument/tool per category.

Instruments and tools used for identifying labour market shortages and the need for migration labour	<i>Is this instrument/tool used in your (Member) State? (Y/N)</i>	<i>Is this instrument used for determining labour migration needs? (Y/N) If yes, does the instrument: (a) focus exclusively on the identifying the need for migration labour or; (b) it is a tool which aims to identify shortages for the whole workforce (including national/EU) and has a component focusing on migration?</i>	<i>Please briefly describe the respective tool(s) and the methodology(ies) used for anticipating the need for migration labour.</i>
Lists of shortage occupations	Y	N Shortage lists are compiled for the purpose of evaluation and forecasting. See Q.1 (b) for exceptional use of the shortage list.	Shortage lists (Shortage index) are based on data and assessments compiled from enterprise-based surveys (interviews with 12 000 employers, mainly in the private sector). Long term occupational projections.
Sector analysis	Y	N	Enterprise-based surveys
Employer Surveys	Y	N However, see above under "Shortage lists".	E.g. SCB:s Job Vacancy Survey and Labour market Tendency Survey, in addition to other surveys mentioned above under "Shortage lists".
Forecasts/foresight analysis	Y	N	E.g. Occupational forecasts.
Qualitative studies or analysis	Y	N	

cont.

<p>(1) Please describe the level of analysis of the particular instrument/ tools (i.e. skills, occupations, sectors, professions, level of qualifications, others). (2) Is an international (e.g. ISCO-08) or national classification of occupations used?</p>	<p>Which national organisation(s) use this mechanism/tool to produce information on skill shortages?</p>	<p>What is the geographical level of the mechanisms/ tools used (e.g. national, regional, municipal)?</p>	<p>Additional comments</p>
<p>(1) Occupations, 4-digit level (2) The Swedish national classification, SSYK 96, is used (which is based on ISCO-88).</p>	<p>The Public Employment Agency</p>	<p>National and regional focus</p>	
	<p>The Public Employment Agency, Statistics Sweden (SCB), Ad-hoc reports by social partners</p>	<p>National and regional focus</p>	
<p>Educational programmes (SUN, which is based on ISCED), business sector</p>	<p>The Public Employment Agency, Statistics Sweden (SCB), The National Institute of Economic Research (NIER)</p>		
<p>Occupation</p>	<p>The Public Employment Agency, Statistics Sweden (SCB)</p>		
<p>Various</p>	<p>Ad-hoc reports by social partners contain qualitative aspects in some instances (e.g. excerpts of interviews), research reports on the subject would likely contain some examples of qualitative analysis.</p>		

Q6. Concerning lists of shortage occupations, please briefly describe:

- (a)** The process for developing the shortage occupation lists;
- (b)** What are the criteria for selecting the shortage occupations (e.g. advertised vacancies are significantly higher than the qualified national job seekers available)?;
- (c)** Which organisations/institutions play a role in determining lists of shortage occupations?;
- (d)** How frequently are the lists of shortage occupations updated?

(a) The Public Employment Agency (AF) compiles and publishes occupational forecasts (short term as well as long term, the latter includes projections with a five year and ten year perspective) which analyse the labour market situation and future prospects for the most common occupations including some occupations that are increasing on the labour market. Currently these forecasts cover almost 200 occupations, which accounts for 80 per cent of the labour market. Thus the forecasts are not per se shortage lists, rather they cover both shortage occupations and surplus occupations. The overall purpose of the forecasts is to present labour market developments from an occupational point of view (which includes sector analysis and analysis of the competitive situation within a certain occupation).

The short term forecasts are based on data and assessments compiled by regional bureaus of the AF. Some 12 000 interviews with private employers as well as public employers on the national, regional and local levels form the basis of the forecast. In other words, the forecasts are based on the expected recruitment need of employers and an estimation of the AF regarding the supply of successful candidates. In addition, macro level analyses and sector forecasts affecting the assessment of the labour market situation for certain occupations complete the forecast. The long term forecasts are established by analyses and calculations of the prognosticated supply of labour in various occupations. The long term forecasts also take into account a number of other factors affecting the labour market situation, e.g. retirements, occupational mobility, migration and the long term demand of labour in certain occupations. Key stakeholders of the labour market are involved in this process. Results are discussed in a panel which consists of experts from the AF, Statistics Sweden (SCB) and other stakeholders of the labour market, including social partners.

A shortage index is used to describe job prospects. It uses a weighted average value from 1 to 5, where 1 indicates a large surplus of candidates, and 5 a large shortage of candidates.³⁸

The shortage list mentioned in Q.1 (a) is derived from the shortage list mentioned here.

(b) See Q.3. (a). In a questionnaire used in enterprise based surveys by the AF, a

38 For more detailed information on the method used by the Public Employment Agency, please refer to *Arbetsförmedlingen: Var finns jobben? Bedömning för 2015 och en långsiktig utblick*, p. 37 f. (2015), available at: http://www.arbetsformedlingen.se/download/18.4dc389314a103f6fdb49a7/1421305839300/Var_finns_jobben_-_Bed%C3%B6mning_f%C3%B6r_2015_och_en_l%C3%A5ngsiktig_utblick1.pdf and *Arbetsförmedlingen: Arbetsmarknadsutsikterna hösten 2014 – prognos för arbetsmarknaden 2014-2016*, p. 129 ff. (2015), available at: <http://www.arbetsformedlingen.se/download/18.4dc389314a103f6fdb1480/1418391724915/Arbetsmarknadsutsikterna+h%C3%B6sten+2014.pdf>

definition used is whether an employer has experienced a shortage of labour in connection with recruitment in the past six months.

(c) The shortage lists are compiled by the AF. In addition, which is also mentioned above, other government agencies, in particular the SCB and other key stakeholders of the labour market, including social partners, are consulted.

(d) The AF publishes these occupational forecasts twice a year.³⁹

Q7. For each of the instruments and tools used for identifying labour market shortages in Q5, please outline how it is used for policy purposes? Is there a formalised mechanism to disseminate the information produced? (Y/N) If yes, please describe.

The Public Employment Agency (AF) is tasked to submit five forecasts yearly to the Government. According to the Government's instruction the agency is also commissioned to submit other reports. The forecasts include a wide range of labour market issues, including that of labour market shortages (which in practice is the aforementioned shortage index, which lists both shortage and surplus occupations). It should be noted, however, that these would not include analysis in relation to the need for labour immigration since Sweden's system in that respect is employer-driven and based on the employers need for recruitment.

Forecasts are used internally at the AF in daily operative work, e.g. for counselling job seekers on possible career paths at the several job centres throughout the country. They are also used for strategic planning purposes (labour market programmes) and as a basis for resource allocation for the agency. Forecasts are also intended for direct use of policy makers – the Government Ministries, Parliament and local and regional councils. In addition, the media, relevant Government agencies, various bodies within education, social partners, researchers and the wider general public are also among those perceived to have an interest for the publication.⁴⁰

The AF holds a press conference in connection with the release of each forecast. The forecasts and great number of other outputs on labour market issues, including labour shortages are published on the AF's web site, www.arbetsformedlingen.se. Some of the publications are available in English.

Statistics Sweden's (SCB) mentioned reporting, e.g. the Job Vacancy Survey, the Labour Market Tendency Survey and the long term Trends and forecast for education and labour market are published for use by e.g. various Government Ministries, in particular the Ministries of Labour, Finance and Enterprise and innovation as well as Government agencies, in particular the Public Employment Agency (AF). The reports and forecasts mentioned here, which all include the question of labour shortages, as well as other outputs relating to labour market issues are easily accessible from the web site of Statistics Sweden (SCB), www.scb.se. Several of the publications are available in English. It should be noted though that none of these reports or forecasts contain analysis on shortage market shortages in relation to any need for labour immigration.

³⁹ See 38.

⁴⁰ For more detailed information, please refer to the Public Employment Agency (AF), e.g. <http://www.arbetsformedlingen.se/Om-oss/Statistik-prognoser/Prognoser/Syfte-och-resultat.html>

Q8. Are any of the tools/mechanisms for identifying labour market shortages identified above (e.g. lists of shortage occupations, employers' needs analysis, surveys, forecasts, etc.) used to determine any of the policy instruments for managing economic migration (e.g. quotas, labour market tests, points-based systems, etc.)? (Yes/No) If yes, please describe.

No.

Q9. Do any mechanisms or tools to monitor intra-EU mobility of workers filling job vacancies in the national labour market or leaving to work in other Member States exist in your Member State? (Y/N) If yes, please describe.

If possible, please distinguish between mechanisms or tools to monitor intra-EU mobility with regard to (i) shortage occupations and (ii) other occupations not considered as shortage occupations.

Please indicate the national sources of statistics or data on EU citizens working in your Member State.

There is no central mechanism or tool that fully monitors intra-EU mobility of workers (on the occupational level irrespective if it concerns shortage occupations or occupations where there is not considered a shortage). However, ad-hoc reports and studies by e.g. the Public Employment Agency (AF) which cover labour immigration have touched upon this issue. It is often noted this phenomenon is challenging to analyse due to lack of information and reliable statistics.⁴¹

As of 1 May 2014, EU citizens who intend to stay in Sweden for more than three months in order to e.g. work or study no longer need to register their right of residence with the Swedish Migration Agency. Hence, EU citizens who migrate to Sweden are only registered by the Swedish Tax Agency, i.e. entered into the population registry. The latter statistics are fully reliable, but statistics on work-related matters such as occupations are not part of this registration. However, Statistics Sweden (SCB) maintains a data base, STATIV - a longitudinal database for integration studies. The information in STATIV can be used for a number of different purposes concerning integration, segregation, gender equality and migration. In addition, the SCB keeps the Swedish Occupational Register. Ad-hoc reports can be derived from data in these registries.

Q10. Please outline the role of social partners (see definition of social partners above) and other stakeholders (please identify which stakeholders) in identifying the need for migrant labour? Is there a formalised mechanism to consult/involve social partners in identifying the anticipated need for migrant labour or is their involvement on an ad-hoc basis?

⁴¹ See e.g. Arbetsförmedlingen: Utlandsrekrytering och arbetskraftsinvandring – resultat från en enkätundersökning bland arbetsgivare (2013), p. 10 f. Available at: http://www.arbetsfor-medlingen.se/download/18.1bb00beb13eefdbe4bcc95/1401114606834/Utlandsrekrytering_och_arbetskraftsinv_Komplett1.pdf

Social partners, e.g. Svenskt Näringsliv (the Confederation of Swedish Enterprises) and the major trade union confederations - LO (the Swedish Trade Union Confederation), TCO (the Swedish Confederation of Professional Employees) and SACO (the Swedish Confederation of Professional Associations) participate in public and policy debates on labour migration and publish regularly various ad-hoc reports and papers on the subject. Trade unions did have a formal role prior to the 2008 reform and they continue to have so in the current labour immigration legislation. Their role is not per se to identify the need for migrant labour, but rather to safeguard the conditions of employees. The Migration Agency shall, when processing an application for a work permit, give employee organisations the opportunity to state an opinion in the case to ensure that pay, insurance cover and other terms of employment are not inferior to terms and conditions in Swedish collective agreements or practice in the occupation or industry.⁴² However, the Migration Agency may decide in the case without this having been done, if the employer has already obtained such an opinion, if it is unnecessary for another reason or there are special grounds.

Q11. *Q5 in Section 2 examined the types of national instruments used in your Member State to identify labour shortages and the need for migrant workers. Please briefly summarise the results/findings of these instruments for the most recent year(s)*

The outputs by e.g. the Public Employment Agency (AF) and Statistics Sweden (SCB) mainly serve the purpose of national labour market policies and do not analyse the need for migrant labour since the current system is employer driven. Various shortage lists (including a shortage index which indicates surplus occupations as well) are compiled, but only for the purpose of evaluation and forecasting rather than to determine whether and employer may recruit a third-country national to a particular vacancy.

There is no formal mechanism or tool that monitors recruitment of third country nationals to occupations where there is considered to be a shortage. The AF carried out a study in 2013 that analysed recruitment of foreign labour, in particular third country nationals, and labour immigration. The basis of the study was a questionnaire to employers which covered a large number of issues pertaining to recruitment of foreign labour. One of the main findings of the study was that relatively few employers considered recruitment of foreign labour at the time, including such recruitment for anticipated shortages. The study included a brief analysis of the ten major occupations subject to recruitment of foreign labour and whether they were listed as shortage or surplus occupations in the Public Employment Agency's (AF) forecast. Computer specialists were by far the most common occupation subject to foreign recruitment, and this occupation was also listed as a shortage occupation. However, among the top ten occupations were also several where there was considered to be a surplus of labour, e.g. restaurant staff and cleaners.⁴³

Q12

(a) *Please indicate any challenges and risks associated with the use of instruments for identifying labour shortages and the need for migration labour in your*

⁴² According to Chapter 5, Section 7a of the Aliens Ordinance (2006:97).

⁴³ *Ibid.*

(Member) State. (based on existing studies/evaluations or information received from competent authorities)

(b) *Are there shortage occupations which are not addressed through labour migration (for example because of political concern, sensitivity of the jobs, etc.). If so, how is this determined?*

(a) Since the Swedish mechanisms for identifying labour shortages are not linked to the labour immigration system, this question cannot be answered adequately. Some actors, such as the LO (the Swedish Trade Union Confederation), have however criticised that a substantial share of labour immigrants do not work in shortage occupations and that immigrations flows should be better directed towards objective labour market needs.

(b) Since the system is employer driven, employers can freely recruit from third countries if they cannot find suitable candidates elsewhere. Restrictions could apply to e.g. positions in certain government agencies, police authorities and the armed forces that would require the candidate to be a Swedish national.

4 Monitoring the outcomes of labour migration policy in relation to shortage occupations

This section examines the tools and mechanisms to monitor the outcomes of labour migration policy in relation to shortage occupations (e.g. workforce analysis, analysis of types of work permits granted, sector analysis, discussions with employers, etc.). It begins with a series of questions on the instruments used. The section also explores the use of these instruments; the role of social partners and other stakeholders and any challenges and risks associated with their use.

Q13. *Are the outcomes of labour migration policies in relation to shortage occupations monitored in your (Member) State? If yes, please describe:*

- (a)** *What are the monitoring mechanisms (e.g. workforce analysis, analysis of types and number of work permits granted, sectoral analysis, discussions with employers, etc.)? Is there a formal mechanism(s) to monitor the effects of migration on the labour market in your (Member) State or is this done on an ad-hoc basis?*
- (b)** *At what level are labour migration policy outcomes monitored (e.g. workforce, sectors, skill levels, occupations)?*
- (c)** *Which organisations carry out such monitoring? For example, are these produced by national agencies; academics; NGOs?*
- (d)** *Is the monitoring laid out in legislation or soft law (e.g. circulars, policy documents)?*

Generally speaking, monitoring in this respect is limited due to the fact that the current system is based on employers' deciding themselves whether or not they need to recruit workers from third countries to fill vacancies. The stricter control applied by the Swedish Migration Agency since 2012 for some sectors and additional measures introduced in 2014 to counteract abuse constitute a form of monitoring, but is not related to shortage occupations, see further Q1. Ad-hoc analyses and reports have been published by various public agencies and government related research institutes as well as from the academia.

(a) The Migration Agency compiles statistics on the numbers and types of work permits issued and for which occupations. The Migration Agency is commissioned to compile such statistics according to the Government's instruction. It is available on request from the Migration Agency. Statistics on the numbers of work permits and an analysis of the agency's output in this regard is included in the yearly report to the Government. Labour migration is one of several components taken into consideration in e.g. long term labour market forecasts by Statistics Sweden (SCB), but there is no formal mechanism per se to monitor the effects of migration on the labour market. Ad-hoc studies are carried out, e.g. by the Public Employment Agency (AF).⁴⁴

(b) See above (a).

⁴⁴ See 38.

(c) See above (a). Non-governmental organisations do not appear to play a significant role in monitoring.

(d) No.

Q14. For each of the instruments and tools used for monitoring the outcomes of labour migration policy in relation to shortage occupations in Q13a, please outline how it is used? Are there formalised mechanisms to disseminate the results of each monitoring mechanism listed in Q13(a)? (Y/N) If yes, please describe

Since the current system is employer-led, government interference in recruitment is limited and there is no formal monitoring of the outcome of labour migration policy in relation to shortage occupations. Ad-hoc reports and analyses on the subject published by e.g. government agencies, research institutes or social partners are generally made widely available on the web sites of these bodies and organisations.

Q15. Please outline the role of social partners (including organised representatives of employers and employees) and other stakeholders in monitoring the effects of labour migration on the labour market? Is there a formalised mechanism to consult/involve social partners or is their involvement on an ad-hoc basis?

Social partners such as Svenskt Näringsliv (the Confederation of Swedish Enterprises) and the major trade union confederations LO (the Swedish Trade Union Confederation), TCO (the Swedish Confederation of Professional Employees) and SACO (the Swedish Confederation of Professional Associations) have published ad hoc reports that comment on and analyse the outcome of the 2008 reform of the Swedish labour immigration system, including monitoring. In particular, LO published a report in 2013 that was rather critical of some aspects of the reform.⁴⁵ There is no formal mechanism per se that involves social partners. However, they may be invited to e.g. expert panels organised by government agencies, and consulted by parliamentary committees.

Q16. Please indicate any challenges associated with monitoring the outcomes of labour migration policy in relation to shortage occupations in your (Member) State or the impact of labour migration on the labour market at large (based on existing studies/evaluations or information received from competent authorities)

The monitoring of outcomes of labour migration policy in relation to shortage occupations is limited due to the fact that the current system is employer-led and based on employers' decisions whether or not to recruit third country nationals to fill vacancies.

⁴⁵ Landsorganisationen i Sverige: *Fusk och utnyttjande – om avregleringen av arbetskraftsinvandringen* (2013).

Statistical Annex

A1. Workers employed by selected occupations and estimated un-filled vacancies (statistics for the latest available year)

Member States are requested to also provide statistics on a number of pre-selected occupations. The occupations in the table below are selected on the basis of the occupations that most frequently feature in (Member) States' shortage lists identified in the recent EMN

Table 1: Workers employed by specific occupations and estimated unfilled vacancies (last available year)

Specific occupations	Total employment			Employment of EU-nationals from other Member States		
	Male	Female	Total	Male	Female	Total
Health Professional (22)	3732	6101	9833	3691	6068	9759
Of which: Medical doctors (221)	3511	4194	7705	3487	4187	7674
Of which: Nursing and Midwifery Professionals (222)	75	1437	1512	65	1423	1488
Personal care workers (53)	5696	35789	41485	5616	35676	41292
Of which: Child Care Workers (5311)	754	6017	6771	753	6007	6760
Of which: Health Care Assistants (5321)	2655	11453	14108	2654	11439	14093
Of which: Home-based Personal Care Workers (5322)	110	150	260	31	62	93
Personal Services Workers (51)	11014	20064	31078	10125	19638	29763
Of which: Cooks (5120)	2980	1961	4941	2355	1805	4160
Of which: Waiters (5131)	1261	778	2039	1249	767	2016
Of which: Cleaning and Housekeep services in offices, hotels and other establishments (5151)	3883	12507	16390	3768	12433	16201
Of which: Domestic Housekeepers (5152)	89	246	335	17	146	163
Skilled Agricultural, Forestry and Fishery Workers (6)	2658	701	3359	1728	571	2299
Of which: Field Crop and Vegetable Growers (6111)	126	77	203	30	26	56

Inform "Approaches and tools used by Member States to identify labour market needs". This section of the Statistical Annex is also aimed at collecting statistics on intra-EU mobility in terms of filling in shortage occupations. If statistics are available based on ISCO-08, please provide the statistic based on the ISCO-08 number in brackets. If statistics are not available based on ISCO-08, please provide the national equivalent available.

Employment of third-country nationals			Number of residence permits issued to third-country nationals for specific occupations			Number of unfilled vacancies	Comments
Male	Female	Total	Male	Female	Total	n/a	
41	33	74					
24	7	31					
10	14	24					
80	113	193					
1	10	11					
1	14	15					
79	88	158					
889	426	1315					
625	156	781					
12	11	23					
115	74	189					
72	100	172					
930	130	1060					
96	51	147					

cont.

Of which: Gardeners; Horticultural and Nursery Growers (6113)	1026	310	1336	962	291	1253
Of which: Livestock and Dairy Producers (6121)	3	0	3	n/a	n/a	n/a
Information and Communications Technology Professionals (25)	7018	2322	9340	6465	2226	8691
Of which: Software and Applications Developers and Analysts (251)	169	26	195	n/a	n/a	n/a
Of which: Database and Network Professionals (252)	257	48	305	n/a	n/a	n/a
Teaching professionals (23)	6147	9662	15809	6056	9575	15631
Engineering Professionals (excluding Electro-technology) (214)	1127	2023	3150	648	1920	2568
Architects, Planners, Surveyors and Designers (216)	284	320	604	280	320	600
Accountants (2411)	470	1048	1518	463	1035	1498

64	19	83			
3	0	3			
553	96	649			
169	26	195			
257	48	305			
91	87	178			
479	103	582			
4	0	4			
7	13	20			

A2. Top 15 professions included in lists of shortage occupations (statistics for the latest available year)

This part of the Statistical Annex aims to collect data on the occupations included in lists of shortage occupations and any estimations of unfilled vacancies. If statistics is available based on ISCO-08, please provide the statistic based on the ISCO-08 number in brackets. If statistics are not available based on ISCO-08, please provide the national equivalent available.

In the Swedish system there is no specified number of vacancies to be filled with labour migrants from third-countries.

There are no special conditions for migrants from third-countries applying for shortage occupations. However, as mentioned under Q1 (a), a list of shortage occupations is published by the Swedish Migration Agency, primarily for internal use.⁴⁶ The sole purpose of this shortage list is to serve as a basis for the decision whether an applicant in a particular profession applied for can be granted a permit without leaving the country. The shortage list is published e.g. on the website Work in Sweden (<http://work.sweden.se/>), operated by the Swedish Institute (SI). This list is drawn up in consultations with the Swedish Public Employment Agency (Arbetsförmedlingen).⁴⁷ As a rule, an employee needs to apply for a work permit in his or her home country (through a web based application or to submit it to a Swedish mission) and wait there until a permit is granted and then enter Sweden. For occupations on the shortage list it is, if certain conditions are fulfilled, possible for the employee to submit the application while in Sweden and wait for the Migration Agency's decision without leaving the country. It should be mentioned that there is no absolute requirement a profession is on the shortage list to apply this exemption, but if it is not the applicant or the employer would have to demonstrate convincingly that the profession in question is in high demand.⁴⁸

The following top 15 professions were included in the list of shortage occupations in 2014 in Sweden.⁴⁹

- Mining and metallurgical technicians (3116, Ingenjörer och tekniker inom gruvteknik och metall)
- Doctors (2211, läkare)
- Nurses - psychiatric care (2225, Sjuksköterskor, psykiatrisk vård)
- Engineers - building and construction (2142, Civilingenjörer, bygg och anläggning)
- Mining engineers, metallurgists and related professions (2146, Civilingenjörer, gruvteknik och metallurgi)

⁴⁶ Migrationsverket: Migrationsverkets författningssamling - Migrationsverkets föreskrifter om förteckning över slag av arbeten inom vilka det finns stor efterfrågan på arbetskraft (MIGRFS 02/2015).

⁴⁷ The list is published in accordance with Chapter 5, section 12 of the Aliens Ordinance (2006:97).

⁴⁸ Migrationsverket: Handbok i migrationsärenden – ansökan efter besök hos arbetsgivare, p. 14.

⁴⁹ Arbetsförmedlingen: Bristindex 2014 (Excel file). The data is coded according to SSYK 96, which is the national equivalent to the ISCO-08. The SSYK 96 numbers are indicated in brackets.

- IT architects (2511, IT-arkitekter)
- Nurses - operating room (2231, Operationssjuksköterskor)
- Nurses - geriatric (2227, Geriatriksjuksköterskor)
- Cooks, chefs (5120, Kockar)
- IT testers, test analysts (2514, Testare och testledare)
- Preschool teachers (2343, Förskollärare)
- Nurses - emergency care (2226, Sjuksköterskor inom akutsjukvård)
- Software/systems engineers/developers (2512, Mjukvaru- och systemutvecklare)
- Special education teachers (2351, Speciallärare/specialpedagoger)
- Engineers - building services/technical building (3112, Byggnadsingenjörer och byggnadstekniker)

Explanatory note and comments to the statistics in the Statistical Annexes

While shortage lists and related forecasts and statistics in the field are indeed published by various government agencies, according to the Swedish system, employers themselves decide whether to hire a third country national independently of these analyses and outputs. Shortage lists do not govern or restrict the possibility of employers to hire a third country national. Statistics of employed third country nationals cannot then directly be linked to government measures.

Sweden does not use the ISCO-08. The national equivalent is the SSK 96, which has similar numbers, but is not exactly transferrable to the ISCO-08. The statistics is therefore not identical to the ISCO-08.

Statistics regarding third country nationals are from the database of the Swedish Migration Agency and cover the year 2014. Statistics regarding EU-nationals are supplied from Statistics Sweden (SCB) and refers to 2013, which was the latest available.

Nordic nationals are included in the statistics of EU-nationals. Nationals of the other Nordic countries constitute the major group of employees among EU-nationals.

Due to the Swedish system it is not possible to indicate the numbers of unfilled vacancies.

Regarding table 1, no data is entered for the column "Number of residence permits issued to third-country nationals for specific occupations", but these numbers would be identical to the ones in the preceding column "Employment of third country nationals" inasmuch as it is a prerequisite for the applicant of a work permit to have an offer of employment in order to be granted a permit.

About the EMN

The European Migration Network (EMN) is an EU funded network, set up with the aim of providing up-to-date, objective, reliable and comparable information on migration and asylum for institutions of the European Union, plus authorities and institutions of the Member States of the EU, in order to inform policymaking. The EMN also serves to provide the wider public with such information. The EMN was established by Council Decision 2008/381/EC adopted on 14 May 2008. The Swedish Migration Board is the Swedish National Contact Point (NCP) for the EMN.

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