



Advancing Alternative Migration Governance



Agricultural seasonal workers in times of Covid-19 in Spain

D3.3 Paper country cases: Spain

Berta Güell and Blanca Garcés-Mascareñas

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1. Introduction

Spain is one of the European Union's main market gardens. Many of the tomatoes, peppers, cucumbers, and also strawberries and other red fruits consumed in the EU come from Spain. Unsurprisingly, then, Spain is the EU's leading exporter of fruits and vegetables and one of the world's top three, alongside China and the United States. Fruit and vegetable production represents a quarter of all the value produced by the agricultural sector. Spain is also the largest producer of olive oil, accounting for 50% of world production. Within Spain, one of the main agricultural regions is Huelva (Andalusia), which concentrates 78% of red fruit exports (half strawberries and the rest raspberries, blueberries and others) at the national level. Another important region is Lleida (Catalonia), which concentrates an important part of the Spanish production of seed fruits (peaches and pears). In 2017 the number of work contracts in agriculture was about 225,000 in Huelva and 50,000 in Lleida. As both regions are highly dependent on seasonal workers, it is no coincidence that both led the first circular migration programmes in the early 2000s (Molinero, 2018: 291).

While the agricultural sector (especially in its exports dimension) has been growing in recent decades, it has become more and more difficult to find seasonal workers because of a higher "level of desirability" among Spanish workers. In other words, fewer and fewer Spanish workers are willing to work under these conditions and for these wages. As a result, the demand for seasonal agricultural workers has mostly been covered by migrants. The first arrived in Spain in the 1980s, especially from Morocco and West Africa (Senegal and Gambia). At the end of the 1990s, programmes of recruitment in origin began, seeking labourers in Morocco and, subsequently, in countries of Eastern Europe (like Poland, Rumania, and Bulgaria) and in Latin America, as well. Nevertheless, in the 1990s, recruitment in the agricultural sector remained mainly at destination, with a considerable amount of contracting that was irregular or formalized *ad hoc* by means of the many processes of regularization. It was not until the 2000s that recruitment programmes in origin began to mobilize a certain volume of workers, with more than 70,000 places in 2007 (MTIN, 2008). With the 2008 economic crisis, recruitment in origin fell sharply although Huelva and, to a much lesser extent, Lleida did maintain certain quotas.

This report has a twofold objective. First, it seeks to review the recruitment programmes in origin in the Spanish agricultural sector, from their beginnings to the present day. As we shall see, the use of circular migration schemes has varied throughout the time and depending on the characteristics of the region. In this regard, a key question is to understand under what circumstances these schemes have represented a real alternative for employers and how they have worked in practice. Second, the report will narrow the focus to the cases of Huelva and Lleida, as these are the two regions with bigger and longer experiences in terms of recruitment programmes in origin. Besides offering a retrospective overview, we are particularly interested in examining how the needs for seasonal workers have been covered in 2020, bearing in mind that agricultural recruitment drives coincided with the closing of borders and restrictions on mobility between provinces owing to the situation caused by the Covid-19 pandemic. How has the demand for seasonal workers been met when, by definition, it is covered on the basis of (international or national) mobility of seasonal workers? Likewise, the report aims to analyse the impact of Covid-19 on the working and living conditions of temporary workers, and shed light on the new challenges in the management of agricultural campaigns besides the usual structural problems.

To conduct this research, we have taken into account the existing literature on circular migration schemes and, more generally, on temporary labour workers in the Spanish agricultural sector. For the analysis of the current situation, we have used qualitative research techniques that include 30 in-depth and semi-structured interviews with 32 stakeholders, a review of key official documents issued by the main stakeholders (e.g. collective agreements, reports, protocols), as well as a review of those news (mostly from the main national newspapers) on the difficulties and problems arisen in the context of pandemic during spring and summer 2020. Statistical data related to Social Security, agriculture and seasonal workers' schemes has also been considered.

In relation to the fieldwork, the interviews with stakeholders have been conducted mainly face-to-face in several field trips: two in Lleida and one in Huelva during the months of September and October 2020. Interviewees represent different organisations and institutions, including employers' associations, individual employers, temping agencies, trade unions, regional and local administrations, social organisations and activists. Mobility restrictions obliged to conduct the fieldwork in Autumn instead of Spring, in a limited period of time between lockdowns, which has posed some difficulties of access to the field. Moreover, the management of agricultural seasonal workers has become a very sensitive topic, highly reported in the media and in documentary

productions in the last couple of years. In Huelva, the legal complaints for sexual abuse of 2018 meant a turning point and since then, employers' associations, temping agencies and farmers are very reluctant to participate in research studies. In this occasion there was no exception; access to them was denied several times, which may have affected in a certain bias, especially in relation to recruitment practices. Nonetheless, the high number of interviews has enabled to contrast data and complement different viewpoints from a wide range of actors. Finally, it is worth mentioning that the gender perspective has been included in order to account for the gendered impact of the pandemic with a special regard to the situation of Moroccan women in Huelva. The analysis of data has been conducted with Atlas TI and interviews have been codified in order to keep anonymity, as displayed in the list of interviewees of the Annex.

In terms of structure, the report consists of two main parts, following the main research objectives presented above. In the first part, we analyse the factors behind the increased demand for foreign workers, the immigration policies that were the framework for recruitment in origin, and the development and actual functioning of circular migration schemes in practice. In the second part, we dive into the cases of Huelva and Lleida to examine labour recruitment and labour and housing conditions in times of pandemic. We start from the assumption that many of the problems that have become manifest in 2020 are far from new but they have now been aggravated by the situation brought about by the pandemic. We also assume that 2020 will be a turning-point year in this sector which, from now on, will have to make substantial changes in its forms of organization. In this regard, as well as drawing conclusions, we end the report with a series of recommendations to be addressed by all the actors involved, both urgently before the next agricultural recruitment drive, and also in the mid and long terms.

2. Context and historical developments

2.1 Structural trends

Four main trends have shaped the evolution of agricultural seasonal work in Spain since the 1980s. The first is related with the processes of agri-food globalization and productive flexibility as well as a territorial division between economies of the centre and of the global periphery. While the

economies of the centre control the first strategic R&D phase, and the third distribution and marketing phase, the peripheral economies only have control over the second phase, that of production, which consists in planting, harvesting, and packaging. This territorial division is profoundly unequal, since it is in the first and third phases where the greatest concentration of capital is to be found in the hands of multinational companies, which end up establishing the priorities for the crops that are to be grown and price-setting in their distribution (Reigada, 2011). Given the existence of these global agricultural chains, where Spain occupies quite a marginal position, farmers (especially on the small and medium scales) have little room to manoeuvre when it comes to adjusting prices in line with high production costs. This has led to the progressive disappearance of small farms (often family run) and to the concentration of land in the hands of a few owners seeking greater profitability (Mata and González, 2017).

The second trend is marked by Spain's socioeconomic development and the labour preferences of autochthonous workers. The absence of generational replacement, increased economic wellbeing of rural populations, undervaluing of agricultural labour, and harsh working conditions have been driving away national labourers (López-Sala, 2016). According to King, Fielding and Black (1997, p. 10), the countries of the south of Europe have become destinations of immigration basically because of two factors: first, the transfer of national workers from sectors of low productivity to others of high productivity and, second, the presence of sectors of low productivity with high levels of informality and precariousness of work. Spain's entry into the European Community, economic growth from 1986 to 1992, the development of the welfare state, improvement in the educational levels of new generations, and rising work and life expectations only raised the levels of "job acceptability" among the autochthonous population (Cachón, 2002, p. 129). It is in this context that the demand for workers in the agricultural sector— which, again, was expanding with the exportation of its products to the rest of Europe— was progressively being covered by foreign workers.

The third trend, derived from the previous one, is marked by the policies regulating and controlling labour migration. Since the end of the 1990s, the Spanish government has been promoting programmes of recruitment in origin in Morocco, Eastern Europe, and Latin America (in different proportions, depending on the province) in order to cover the seasonal demands in the agricultural sector. With the support of the EU, what has been called the "win-win-win" of circular migration has been promoted: the demand for labour is satisfied, migratory flows are managed in

a legal and orderly fashion and a contribution is, supposedly, made to the co-development of non-EU countries (Vertovec, 2007). In 2008, with the onset of the economic crisis, and the previous incorporation of several Eastern European countries into the EU, the size of quotas for recruitment in origin dropped considerably and demand within the EU came to be managed directly by employers and private companies (Molinero, 2018). In tandem with recruitment in origin, the demand for seasonal agricultural workers has routinely been met by workers of immigrant origin who were already in Spain, either documented (the majority) or undocumented. Although the percentage of undocumented workers is not as high as in the fields of California (where it is estimated at 60%), it is undeniable that they are also present in Spain and cover the more intense, precarious labour demands in worse conditions of work and housing.

Finally, the fourth trend is related with the sexual politics of the organization of labour. Although these especially affect the red fruit sector in Huelva, which is probably the most feminized in Spain, they are not unique to this territory. For example, in Lleida there is a clear sexual division between work in the fields (harvesting, thinning, pruning), which is mostly done by men, and work in the factory (handling and packaging), which women tend to do (Mata and González, 2017). This division is the result of a stereotyped notion of labour, which is legitimated in hiring contracts that are based on the supposed qualities of genders (strength and endurance in the case of men, and flexibility, agility and delicacy in that of women). Studies on the transnationalization of production and feminization of the proletariat in different parts of the world (for example in the maquiladoras of Guatemala) have analysed how these policies are able to cut production costs and stifle labour conflicts by means of sex-gender ideologies (Reigada, 2011; Zeneidi, 2017).

2.2 Immigration policies since 1985

In spite of frequent changes in the law (in 1985, twice in 2000, in 2001 and 2003) and the regulations that came in their wake (in 1986, 1991, 1996, 2001 and 2004), immigration policy (with the exception of family reunification and asylum) has always been based on the notion that immigration had to fit in with 'the specific needs' of the labour market. As Raimundo Aragón Bombín, then head of the Dirección General de Migraciones (Department of Migration), pointed out, '[...] *what gets the procedure underway is not the wish of the immigrant but official confirmation that a job offer, formulated in legal terms, is not covered*' (Aragón Bombín, 1995, p. 108). This means, first of all, that the entry of foreigners is bound to a specific employment offer.

Employers therefore determine both the possibility of entry and the characteristics of the new immigrants. Second, speaking of 'a job offer that is not covered' also implies that official approval is only given for job offers that have not been filled by Spanish citizens, members of the European Community, or authorised residents. The aim is to ensure that national (or authorised) workers are not displaced by foreigners. While these two principles have remained constant, the order in which they have arisen and the nature of the job offers have been changing (Garcés-Mascreñas, 2012).

The passing of the Organic Law on Foreigners (*Ley Orgánica de Extranjería*, LOE) in 1985 laid the foundations for these two principles in linking concession of the work permit with the presentation of a job contract and the '*non-existence of unemployed Spanish workers in the kind of work proposed*' (Article 17). This system, known as *Régimen General* (General Provisions), neither ordered nor promoted labour immigration but authorised the contracting of a specific foreign worker after assessing the situation of the national labour market. Depending on the results of this appraisal, this mechanism could *de facto* turn the matter of entering the country into something extraordinarily open or extraordinarily closed. What happened, in fact, was the latter since the main consideration was not so much the candidates who presented in response to a specific offer but the general list of unemployed. Bearing in mind the previously mentioned upping of the 'job acceptability level' among the Spanish population, the fact that there were unemployed workers did not always mean that there were candidates willing to work in certain jobs. The main result was the systematic denial of requests to contract foreign workers, even when a considerable proportion of these job offers remained unfilled.

With a view to guiding low-skilled migration through legal channels and breaking with the stringency of the *Régimen General*, the government (still PSOE-led) established an annual labour immigration ceiling after 1993. This second mechanism or quota system enabled the contracting of a predetermined number of foreign workers in a specific economic sector and province. The advantage of this, in comparison with the *Régimen General*, was that the job offers presented under the heading of the quota system did not have to be evaluated in the light of the labour market. In other words, the needs of the labour market were determined prior to the offer of employment, and hence the employer supposedly gained in terms of certainty and speed. Despite the government's sanguinity over the new measure, of the 20,600 places that were offered in 1993, only 5,331 became effective with a job offer. One of the difficulties was the complexity

involved in contracting foreign workers in their places of origin. Given these limitations, after 1994 the government agreed to the quota system's being used for contracting foreign workers who were already working in Spain, most of them illegally. As a consequence of this shift, after this date, the applications based on the quota greatly exceeded the numbers offered by the government.

To sum up, although the politicians (from all parties) insisted on the need of channelling labour migration legally, the entry policies of the 1990s were not at all effective. On the one hand, the *Régimen General* turned out to be a very limited mechanism because of the impossibility of getting around the fact that each application had to be submitted to an evaluation of the situation of the national labour market. On the other hand, the quota system functioned more as an instrument for regularising those who were already working illegally in Spain. This resulted in policy that *de facto* favoured illegal immigration. In order to work legally in Spain, the most practicable way to achieve this was to enter or stay in the country illegally and then to find work and regularise one's situation through the quota system or one or other of the frequently-applied extraordinary regularisation processes (1991, 1996, 2000 and 2001). While the annual quotas accounted for between 20,000 and 30,000 immigrant workers, it is estimated that a much greater number of immigrants came into Spain each year. For example, while a quota of 30,000 people was authorised for 1999, an Ecuadorian newspaper calculated that some 322,000 Ecuadorian citizens had left for Europe that same year, most of them heading for Spain (quoted by Carles Campuzano, of the Catalan nationalist party *Convergència i Unió*, in the Spanish Parliament, 18 June 2001). The annual quota allowance also contrasts sharply with the 400,000 immigrants who were regularised between 2000 and 2001 (Spanish Parliament, 28 November, 2001).

Since the entry policies were so ineffective, changes made in 2000 to the Foreigners Law (with Laws 4/2000 and 8/2000) once again tackled the need to steer immigration through legal channels. With a view to this, at the start of the second *Partido Popular* mandate (2000-2004), the Government insisted that an evaluation of the job market *always* had to precede any job offer or, in other words, that a political assessment had to be made of the country's annual needs for immigrant workers; and that contracting foreign workers had to be in their countries of origin so that any immigrant would 'arrive with a contract tucked under his or her arm'. In practice, this meant presenting the quota system as the ultimate mechanism for legal immigration into Spain.

It was repeatedly stated in the Spanish parliament that the idea was that the new quota system would finally enable design, management and control of immigration.

First, unlike the *Régimen General*, the quota system was presented as a way of defining each year how many foreign workers could be contracted by sector and by province. Although the Government was responsible for approving the annual quota, Law 8/2000 recognised the participation of the autonomous communities, employers' organisations and unions. In particular, the labour requirements identified at provincial level by employers' and union organisations were assessed by the authorities of the autonomous communities and then sent to the Ministry of Labour, which drew up the final proposal to be rubber-stamped by the Government. Second, the quota was also presented as the mechanism that would, for the first time, make it possible to manage migratory flows from the countries of origin. Hence, Law 8/2000 specified that the quota was aimed at those foreigners '*who are neither in Spain nor resident in the country*' (Article 39). Moreover, after 2002, the job offers presented under the quota system had to be generic in type or, in other words, designating the job but not determining the worker. This requirement was an attempt to avoid taking candidates who were already working illegally in Spain, as had occurred throughout the 1990s. The change from a system based on designated offers to one based on generic offers meant that, for the first time, the Spanish Government became responsible for managing the job offers and, in particular, for the process of selecting the candidates in their countries of origin.

In contrast with the political rhetoric that, after 2000, presented the quota system as the core element in Spain's immigration policy, it did not work in practice. For instance, from 2002 to 2007, the quota system materialised as a forecast of less than 20,000 stable jobs per year. Several factors have been identified to explain the reduced numbers of these projections. First, reference has been made to the timorous attitude of the unions, which were always more in favour of regularising illegal migrants already in Spain than opening up further channels for new immigrants (Aparicio Wilhelmi and Roig Molés 2006, p. 158). A second factor is the employers' lack of foresight with regard to the needs of medium-term contracting (Consejo Económico y Social, 2004 p. 132; Aparicio Wilhelmi and Roig Molés, 2006 p. 158; Roig Molés, 2007 p. 292). Third and finally, it is important to note, too, the poor representation of small and medium-sized firms in the big employers' organisations and, therefore, in the process of determining the quota (Watts, 1998 pp. 668-9; Aparicio Wilhelmi and Roig Molés, 2006 p. 158; Roig Molés, 2007 p. 292). Where the quota

system *did* work was with the employment of seasonal workers in agriculture and the hotel and catering sector.

2.3 Agricultural seasonal schemes

Following the evolution of immigration laws from 1985 onwards, this section first refers to the main legal changes related to seasonal work permits included in each Law on Foreigners.

Table 1: Main legal changes in seasonal work permits (1985-2020)

	Work contract denomination	Characteristics
Law 7/1985 R.D. 1199/1986 R.D. 155/1996	Type A	<ul style="list-style-type: none"> • Campaign or seasonal activities • Maximum duration 9 months • Obligatory return upon expiry • Non-renewable
Law 4/2000 Law 8/2000 R.D.864/ 2001	Type T	<ul style="list-style-type: none"> • Campaign or seasonal activities • Maximum duration 9 months with a 1 year • Only for workers outside of Spanish territory • Employer's obligations: organize worker's trip and pay for one of the trips (go or return), provide adequate housing to the workers. • Worker's obligations: compulsory return upon expiration of permit • Preference of workers from countries who have signed bilateral agreements with Spain
Law 14/2003 R.D. 2393/2004	Work permits of specific duration for activities related to seasonal or campaign activities	<ul style="list-style-type: none"> • Campaign or seasonal activities • Maximum duration 9 months with a 1 year period • Only for workers outside of Spanish territory
Law 2/2009 R.D. 557/2011	Work permits of specific duration for activities related to seasonal or campaign activities	<ul style="list-style-type: none"> • Campaign or seasonal activities • Maximum duration 9 months with a 1 year period • Annual number of seasonal workers hired regulated through annual ministerial orders

Source: López-Sala et al 2016: 28-29

Following the changes in Law 4/2000 and 8/2000, from 2002 the quota system came to be the legal framework for contracting seasonal workers in the countries of origin. Preference had to be

given to those countries with which the Spanish Government had signed an agreement (Morocco, Colombia, Ecuador, Romania, the Dominican Republic, Poland and Bulgaria and later on Mauritania and Ukraine). However, the criterion for determining the distribution of the quota remained in the hands of the employers. It is the employers who, on presenting a generic offer of work, 'propose' the country where contracting will take place. In practice, this dual framework (existence of bilateral agreements and employers' decisions) turned out to be contradictory: the reasons of state for choosing some countries over others (through bilateral agreements) did not always coincide with the demands of the employers.

This disparity between the state's choice and that of the employers was particularly evident with the bilateral agreements signed with countries like Gambia (2006), Guinea Conakry (2006), Cape Verde (2006), Mali (2006) and Senegal (2007). In exchange for the collaboration of these countries in the struggle against illegal immigration and *above all* with the condition that they agree to the repatriation of their citizens, Spain promised to ease legal immigration from these countries. While Spain needed employers to contract workers from these countries in order to fulfil its part of the agreement, the employers were not so keen to comply. In contrast, while some agreements amounted to virtually nothing, others were given a great deal of attention by employers. Such was the case of Poland. We might speculate as to why employers opted to contract Polish workers instead of African (and then also) Moroccan workers. In fact, both the mass media and academic literature have played up the perceived greater 'docility' and 'propensity for integration' of the Poles (European, Catholic and mainly women) in comparison with Moroccans. These 'reasons' apart, the result was that the quota system ended up (following employers' demands) promoting one kind of immigration over another. This was especially obvious in the strawberry fields of Huelva where, after 2002, Moroccan workers (including those in a legal situation who had been working in this rural area for a long time) were progressively replaced by Polish and later on Moroccan women.

In practice, these temporary labour schemes have worked as follows: the employer has to present a job offer to the Public Employment Service (either at the state or regional level), which has to determine whether there are available candidates already present into the Spanish labour market. After 25 days, in case there are no candidates available, the employer can recruit workers in their countries of origin through the state programme, which is called since 2009 "collective management of hiring/recruitment in origin" (in Spanish "Gestión Colectiva de las Contrataciones

en Origen”, GECCO). The GECCO can manage both a generic or a nominative offer, in the latter case corresponding to a worker that repeats, meaning that has already worked for this same employer in previous campaigns. In all cases, job offers have to be presented three months before the initial date. It is a long and time consuming process. First, the employer has to go to the country of origin to select the workers in a recruitment process where the Spanish administration together with the administration of this country (and sometimes trade unions as well) do also take part. Only the biggest employers can go directly to select their workers in the countries of origin. The rest go through their employer organisation, which represents them in exchange of a service fee. Second, the employer has to process the visa to get the workers into the country. Employers are also responsible for organising and covering the travel to and from Spain and providing workers with decent accommodation.

In their turn, workers have to fulfil their commitment to return to their country of origin at the end of their labour contract. To certify it, they have to register at the Spanish consular office that issued their visa, within one month after it expires. Failing to do so could lead to the refusal of later applications for work permits under the same programme. Workers that comply with these obligations are by law given priority in future campaigns. When individual workers are contracted “by name”, they do not have to go through the selection process as they are directly employed by their former (under this same scheme) employer. According to (TEMPER, XX), this has generated forms of circular migration since it facilitates the repeated mobility of workers over the years. At the same time, tying the residence and permit to a particular employer does also create highly dependent relationships that may facilitate abuse. Finally, under this programme, seasonal workers have little possibilities to transit to a more stable residency status. It is true that some decide to stay in Spain after the end of their contracts, which in practice means becoming “illegal” til they are able to regularise their status through the ongoing regularisation mechanism called “arraigo”.

In terms of labour conditions, foreign workers under this programme have the same rights as nationals in various aspects, including social and health rights. The supervision of their rights (living and labour conditions) is in the hands of local councils, often with the participation of NGOs through specific subsidies. As we will see, employers organisations’ and trade unions have also organised their own supervision programmes. Although the newspapers and some research have highlighted abusive conditions, the broad supervision by various actors, including unions and civil

society organisations, have contained broader forms of exploitation and abuse (ibid 32). At the same time, their temporary status and the spatially isolated agricultural working environment, together with the harsh physical conditions of this type of work, make them a particularly vulnerable group in case of abuse.

2.4. Towards the privatisation of recruitment

After few pilots, the first circular migration programmes (with a national framework but managed in practice by each Autonomous Community) were launched in 2001. The leading regions were Huelva and Lleida, which is no coincidence as their crops (above all red and seed fruits respectively) are highly seasonal, meaning that employers need high numbers of workers for limited periods. The GECCO programme functioned thus as a way to guarantee the availability of workers from a particular origin and in a particular time. In the case of Lleida, the whole system was led by the Fundación Pagesos Solidaris, which centralised the recruitment process and even reception and training at destination. In the campaign of 2007-2008, which is when the highest number of workers came through GECCO, employers in Huelva recruited about 40,000 workers and in Lleida about 7,000 (Díaz, Márquez and Jurado, 2014).

However, the economic crisis of 2008 represented a turning point. With unemployment rising quickly, the Spanish government decided to freeze the programme in order to promote employment of those workers (national or not) already in the country (López-Sala, 2016). It was a freezing rather than a ban, as workers (particularly those repeating and working in the fields rather than in the packaging) continued to come. According to Gualda (2012, p. 635), this measure sought to keep the “machine greased” so as to be able to reactivate it in case labour demands increased or labour supply (of those already in the country) turned not to be enough. Interestingly, the economic crisis did not reduce jobs in the agricultural sector and migrant workers continued to be dominant (slightly more than 50% in Huelva and between 80-90% in Lleida).

According to Molinero (2018), the dominance of migrant workers in agriculture, even after the freezing of GECCO, should be explained by two parallel processes. First, as shown by previous research, migrant workers – already resident in Spain and who the economic crisis left unemployed – turned (back in many cases) to agriculture (Gadea et al, 2015; López-Sala, 2013). In contrast to national workers, who are mostly reluctant to work in this sector even when they are

unemployed, they probably did not have many other alternatives (e.g. support from the family). Second, employers continued to recruit in the countries of origin but aside from GECCO. Two factors facilitated this “individual”, “spontaneous” or “private” (meaning not state driven) recruitment in origin: Eastern European countries (of special importance here, Rumania and Bulgaria) had entered the EU, thus recruitment in these countries was possible outside GECCO and without having to go through the national employment agency; and also in these countries previous networks of former workers and their respective friends, family and acquaintances fed the system with concrete workers to be employed every year.

At the end of his analysis, Molinero (ibid) wonders whether the end of the 2008 economic crisis led these migrant workers residing in Spain back to other (better paid) economic sectors and therefore meant the reactivation of the GECCO programme or the rise of this “individual”, “spontaneous” or “private” recruitment system in Eastern Europe. The answer is probably both. Both the GECCO programme and recruitment of Romanian and Bulgarian workers in their countries of origin rose considerably in the last years. The question for us in this report is what happened in 2020 in a context of pandemic and therefore of high mobility restrictions. Have employers gone back to migrant workers residing already in Spain who, as in 2008, have been expelled from those sectors more hit by the lockdown? Did workers from Rumania and Bulgaria continue to come? To what extent did mobility restrictions affect (though probably is too early to say) the “recovering” of the GECCO programme and the “spontaneous” recruitment in Eastern Europe?

3. Agricultural seasonal workers in times of Covid-19

3.1 Introduction to the cases of Lleida and Huelva

The enclaves of Huelva and Lleida are the most significant in Spain in terms of temporary workers' schemes. This is not only because they have historically employed the majority of foreign seasonal workers within the country, but also because they have been regarded a model of reference by the EU, as recognised in the Directive 2014/36/UE related to the conditions of entry of seasonal workers mainly linked to agriculture (Molinero and Avallone, 2018). As the following map shows,

Lleida is a province of Catalonia in the north of Spain, whereas the province of Huelva is located in the south-west side of Andalusia next to the border with Portugal.

Map 1: Provinces of Lleida and Huelva within Spain



Source: Molinero (2018: 297)

The plain of Lleida (in Catalan, *Plana de Lleida*), which includes the main counties (*comarcas*) within the province of Lleida, is the leading region in harvesting fruits of Catalonia. According to the last agriculture census (INE, 2009), Lleida represented 78% of the whole crops of sweet fruits of Catalonia, including peaches, nectarines, apples and pears. In number of harvested hectares, Lleida is also the first producer of these fruits in Catalonia, gathering 82% of the total surface (DARPA, 2016b in González, 2018). The campaign starts in June and ends in September, being the months of July and August the peak ones. Yet, harvesting fruits of pits (peaches and nectarines) is much more intensive during the summer in comparison to fruits of pips (apples and pears), since the process of maturation is much quicker and delicate.

In the following table we can observe that among the four main fruits, the peach and the nectarine are those with a major production in tones (185,000 and 154,000) and a higher turnover (146 and 126 million euro), according to data from Federación Española de Asociaciones de Productores Exportadores de Frutas, Hortalizas, Flores y Plantas (FEPEX) last year.

Table 2: Production and turnover of key fruits in Catalonia (2019)

Catalonia		
Fruit	Tones in thousands of kilos	Turnover in million euro
Peach	185	146
Nectarine	154	126
Peer	68	55
Apple	86	66

Source: own elaboration with data of FEPEX

This year, the production of sweet fruit has decreased in average to nearly 30% (data of October 2020), according to the Department of Agriculture, Livestock, Fishing and Food of the Catalan Government¹. Although the bad weather is the main cause, the reduction of harvested hectares of these fruits is also related to the official plan to downscale the excess of offer and be more competitive in prices². In terms of turnovers, even if the price of the fruit has considerably increased, there has been a 2% reduction in the incomes of peaches and nectarines (140 and 119 million euro, accordingly)³.

As regards the number of workers in the campaign, statistics are not unanimous. This is due to the high unpredictability of seasonal production, as it depends not only on meteorological factors, but also on a volatile demand (López-Sala, 2016). As part of the just-in-time model, growers do not exactly know when the product will be harvested or how many workers they will need, but still must be sure that they have enough available workforce to avoid the risk of losing production (Molinero and Avallone, 2018, p. 8). In this sense, agrarian unions and employers' associations affirm that they need every year around 30,000 workers for the campaign, although considering the statistics of Social Security the actual number appears to be lower, as explained below in the report.

¹ Source: <http://agricultura.gencat.cat/ca/departament/estadistiques/agricultura/avancos-mensuals-produccions-agricoles/>

² https://www.segre.com/noticies/agricultura/2020/11/27/el_pla_la_fruita_pinyol_porta_l_arrancada_un_es_275_hectarees_120103_1114.html

³ Data facilitated in the press conference of Unió de Pagesos on 02.12.2020.

Another characteristic of this intensive model of agriculture is its export orientation and the high dependence on international markets, where between 70% and 80% out of the total production of fruits is exported outside Spain (López-Sala, 2016). This also entails a rising concentration of land in fewer hands. However, in Lleida the productive structure is still mainly composed of small landowners (from 1 to 10 hectares, 76%) and some middle landowners (from 10 to 50 hectares, 22%), while the number of big landowners (more than 100 hectares) is very residual (González, 2018).

Finally, it is worth mentioning that in Catalonia, agrarian unions have historically played a big role in the evolution of the agrarian model. Whilst at the beginning they started with a position closer to the interests of workers, in the last decades this has shifted to the defence of farmers' demands under a business-oriented model (González, 2018). In practice, today most of them function as employers' associations by offering different services to their members and participating in the policy-making process of agriculture policies. The main associations are Unió de Pagesos, Asociación Agraria de Jóvenes Agricultores (ASAJA, present in whole Spain) and Associació de Joves Agricultors i Ramaders de Catalunya (JARC). In addition, the Associació Empresarial de Fruita de Catalunya (AFRUCAT) represents the interests of 90% of cooperatives and companies dedicated to the processing, packaging and distribution of fruits in Catalonia, namely the interests of the agri-food industry.

Huelva also comprises many of the characteristics of Lleida in relation to the just-in-time model oriented to exterior markets. In fact, it is the maximum expression of it within Spain, based on the imitation of California's production techniques. In the campaign of 2018-2019 the production was valued in 341,556 tones, where more than 70% was exported, mainly to other EU countries⁴. On the other hand, the number of hectares has increased to a great extent. While in 1970s there were 700 hectares of strawberry fields (Molinero and Avallone, 2018), in 2020 these have expanded up to 6,217 hectares, according to Freshuelva-Fepex⁵. They are mainly concentrated in eight

⁴ <https://sevilla.abc.es/agronoma/noticias/cultivos/freson/sector-fresa-huelva-campana/>

⁵ <https://www.europapress.es/andalucia/huelva-00354/noticia-superficie-fresa-huelva-crecera-campana-6095-hectareas-cultivadas-20200220203144.html>

municipalities close to the coast (Reigada, 2012), although the diversification of berries and other fruits has brought about a greater territorial dispersion across the province. If we take into account all red berries, the harvested surface in the last campaign (2019-2020) was 11,700 hectares⁶.

The table below shows the production and turnover of all berries in Andalusia, considering that Huelva produces more than 90% of them. Strawberry is the leading fruit by large (244,000 tones and 480 million euro), followed by raspberries, which despite producing less tones (69,000) are better valued (400 million euro). A similar production is observed among blueberries (59,000), whereas blackberries are at the bottom of the list, both in tones (6,000) and revenues (31 million euro).

Table 3: Production and turnover of key fruits in Andalusia (2019)

Andalusia		
Fruit	Tones in thousands of kilos	Turnover in million euro
Strawberry	244	480
Raspberry	69	400
Blueberry	59	293
Blackberry	6	31

Source: own elaboration with data of FEPEX

This year, the pandemic has affected in a 20% reduction of production and only 250,000 tones of strawberries have been harvested due to labour shortages and the reduction of consumption linked to the difficulties of distribution outside Spain⁷. Nonetheless, strawberries in whole Spain have generated a value of 565 million euro (January-September 2020), somewhat less than the 595 million euro of 2019 (the whole year), according to FEPEX.

⁶ <https://www.europapress.es/andalucia/huelva-00354/noticia-superficie-plantada-frutos-rojos-huelva-alcanza-11700-hectareas-minimo-incremento-20191223171038.html>

⁷ <https://sevilla.abc.es/agronoma/noticias/cultivos/freson/fresa-huelva-coronavirus/>

The productive structure of Huelva is mainly composed of small farmers and landowners, as in Lleida, that have their origins in family exploitations and working-class individuals who used to work in other economic sectors (e.g. fishing, construction, trade) before the expansion of the strawberry sector. Although there are more and more differences between small, medium and big landowners, the land is increasingly concentrated and foreign capital is more present, family small properties are still the rule (Reigada, 2011). These, in turn, depend on the multinational and large companies in charge of R+D and distribution within the global agri-food chain, as previously explained.

The great majority of farmers and cooperatives are members of employers' associations. The leading one is the Asociación Interprofesional de la Fresa Andaluza (Interfresa), which serves as the umbrella organisation that integrates the three main associations: Freshuelva (sectoral association of strawberry and other red berries), ASAJA-Huelva and the Federación de Cooperativas Agroalimentarias (which represents the main cooperatives related to agri-food industry and red berries). Overall, Interfresa represents 54 agri-food societies and 18,200 farmers and ranchers, and employs 500 fix workers during the whole year and 80,000 eventual and indirect workers in the campaign⁸. In addition, the Unión de Pequeños Agricultores (UPA) represents small farmers and is closer to the agrarian union Unió de Pagesos of Lleida in its nature and scope. The estimated total number of workers that participate in the campaign of red berries in Huelva, according to several interviewees is around 100,000.

3.2 Recruitment of labour force

3.2.1 Channels of recruitment

Temporary workers' schemes (GECCO)

In Catalonia, Unió de Pagesos is the actor which has traditionally been involved in the management of temporary workers' schemes together with trade unions (CCOO and UGT) and the Spanish government to bring contingents from Latin America, Eastern Europe, Morocco and – from 2005 to 2008 – Senegal (Gualda, 2012). It was the first union in whole Spain that started the

⁸ <https://www.interfresa.com/origen/>

process of temporary labour workers schemes in Colombia in the late 1990s. Before the economic crisis of 2008, Unió de Pagesos (through its foundation Pagesos Solidaris) used to manage the intermediation of 12,000 or 13,000 workers to be hired by different farmers and cooperatives, including those who came under GECCO and those living in Spain. Yet, the crisis brought about a dramatic rise of unemployment and national workforce was set as a priority. This resulted in a reduction of funding, which made the service of labour intermediation almost disappear. In the last years, it has only managed a pool of 2,000 or 3,000 workers in whole Catalonia, of which between 300 and 500 come from Colombia (only repeaters).

In the collective imaginary of employers and some politicians, there is still the perception that GECCO in Catalonia was (and still is) an **exemplary policy** in terms of **governance of temporary workers**. At the time Unió de Pagesos was in charge of the service of labour intermediation it seemed easier to adjust supply and demand with real numbers and better control the needs of accommodation. The union was able to coordinate with the main Councils and farmers of the area of Baix Segrià (Seròs, Aitona, Alcarràs...) and solve any problems that could emerge. The reduction of formal quotes from 2008 led to the **privatisation of GECCO** (Molinero, 2018), where employers' associations maintained the recruitment outside Europe, but this was arranged privately with nominal contracts. In this new scenario public administration lost control of the recruitment process and the decentralised nature of temporary workers' schemes was accentuated.

“Before that, the Generalitat de Catalunya came to a time when it was a model in the field of agricultural campaigns. I remember coming out in good practice books, in 2008 we were super role models. There were vans to go through the villages where the farmer was, if he wanted to employ someone and did not count with any support from any agency or anything, he would go with the documents of the worker and told the Generalitat de Catalunya sign this worker up in the Social Security. There was no excuse for a worker not to be registered in the Social Security [...] For me the best were the recruitments in origin. I would go to Romania with a suitcase and in the suitcase I carried 2,000 contracts. I would go there and say: “you are in, you are out”. “When will I come?” “I'll let you know.” I would go to the Romanian Department of Labour [and say] “organise a bus for this day” and in February I already knew exactly how many people would come from Romania, how many accommodation places I had. This regulation was fantastic. Now it is not the case, now people come here and don't know if they have a job or have to look for a job” ST-LL4

Today, some farmers and temping agencies believe that the **public administration should have better mechanisms of coordination to control the recruitment process**, since the existing agricultural boards (*mesas agrarias*) do not seem to be efficient. This would help in getting the big picture again. Moreover, if these mechanisms were organised at the national level, situations like having workers that sign up in the Social Security twice at the same time (in simultaneous campaigns) would not happen. However, this would require the setting of a legal framework to ensure data protection with recruitment agencies and it is not clear if these would be willing to deliver such data to a public body.

“I don't understand how today that we are all connected, how is it possible that we can keep on registering a worker who is already registered in Granada, is it possible that this still happens? This shouldn't happen. I should have a red light on [in my computer]. ” ST-LL4

Some believe that the coordination of recruitment processes could be implemented by the **public occupation services** (*Servicio de Empleo Público Estatal*, SEPE). These are connected to GECCO, since before the process of recruitment abroad starts, the job offers need to be made public to make sure that these cannot be occupied by local people. Yet in practice many people and especially in the sector of agriculture do not use this channel to seek a job, so it does not seem to be the best option. Another problem is that the occupation services of each autonomous community (SOC in Catalonia and SAE in Andalusia) work very independently, which makes the coordination of the labour market at the national level very difficult.

"The databases of the employment services here [Catalonia] and in Andalusia are not connected, they function as independent bodies. Then you don't know what pool of workers you have in agriculture in Spain. SEPE doesn't know it either and that's a problem to recruit. People look abroad because if the foreginer has to work 11 hours and earn 9, he/she will do it, but a Spaniard will get angry and a Spaniard will not work on a Sunday. And I think the difficulty around the poor articulation of the interior market fosters many foreigners to be sought. [...] The interior market is very poorly coordinated. ” ST-LL1

In Huelva, the projects of AENEAS (2004-2006) and MARES I & II (2010-2013) that took place as an initiative of the City Council of Cartaya and the EU to implement temporary workers' schemes

were also regarded as a **good practice and a model of circular migration**. It complied with the three principles of this policy: fulfilment of economic needs, control of illegal immigration and co-development. Moreover, the creation of the Foundation of Foreign Workers of Huelva (*Fundación de Trabajadores Extranjeros de Huelva*, FUTEH) in 2007 contributed to the selection process and in the accompaniment of Moroccan women during their stay in Spain. This Foundation counted with 18 Moroccan mediators and offered services of translation and training, including Spanish lessons and topics such as the importance of returning home, health and hygiene, sex education, living together, use of pesticide products and intercultural mediation. They also anticipated potential problems related to pregnancy, birth and health issues. Since the Foundation ceased its functions with the reduction of GECCO's quotes in 2014, there has not been an analogous body that offers these services. In the **last years** and especially since 2018 with the two cases of sexual abuse the **deficiencies of this policy have come to the surface** much more than in Lleida. These deficiencies also have to do with structural problems related to the agricultural model mentioned in the previous section. Yet, the fact that the red fruits sector is highly dependent on GECCO and that it involves a larger volume of production and companies (only in GECCO there are about 600 companies that hire temporary workers) makes the critical points of the sector be straighter related to this policy.

On the other hand, employers both in Catalonia and in Andalusia tend to put **pressure to increase the quotes of temporary work schemes** because the harvested land increases every year and they lack labour force. Yet, there is a remarkable difference among the political stances of public occupation services in both territories. Andalusia has been more open to accept this demand and there has been an important increase of quotes since 2017, but Catalonia until now has declined it. Since the crisis in 2008, only repeaters from previous years are allowed to come, which is somewhat problematic, since many have become old and every year it is more difficult to find fit candidates. According to some employers who display a clear preference for temporary workers' schemes and the subdelegation of the government in Lleida, this poses some obstacles to fulfil the labour demand.

“Here in Catalonia we come a bit across on the agricultural issue with SOC [Employment Service of Catalonia], which is a disgrace because in the end, if the farmer has to pick up, he would pick up even with child labor because his life is at stake, his incomes are at stake. He will pick it up from the right side or upside down and if it is not legal he will do it

illegally. What the administration can't do is putting barriers on him to do it legally and hiring people legally." ST-LL1

In contrast, other employers' associations (e.g. ASAJA) and farmers do not believe in GECCO, since they prefer to employ workers from within the Spanish territory, especially when unemployment rates are high. Moreover, the process of GECCO can be bureaucratically complex and it obliges farmers to fulfil certain conditions (especially in terms of accommodation) and pay for the travel of third country nationals. In this scenario, some delegate the recruitment to temping agencies, which ease the process. On the other hand, **trade unions** (especially CCOO and UGT in Catalonia), tend to be **critical** about temporary workers' schemes. This is a historical stance in order to protect the national workforce (including resident migrants), particularly in times of crisis like the current one. They advocate for dignifying the agricultural work and offer better labour conditions, so that unemployed people living in the country can access this sector, including female temporary workers, who used to be much more present some decades ago.

With the **pandemic** and the closure of borders, **GECCO has been severely affected**. Whilst Lleida could not host the expected workers from Colombia (around 400), Huelva had to manage the return of 7,000 women that had arrived in the first and second phases (between December 2019 and March 2020). With the closure of borders, they were stuck in Spain and could not return to Morocco until July, with the exception of a few women that could leave in June due to their health situation (not Covid-related) or early motherhood. Moreover, Huelva could not receive the 10,000 women that were expected to come between mid-March and the end of the season in June. This posed much stress to the subdelegation of the government's offices in charge of GECCO, especially in Huelva, as being the region that has higher quotes of recruitment and fewer human resources. Yet, they have made efforts to keep Moroccan women who remained in Spain employed, by widening their contracts or relocating them in other companies (about 1,700), even if they worked fewer days. This was a commitment of the subdelegation of the government to guarantee their economic sustainability.

On the other hand, those farmers that were waiting for Moroccan women to arrive after mid-March looked for alternatives among residents in Spain. For instance, a medium business owner (with about 20 hectares) reveals that he was expecting 33 Moroccan women out of the 90 jobs that he normally offers, and he managed to replace them thanks to the personal networks of

trustful workers. These 'new' workers were mostly of migrant origin and there were some autochthonous too. Overall, this year he had a pool of 20 or 25 local workers, of which more than half have a fix contract, and the rest were foreigners from different nationalities (e.g. Ghana, Morocco, Romania, Bulgaria, Venezuela), who are used to concatenating campaigns. The closure of borders, however, has incurred in an economic cost related to the recruitment process of the 33 Moroccan women that could not come, which he expects not to waste again next year.

"Well, I get the workforce through permanent workers. I have people who have been with me for quite a few years, and I trust them to bring me people, trustful people. In the field, "we throw a lot of money" and of course, in the field you cannot put anyone to work either. I use them as a support to help me in this aspect, besides the people that you can get around the town." ST-HU7

Towards the next campaign (December 2020 – June 2021), there has been much **uncertainty** considering that Morocco's borders are still closed. The government initiated conversations with other countries to explore the possibility of undertaking a recruitment process. Potential candidates are in Latin America (e.g. Honduras, Peru, Colombia) and in Eastern Europe (e.g. Moldavia). Actually, these conversations are not new; employers' associations have been asking the government to widen the list of countries for some years already, but the pandemic has accelerated this process. However, as the member of the subdelegation of the government in Huelva affirms, this would be only a **pilot action** with limited numbers of workers (around 100). Travelling overseas to do the selection process with all the mobility restrictions is currently a big challenge and it would be impossible to find thousands of workers before the campaign of 2021 starts. In the end, the Spanish government has negotiated a **cordón sanitario with Morocco to allow the recruitment of a maximum of 14,000 women** in three phases by ferries, under the approval of consulates. They need to bring a negative Covid-test passed within the last 72 hours, which according to the member of the subdelegation of the government may be at the expenses of migrant workers (Spain paid the tests for those who had to go back to Morocco in July 2020). Logistics are not easy, but Moroccan women are still in the first ranking priority to push forward with the campaign.

"We would not have availability or capacity to find out a solution for a group like the one we have from origin; It is impossible to bring 7,000 people (not to mention the ones we

expect to come) because it cannot be managed in 3 months. It is impossible. With a new group, a selection should be made, travelling would be involved with the current difficulties of movement. So, if a group came from Moldova, from Honduras, from any other country like Peru, Colombia, which are countries that entail [bilateral] agreements, where local companies have their branch offices there. Well, we are talking about a quote of 100, 150, a pilot project. And always to complement the workers who have priority and the right to come from Morocco.” ST-HU1

Temping agencies and employment agencies

Temping agencies are becoming a **common actor to recruit workers** in the agriculture, especially since the crisis of 2008 and the labour reform of 2012. Since then, banks put more restrictions to financially support campaigns and farmers and companies look for alternatives. Temping agencies offer the possibility to fund campaigns and comply with the payments to workers, Social Security and the Tax Office (*hacienda*) on time. Moreover, their job facilitates the recruitment process and allows more flexible arrangements, according to the needs of the production, which depending on the climate may suddenly change. Whereas some temping agencies are small and do not count with many resources, others struggle to provide personal assistance and get more involved in the management of workforce, such as Sendas Gestión in Lleida. This agency appears to be a **good practice** in terms of arranging services of transport, revising accommodation with decent standards, elaborating an observatory of lodgings or assisting workers individually, especially in cases of illness. With the pandemic, they have also helped them in arranging the sick leaves' benefits when they needed it.

However, social organisations and trade unions appear to be quite **critical with the *modus operandi* of temping agencies**, since some do not respect the collective bargaining agreements. The subcontracting of workers also fosters their lack of involvement in the wellbeing of temporary workers, especially when it comes to accommodation. The lack of coordination between temping agencies and farmers ends up leaving workers unprotected. In this scenario, irregular workers (with forged identities) and recent regular migrant workers (who may have 'bought' their residence permit) are especially vulnerable to the potential exploitation and trickeries of temping agencies, since they are less aware of their rights and are in a difficult position to claim them. As stated in the next sections and affirmed by the same subdelegation of government in Lleida, the

logic of subcontracting results in agencies not being so respectful with the collective agreements, neither in terms of salaries or accommodation.

“All the problems that arise from the lack of accommodation, passers-by, exploitation affects mainly people who are not like this [regular migrants who concatenate campaigns], but sporadic people who arrive without a contract and then the first thing they do is fall into the hands of temping agencies and exploiters like these.” ST-LL1

Sometimes, these agencies do not know the reality of the territory where they operate because they have the headquarters office elsewhere and do not provide direct assistance. On the other hand, a few owners of temping agencies are also politicians and control the media, exerting a big influence in the agricultural sector.

“When you find out that one of the first positive cases [of Covid] was identified in a manufacturing company [...] and the mayor came out arguing that things were going well. Of course, when I find out that this mayor is precisely the owner of the temp agency that provides temporary workers to this company, you say damn it, no.” ST-LL12

A recent sign of this lack of responsibility during the pandemic is that some temping agencies **issued letters of safe-conduct** so that workers could freely move within Spain, even if they did not have a formal work contract. In turn, NGOs and trade unions criticised the government for not better controlling such practices.

Job boards of companies and employers' associations

Temping agencies and employers usually work closely with cooperatives and employers' associations to recruit workers, especially since the decrease of GECCO's quotes. **Recruitment processes now depend** much more on the pools of workers of **employers' associations**, who have their job boards and facilitate the recruitment and hiring process with companies and individual farmers (privatisation of GECCO). Those workers who have participated in the campaign several years (the so called 'repeaters') are directly hired with nominal contracts by companies and farmers, with the potential support of employers' associations and temp agencies.

“When we talk about recruitment in origin [formal programme of GECCO], one thing is at the administrative level, for which you need to arrange certain documentation, but for me recruitment in origin for which you don’t need this documentation still exists. That is to say, we continue to call and continue to do recruitment in origin.” ST-LL4

With the **pandemic**, employers’ associations in Lleida announced in the press that they would need around 35,000 workers in the campaign, since they feared that with the closure of borders they would not find enough. Both trade unions and the subdelegation of government in Lleida, apart from criticising this measure for causing a ‘pull effect’, believe that the **demand number of workers was too high** in relation to the actual workers that end up participating every year in the campaign. Although it is difficult to ascertain the total number due to the disparity of data among all channels of recruitment and actors involved, according to the Social Security’s register, there may be place for maximum 15,000 workers, as this member of the subdelegation of government affirms.

"People talk about 30,000, I don't think so. I have data from the contribution to the social security of the agricultural sector that I have been processing until last year and the people who work in the fruit warehouses [plants]. And the difference between the month they have less and the period they have more, according to my calculations, is 12,000 - 13,000 between February and August. Adding fields and warehouses. At most there can be 15,000. But to me, 30,000 seems like non-sense." ST-LL1

At the time of the announcement, there was also the campaign of #RegularisationNow! (*#RegularizaciónYa!*)⁹ and some rumours started circulating about the possibility of regularisation through a job contract in the agriculture. Even if this was false, it was widespread in social media and it attracted many people from different parts of Spain and outside the country, despite restrictions of mobility during the lockdown, creating a ‘**pull effect**’. Some came from Canarias islands, Madrid, Valencia, Andalusia, Valladolid, etc., looking for job offers outside catering,

⁹ Unlike Portugal and Italy, in Spain this demand was not approved, although it counted with a wide support from employers, NGOs, trade unions and several politicians of left-wing political parties, except for the Socialist Party. Some employers’ associations like ASAJA proposed to issue temporary residence permits to undocumented workers living in Spain and bring them back to their countries of origin after the end of the campaign. However, this proposal did not count with a wide support by the administration or NGOs.

hospitality sectors and other informal jobs (e.g. street vending), which were being deeply affected. The early arrival of (potential) workers created many problems in terms of accommodation (explained below) and work, since farmers were not able to provide jobs to all, especially if they were undocumented.

In the scenario of fear to cover the labour demand prior to the arrival of workers, employers' associations also put pressure on the government to organise a **cordón sanitaire** and allow the arrival of seasonal workers from Eastern Europe (mainly Romania) to Lleida. First, they tried it with airplanes, but this was denied by the government (in contrast with Germany and the UK) and after some negotiations, the entry of workers was finally allowed by land. According to the subdelegation government's office of Lleida, half of Romanian workers were able to come (around 2,500 out of the usual 5,000 or 6,000). The association AFRUCAT, for instance, arranged several buses for approx. 600 people and other associations and cooperatives (e.g. Frutaito, Nufri) may have arranged more¹⁰.

On the other hand, the general administration of the state (*Administración General del Estado*) offered the subdelegation government's office of Lleida the transfer of Moroccan women that had finished the campaign in Huelva, which in turn passed the offer to employers' associations. It was supposed to be a win-win solution because Lleida would fulfil the labour demand and female temporary workers would also be employed while they could not return to Morocco. However, this was rejected by employers, arguing that **they needed their workforce** from previous years (especially from Romania), since they had specific knowledge and expertise to work in agriculture (e.g. control of machinery, driving of forklifts, control of irrigation system). Moreover, they justified it with the obligation to contact them first as holders of a permanent seasonal employment contract (*contrato fijo-discontinuo*)¹¹ and according to ASAJA, the offer arrived too late. The

¹⁰ The highly decentralised system and the lack of coordination by a public entity makes it very difficult to know the details of the workforce hired by different cooperatives, employers' associations, temping agencies and individual farmers in statistical numbers. Besides, the interviews in Lleida were done when the campaign had not finished yet, so employers' associations and temping agencies did not have the real numbers yet, but just an estimation.

¹¹ This type of contracts entails that workers have a permanent contract with the company, but only work for some months a year. Many of the workers who have these contracts in the agriculture in Lleida live in Eastern Europe, Morocco and to a lesser extent in Senegal. They promote a pattern of circular migration. Some of these workers have been doing this for 30 or 40 years (some even have the Spanish citizenship)

production was reduced around 20% due to the bad weather, so fewer people were needed than what was initially planned.

In the end, employers counted with enough labour force from previous years (migrant temporary workers) plus some new workers that were expelled from other economic sectors, both local and migrants. ASAJA, for instance, was able to contract 1,660 temporary workers that usually concatenate campaigns across Spain out of the pool of 2,000 workers hired through its private job board. The rest were workers with a fix contract that already live in Lleida or its surroundings. This was possible thanks to the **certificate of mobility** that the government approved in April 20th to allow individuals with a work contract (previously sent by email) to move across provinces in Spain. In this sense, ASAJA (as well as other farmers, cooperatives and associations) was able to surpass the difficulties that were initially envisaged and proceed with the campaign.

In the negotiation with the national government, several actors participated: AFRUCAT, ASAJA, the subdelegation of the government in Lleida, the mayors of the most affected towns (Aitona, Alcarràs, Seròs...) and the main trade unions. As this interviewee affirms, since there was a unified commission between the Ministries of Agriculture, Transport and Health, it was relatively easy to get the approval of this certificate. Agricultural workers were considered **essential workers** and the government allowed their mobility without specifying any limitations between autonomous communities or provinces.

"The subdelegation of the government extrapolated it to the Ministries of Agriculture, Transport and Health because at that time there was a single command and it could be achieved. It didn't take too long... I thought it would be more complicated and, in the end, it could be achieved. They understood, at that time if you remember when the state of alarm was made, what the state said is people can only move to go to work. [...] In no case references of limitations between autonomous communities or between provinces were made, our legal services checked it and the possibility was open." ST-LL7

As stated above, **trade unions** like CCOO publicly shared their **concerns** of bringing workers from outside Spain in the midst of the lockdown with high restrictions of mobility. The slogan of

and may have resigned from the project of reuniting the family, as initially planned, and try to work as much as they can and then go back to the country of origin and live out of the earnings of the campaign.

employers was that “the fruit needed to be harvested at any price”. Yet, this posed **tensions** not only between the preservation of the most important **economic** sector in Lleida (agriculture) and the **public health**, but also between the preference of agriculture over other economic sectors (hospitality, trade and industry). As a result of this political decision, many SMEs related to these other sectors were deeply affected by the second lockdown that Lleida suffered during the outbreaks of the summer.

“[AFRUCAT] demanded and put pressure to open the borders for their workers to come and they had the planes and the buses ready. And others said "Don't you see what's going on?! Don't you see how we are ?!" And we, at those boards, were left alone, arguing that the first thing we had to do was checking the protocols or start making protocols, start exploring measures to protect ourselves from COVID [...] This lack of control of how they came, how they were and how they circulated later is one of the reasons for the outbreak of Lleida.” ST-LL8b

“The fruit had to be harvested at any cost. And the health of workers has not been preserved. And I think it has also violated an essential right which is the right to public health. And here, the administrations were all warned.” ST-LL8a

In Huelva, several buses were arranged to allow the entry of Eastern European seasonal workers during spring, using the certificate of mobility related to a job contract. In fact, according to the mayor of Lucena, the arrival of buses from Eastern Europe with temporary workers and their family members did not stop during the pandemic, although the frequency was reduced. Yet, the situation of the pandemic there was quite controlled (low number of cases) and it was not made public or controversial in the media as in Lleida¹².

Last but not least, in the scenario of uncertainty to cover the labour demand, the Spanish government approved a **decree-law** (Real Decreto 13/2020) in early April to **attract other potential target groups** in the agriculture. These included: young migrant people aged 18-21 that used to be under protection and would normally have no access to a work contract until they reached the age of 20; migrant workers whose residence permit run out of period between March

¹² It is not possible to expand on this, since access to employers' associations or farmers was denied due to the sensitivity of the topic.

13 and June 30; asylum seekers; and unemployed people that could combine unemployment benefits with a job contract in the agriculture. However, this strategy did not work very much, except for some migrant youth. At the beginning, there were several workers (migrants and autochthonous) from other economic sectors that sent their CV to the job boards, but then refused the offer because of the job and living conditions, whilst others dropped out when they witnessed the hard working conditions. In the end, few people of these groups were recruited.

Informal arrangements

Finally, another common channel of recruitment in agriculture is through informal arrangements between farmers and workers. These may be more frequent with undocumented migrants that work in the fields and do more **spontaneous jobs** or serve as **extra labour force** during the peaks of the campaign. The profile tends to be mostly males from Maghreb or Sub Saharan countries. Although employers and public administrations systematically deny that they employ irregular workers and agree that those who do it are a minority, this politician affirms that informal arrangements may happen sometimes.

"In general, we can say that undocumented people do not work. It doesn't mean that a man tells someone, "listen, brush it off and I'll give you € 25 or € 40". I'm not telling you this doesn't happen." ST-LL2

In terms of numbers, it is very difficult to know how many irregular workers participate in the agricultural campaigns. An interviewee points out that an estimation could be done with the number of harvested hectares and the number of working hours needed per hectare. This would inform about the number of working days and workers, and then contrast this data with the register of Social Security. However, it would be just a vague estimation. On the other hand, the fact that the agricultural sector is highly de-regularised and that, as explained below, inspections are more difficult to implement than in other economic sectors may result in the presence of a larger pool of undocumented workers or more irregularities in the recruitment processes.

"In construction there are also those who take illegal workers and in the hospitality industry and everywhere. In agriculture it is more difficult to control because everything is scattered and there is the pressure of setting the prices and there is also a wide supply of illegal workers. Identity theft is also a common practice." ST-LL1

3.2.2 Profiles of workers

The table below illustrates a summary of key profiles of workers in each province classified by channels of recruitment. The **first difference is in the profile of workers hired through GECCO**: men from Colombia in Lleida and women from Morocco in Huelva. The process of selection undertaken by the national agency of labour promotion in Morocco (ANAPEC) follows very specific criteria: women between 25 and 45 years old of rural areas with few socioeconomic resources and family responsibilities in order to ensure their return once their work contract finishes. Women from urban areas or very young women might not fit in this ideal type, since they do not have so much experience, may be more empowered and pose a greater risk of remaining in the country illegally. As a member of the subdelegation of the government affirms, the key of success of GECCO is in the selection process and more time should be invested to undertake a better choice.

“We don't really know if her intention is to stay in Spain or go to France. Yes it is true that young people, especially from areas close to cities, who do not work, and are not from agricultural areas, it is obviously a mistake to think that they are going to work in the countryside [...] in the selection process, considering such a large group, you need to dedicate more time, first of all, and this should be done throughout the year. [...] But the truth is that not all the people who come are suitable to work in the field.” ST-HU1

As some organisations point out¹³, these criteria are the first expression of **institutional intersectional discrimination**, where age, gender, socioeconomic status and ethnic origin meet to prioritise a profile of obedient, caring and self-sacrificing migrant women. Another clear difference between both provinces among workers that are recruited by temping agencies, employers' associations and cooperatives is in the **proportion of foreigners and autochthonous** people. Although the exact numbers are difficult to get because workers are distributed between two Schemes of Social Security, the data of the Special Scheme of Agriculture reveals that in 2019 in **Huelva only 43%** of workers was of foreign origin (including EU and third country nationals),

¹³ See for example the Report written by Women's Link Worldwide for the United Nations “Carta urgente de alegaciones a los procedimientos especiales de Naciones Unidas” last April 2020.

whereas in **Lleida** in August 2019 this percentage was **86%**¹⁴. If we took into account the proportion of foreigners working in plants that are registered in the General Scheme of Social Security, the total number of temporary workers of migrant origin in agriculture (both in the fields and in the plants) would probably decrease. However, this data already shows the importance of agricultural jobs among many local families in the south of Spain, although the whole public attention is usually paid to migrant workers. In fact, this creates **tensions** between both groups ('us' and 'them') and autochthonous workers often feel neglected, although they also suffer from their condition of working class as migrants. This reproduces the classic conflict between 'the poor' and constitutes the basis of many expressions of racism.

"We are placing a lot of emphasis on bringing to light and talking about the life of Andalusian agricultural workers. It seems like they have been put aside and we are only talking about immigrants and not only that, because even the people who come and try to help focus only on immigrants and what they are doing is even the opposite, it aggravates the matter. " ST-HU10

The rest of profiles in both territories are not so distinct, as some of the temporary workers living in Spain concatenate campaigns across the country, including Huelva and Lleida. The presence of Eastern European (particularly Romanian) and to a lesser extent of Maghreb or Sub Saharan countries that used to be part of GECCO and now participate through private arrangements affects both provinces. In addition, there are some **new profiles** that even if they represent a minority have started working in the agriculture in the last years. These include **refugees and asylum seekers**, particularly from Venezuela and Ukraine, as an illustration of the rise of refugees in whole Spain since 2017. This year, the crisis of Covid has expelled many (migrant) workers from their jobs due to the lockdown restrictions. It is the case of "manteros" (illegal street trading) who usually work in localities next to the coast. In fact, Unió de Pagesos received a phone call from the City Council of Barcelona to organise the relocation of about 1,000 "manteros" and the union declined the offer arguing the lack of means to assist them in terms of jobs or accommodation. However,

¹⁴ The data of Huelva has been retrieved from the Anuario Estadístico de Andalucía (6/10/2020) of the Junta de Andalucía and the data of Lleida has been facilitated by the subdelegation of the government in Lleida.

the pull effect after the call of employers pushed many to look for an alternative on their own in the countryside.

Finally, in terms of gender, there is a clear distinction between jobs in the fields and in the plants, following the afore mentioned **policy of sexual division of work**. Whilst in the plants of Huelva there are many Spanish women (at least half of the staff), in those of Lleida the majority are women of migrant origin, especially from Romania and other Eastern European countries, many of whom with children in charge. As in Huelva, they are very dependent on managers that speak their language, especially if they live in isolated housings next to the fields and have no transport.

Table 4: Key profiles of workers in each territory, according to the channel of recruitment

Territory / Channel of recruitment	Huelva	Lleida
GECCO ¹⁵	Moroccan women <ul style="list-style-type: none"> • 2018-2019: 18,880 • 2019-2020: 7,081 out of the 19,698 initially foreseen 	Colombian men <ul style="list-style-type: none"> • 2018-2019: 419 • 2019-2020: 0 out of the 466 initially foreseen
Temping agencies, job boards of employers' associations, cooperatives and companies	Romanian and other Eastern European (women in plants and men in the fields), Maghrebians and Sub Saharans (mainly men) from former GECCO or hired by name from the country of origin Migrant workers living in Spain mainly from Maghreb and Sub Sahara that concatenate campaigns Autochthonous workers ¹⁶ (57%)	Romanian and other Eastern European (women in plants and men in the fields), Maghrebians and Sub Saharans (mainly men) from former GECCO or hired by name from the country of origin Migrant workers living in Spain mainly from Maghreb and Sub Sahara that concatenate campaigns Autochthonous workers (14%)

¹⁵ Data facilitated by the subdelegation of government of Huelva.

¹⁶ Here we refer to workers with Spanish nationality registered in the Special Scheme of Agriculture of the Social Security. If we took into account Spanish workers registered in the General Scheme of Social Security working in the fruit plants, the overall percentage of autochthonous workers in agriculture would probably be higher. However, this data is not public.

	New profiles (minority): refugees and migrant youth, workers from other economic sectors (affected by Covid)	New profiles (minority): refugees, migrant youth, workers from other economic sectors (affected by Covid)
Informal arrangements	Irregular male workers mainly from Maghreb and Sub-Sahara (more predominant in the fields)	Irregular male workers mainly from Maghreb and Sub-Sahara (more predominant in the fields)

3.3 Working conditions

3.3.1 Formal rights and rights in practice

Legal framework and formal rights

The programme of **GECCO** states that workers recruited from origin will have a full-time job during their whole stay in Spain. There is a clause that includes some exceptions (e.g. bad weather) that allow to cancel working days up to 25%. As a result, temporary workers come to Spain assuming that they will earn a **salary** corresponding to **at least 75% of the whole duration of their contract**.

On the other hand, the **collective bargaining agreements** set the legal framework of salaries and working conditions of temporary workers. In Catalonia there are two agreements: one related to agriculture and livestock (*convenio agropecuario*) which affects those working in the fields and another related to food-processing and manipulation that applies to those working in plants. The agreements set 40 working hours per week, and extraordinary hours can be added without exceeding 10 hours per day. An important difference between both agreements is that jobs related to food processing in plants fall under the General Scheme of Social Security (in contrast with the jobs in the fields that fit within the Special Regime of Agriculture), which provides better welfare provisions, such as unemployment benefits.

In Andalusia there are several agreements by provinces. In Huelva the collective agreement for field workers (*convenio del campo*) is one of the less guarantors of the region, especially when it comes to the hourly rate and the (non) provision of accommodation, although in contrast with the Catalan agreement, the Andalusian one stands for 39 working hours per week instead of 40. With

the increase of the minimum wage (*Salario Mínimo Interprofesional*, SMI) approved by the Royal Decree 231/2020 last February (950eur/month in 14 pays), **salaries in the agriculture have been raised to fulfil the threshold** (7.41eur/hour)¹⁷. However, for small farmers, this rise has put more pressure on them, considering that the price of the fruit has not increased.

Rights in practice

One of the more common frauds with workers hired by temporary work schemes is that instead of applying the legal framework of GECCO, workers are **hired with a regular contract for project work and services** (*contrato de obra y servicio*)¹⁸. This allows employers to break the conditions with which workers were initially recruited (75% of working days) and give them more or less work depending on their behaviour and productivity. This has obvious consequences in sending fewer remittances for their families in the country of origin, colliding with the principle of co-development, a pillar of circular migration policies. At the same time, the administration has difficulties to track the working days of temporary workers because these are not declared in the Social Security until some days after the end of the month, so there is no place for *ex-ante* corrective measures to make sure that employers comply with 75% of the working days.

Another **trickery** that entails GECCO is that temporary workers in the country of origin are told that after three or four years of consecutive campaigns they may be able to **get a residence permit** through the legal mechanism of 'social rooting' (*arraigo social*) of the Law on Foreigners¹⁹. This mechanism is generally thought for irregular migrants residing in Spain, but it could presumably be used also for GECCO temporary workers who have repeated at least three campaigns. However, they are not told that it is very difficult to fulfil the most important condition which is getting a work contract of one year. Considering the temporary nature of the work in agriculture, it is highly unlikely to achieve it; only a few large companies that combine different types of crops in Huelva

¹⁷ The raise of the SMI has attracted new flows from Romania which had decreased in the last years due to the development of the country.

¹⁸ This is a temporary contract for a specific self-contained project or service, which is used both in the private and public sectors.

¹⁹ *Arraigo social* is one of the few exceptional circumstances under which residence permits can be authorised. It requires a permanent residence of three years in Spain, a work contract of one year and a favourable report of social integration (including language skills and cultural knowledge of the country).

can do it and it has to be convincing for the government as well to allow such a long work contract under GECCO. This may explain why some Moroccan women decide to stay illegally after repeating several campaigns and witnessing that this possibility hardly ever comes to reality. Nonetheless, there is a debate about the convenience to shorten the twelve months of the work contract (e.g. into nine months) to facilitate the process of regularisation, where a reasonable part of employers and left-wing politicians agree with. Yet, some also fear that once regularised some workers would quit the agricultural work, as it has already happened, which would leave again a gap to find labour force in this sector.

“People must be dignified, you have to give them a place [accommodation], but let's not approach it from the point of view that they are going to solve other problems for us. They will probably solve many difficulties of their own and of other people. But it may not be the solution for the countryside.” ST-HU1

In relation to **salaries**, temporary workers do not always receive what it is stipulated, especially since the recent raise of the SMI, where there is not a clear understanding among all actors about what the hourly rate is. In Lleida, according to this interviewee, there is a **non-written law**, where temporary workers earn 6eur/hour.

“There is an agreement, which is not written but we are aware of, and on which all the employers of Baix Segrià have agreed, to pay 6 euros per hour, which is lower than the minimum wage. That's what a lot of people have told us, not precisely workers, but people in the sector.” ST-LL9

This and other **abuses** are quite frequent in agricultural jobs, both in the fields and in the plants, especially in the very close management of workers **hired through temporary work schemes**, where there is a tight control over movement, spaces and bodies. As Zeneidi (2017) affirms, “workers lives are completely framed by management procedures and protocols that affect all aspects of their daily life” (Zeneidi, 2017 p. 23), since employers not only control the workplace, but also the living space, which is often in isolated places, and the mobility between spaces. Moreover, they control women’s behaviour, including sexual practices, and blame them for not planning their pregnancy and motherhood in those cases where women get pregnant or give birth during their stay in Spain, under an ethnocentric perspective. This overall framework can be

compared with what Goffman (1961) refers to as “total institution”. Managers and employers have a far-reaching power in their need to optimise labour and control migration. Also, the fact that a large part of workers is contracted by name because they repeat from previous campaigns creates a **relationship of dependence very strong between the worker and the employer** which makes it very difficult to express any discontent.

"These workers have it much more difficult to make any kind of wage claim, because they know that if they do it, they will not return." ST-LL8b

This is amplified by the **lack of education and an entrepreneurial culture** that is sensitive to the management of human resources, considering that it concerns a diverse and female-based pool of workers. Even those employers that comply with the law, want to protect workers and solve problems of cohabitation may adopt a patronising attitude as if Moroccan women were their children. If they do not ‘behave well’, the employer punishes them without work for one or several days. A union representative of SAT refers to these practices as “middle age punishments”. Such practices are a manifestation of **racism and sexism**, of which employers are not aware and are embedded in the *modus operandi* of some companies and farmers. Yet, women also recognise the figure of the employer as ‘their father’, in accordance with the patriarchal culture of the rural areas where they come from, and although there are some expressions of agency from their side, the position of extreme dependence makes them very vulnerable. Another pattern among some employers is to retain the passport of workers in case they leave, which could be attributed to forced labour.

“The employer feels responsible because “you are at my house, I am responsible”. “Punished without working tomorrow? Why?” “Because I am your father”. He is not a guardian, or legally responsible, or anything at all! But “you are at my house, I set the rules of living together, the punishments too”. So what is my legal relationship? Labour-related. But I make an abuse of my power. "And tomorrow you are not going to work because you have fought." That happens a lot and that cannot be done, obviously. And yet, the origin comes from "I am going to avoid a conflict with the rest of the colleagues." [...] The employer has to understand that what he is doing is punishing her as if she was his daughter. [...] When you go and talk to the employers [they say] "look, the woman told me that I should keep her passport. And I'll keep it for her." Well, you can't keep her passport.

"The thing is, otherwise she escapes from me." [...] when you start working with the employer and you have that vision of the exploiting employer (which also exists), but then most of the employers are this 'father employer'... I even have to turn my speech around because most of them are really making mistakes without willing so." ST-HU14

Following the management procedures of agricultural work, it is important to state that it is not only employers, but also **managers and middle-ranking positions** who exert pressure on workers, treated as mere objects to serve economic purposes, even if some of these are of migrant origin and used to be temporary workers themselves before. In the fields, the figure of **supervisors** (in Andalusia they receive the name of *manijeros* and in Catalonia *caps de colla*) is in charge of overseeing groups of workers and their productivity, valued with the number of collected boxes or kilos of harvested fruit per day. Supervisors, in turn, report to managers (*encargado*) and these to employers. The quote below illustrates the degrading treatment and threats that temporary workers often receive, based on her own experience as an Andalusian woman picking up strawberries. If we add to the category of gender other key elements such as ethnic origin, rural/urban origin, legal status, age or social class, discrimination can be harsher. In this sense, within the **internal hierarchy** of job positions, another hierarchy should be added, according to the intersection of key sociodemographic categories, where Moroccan women are at the lower end of the scale, especially those who exit GECCO and fall into irregularity, together with other undocumented migrant workers.

"A situation of total humiliation, no rights of any kind. More and more abusive rules, worse and worse and nothing else than to produce, produce. All day listening to screams, even insulting you in some cases, the supervisors [*manijeros*], who are the middle-ranking command. [...] Competing the whole day. If you don't pick up, if you don't reach the average number of kilos, the next day you come on a list in which if you are positioned from the middle to the bottom they kick you out and threaten to dismiss you. And it's all day the same story. So we were already fed up with this situation and even in some places they even forbid you to speak". ST-HU10

This **model of management is especially present in Andalusia** (mostly in Huelva and Almeria) and is being more and more applied in other parts of Spain with intensive agriculture like Lleida. Actually, even if much attention has been paid to the red fruits sector, the situation seems to be

much worse in the sector of citrus (oranges, mandarins) or olives, at least in terms of remuneration. There is no hourly rate and the salary depends totally on the number of boxes harvested per day, paid at 1€ or 50 cents (or even less among sub-Saharan workers). In the red fruits sector, even if the hourly rate is not always respected, workers now that at least they may receive around 6eur/hour and shall work around 6.5 hours per day.

The **impossibility** of migrant workers (recruited within or outside GECCO) to **participate in union elections**, due to the difficulty of having a work contract of at least 6 months (requirement to be elected), results in a lack of representation of the interests and demands of migrant temporary workers in agriculture. In this sense, some trade unions claim that the legal framework related to union elections should be revised to make this requirement more flexible. Whilst there are some workers who participate in some NGOs, they usually have a very unstable position to engage in processes of social criticism. The multiples vulnerabilities and the **lack of collective organisation** among migrant workers converts them in submissive labour demand that can be easily exploited. In fact, history tells us how former groups of Maghrebian men that used to work in the agriculture in early 2000s were substituted by sub-Saharan men when they started complaining about the working conditions in social protests (Moreno, 2011).

“From the moment that Moroccans and Algerians organised strikes there have been dismissals. Now we have a wonderful workforce that is submissive because it has different nationalities, they are sub-Saharan, they are not organised and they have precarious conditions. Many people come from conflict zones, many people have the right to asylum which they will never enjoy. It is an extremely vulnerable population. Many people from Mali have passed through Libya and have their face or their back full of scars. It is a terrified population that clearly cannot mobilise, it is clearly a perfect workforce.” ST-LL9

As a result, there are very few **formal complaints against abuses** at work. There is a big fear, which is not baseless, of losing the job. Citizen platforms and trade unions do lodge some complaints on their behalf, but very few persist. Legal processes require a very strong emotional stability and it is often not the case. Many workers bring stories of suffering and pain on their shoulders that already start in their journey to Europe. Also, migrants’ first priority is to work and send remittances back home, and among those undocumented, engaging in any judicial process could pose a danger of deportation. Another handicap when lodging a formal complaint is that when it

comes to the trial, migrant workers are often in another campaign elsewhere and have no time or resources to leave the job and go to declare.

“The things that have resulted from racism usually end up not going ahead because you have to be a person who has emotional stability to be able to endure a process and these people don't have it. And labour complaints go nowhere because the trial is likely to come out in six or seven months. And after six or seven months you are in Huelva and they call and tell you “come” and you will not leave your job and pay for a trip that you don't even have the money for and come here. [...] We could make a lot of complaints because we have a lot of information to report violations of rights. What's going on? That the victim is a great victim, they are undocumented people and they are people who are very afraid, especially of being deported or not being able to send money home.” ST-LL9

In plants, although it may be less visible, there are also many cases of abuses. In fact, according to some interviewees, **irregularities in plants can be more frequent and affect more people**, especially women since they are the majority. A clear example is doing double shifts (16 working hours per day), whilst the Catalan collective bargaining agreement sets a maximum of 50 working hours per week. Breaks at work are sometimes not respected either and workers receive much pressure to be productive, without allowing time for rest or even go to the toilette. This is accompanied with degrading treatment and threats of deportation on those who have an unstable legal situation.

"Very serious things happen in the plants but remain invisible, and they happen mainly with women, which is even worse. For example: double shift of 16 hours per day from Monday to Saturday without pay. Making two shifts is illegal. You cannot work 16 hours a day because the right to rest is not guaranteed. Another issue is that according to the collective agreement it seems there is a maximum of 50 hours a week, which is already 10 more, and doing two shifts makes up a minimum of 80. Therefore you are not entitled to rest. Another thing is that they are given ten minutes of rest between turns in the morning. Managers put a brutal pressure on them. [...] Vexatious, humiliating, insulting treatment. Last year we learned that there was a plant where women harvested with diapers because they were not given time to go to the bathroom. The constant threat of “I will fire you” or “I will command a deportation” are the words they constantly have in their mouths.” ST-LL9

In Huelva, the situation is not better. As this interviewee affirms, the collective bargaining agreement is not very clear about when the company can request their staff to start working and it can be with very short notice. Moreover, as in Lleida, there is a sexual division of work that constitutes a form of **gender discrimination**: women are in charge of packing under very strict conditions whilst the few men are responsible for loading the boxes in the forklifts and putting them in the trucks without so much supervision or pressure.

“I think the plants are much worse than the field. Because there is a small article in the collective agreement. That is not well regulated, nor does the agreement say so. And that is the law of the jungle. They call you and tell you “tomorrow you have to be there [at work]”, you have to get in, but you don’t know when you are going to leave. Breaks are not respected. In short, it is less regulated, it is much less regulated.” ST-HU10

This year with the **pandemic**, workers have been submitted **under much more stress** with the excuse that there was not enough labour demand due to the non-arrival of Moroccan women and the fewer Eastern European workers. The positive side is that with the fear of being infected and pass it on the rest of the family, **workers have complained more** about working conditions, which was not so usual years before. This has also been amplified with the presence of workers from other economic sectors (e.g. hospitality) that were impressed in witnessing the bad labour conditions in agriculture. Since these had a more eventual work relationship, they were less afraid of the potential consequences of lodging complaints and engaging in social criticism with organisations like *Jornaleras en Lucha*. In Lleida, as this union representative explains, CCOO managed to file a complaint against an employer on behalf of a group of 17 Spanish workers, but this had side effects for the foreign workers of the same company, who were dismissed thereafter.

“At the beginning of the campaign, we even entered the accommodation of a big employer from Baix Segre. We found workers who had not even signed the contract, did not have any sanitary material or drinking water, they were drinking water from a swamp that is used to irrigate fields that have been sulphated. What is the difference? There was a group of 17 Spaniards and they contacted us quickly... We went there, we fixed the problem. But what happened? Next door there was a group of 150 workers, all foreigners. Many were children of immigrants, but already born here. From Madrid, from Moroccan families, South Americans... When they saw that we had solved the problem of Spaniards, they said

"us too". Then, in the middle of the campaign, I said to my union colleague "do you know how many of those are left? None." Little by little, they kicked them all out." ST-LL8b

Manijeros are sometimes involved in '**dirty jobs**', taking advantage of the vulnerability of migrant workers without resources and cheat them. Some examples include: offering indecent accommodation, facilitation of **identity theft** so that migrants can formally work with a false passport or selling **illegal work contracts** to regularise their administrative situation, always in exchange of high sums of money.

"These people participate in a chain of favours where they are charged for doing something and sometimes the temping agency or the farmer or the employer says: "No, no, I have no accommodation, this is not my responsibility, I only act as an intermediary" and of course the manager also says: "I look for accommodation and you pay me to get you a job, to fake the papers in case I have to and you pay me 150 euros to sleep ", but of course 150 euros to sleep in the garage of an abandoned house or a house with bunk beds with maybe 20 people in 20 square meters, with a shower with plastics in the back, roofs of uralite in the middle of summer... Well, absolute nonsense." ST-LL9

Finally, as mentioned earlier, **sexual abuse** is also present in the agricultural work in Spain, especially in Huelva with Moroccan women. In 2018 there were **two legal complaints** that reached the courts after a report in the German press echoed sexual abuses in the 2016-2017 campaign. The first case refers to four Moroccan women represented by Women's Link Worldwide who reported non-payment and poor working conditions to the labour inspection and the labour courts. The trial is still pending. The same women also filed several complaints to the police and the Civil Guard, initiating a criminal procedure, for sexual harassment by a *manijero*, and this has not been resolved yet. However, the criminal court considered that the labour abuses did not constitute a crime and could not be investigated because there was a contract between Spain and Morocco as part of GECCO.

Something similar has happened in the second case, which involves ten Moroccan women who denounced the company Doñana 1998 for non-payment, poor working conditions, abuse and sexual assaults. The labour complaints alleging non-compliance with the conditions under which they had been hired in Morocco (where they should have worked at least 75% of the working days)

have been dismissed. The reason is that the legal framework of reference (GECCO) has not been taken into account, which, according to some entities and lawyers, represents a fraud. The criminal complaints for violation of fundamental rights and sexual abuse have been filed provisionally and are pending to be taken by the National Court (*Audiencia Nacional*) as a human trafficking issue.

Considering the extreme difficulties that migrant women face to lodge a complaint and the consequences that these have on their lives (e.g. being repudiated by their families) these cases shed light of the gravity of the situation. In fact, they just represent the **tip of the iceberg**, but underneath there might be other forms of harassment, abuses and symbolic violence that are 'accepted' on a daily basis.

3.3.2 Transport and commuting

Agriculture workers most often need transport to reach the workplace. For those who have a car, the **collective bargaining agreement** sets the **payment of transport** (0,20eur / kilometre) from home to the workplace. Yet, it is a quite widespread practice to pay an average price, whatever the distance is, so workers who come from further places do not receive the corresponding payment. For those who come from abroad and have no means of transport, there are some farms or companies that pick-up workers from different points. However, others are not so lucky and need to find an alternative by themselves. This is especially problematic for those workers who find themselves in a more unstable situation and work for several farmers which may be far from where they live. Again, in this scenario, supervisors take advantage of this situation and charge money (sometimes high rates) to do this service.

Public transport is usually not very helpful since it does not reach most of the fields or plants, neither in Lleida nor in Huelva. Yet, a good practice **during the pandemic** is the **widening of the bus lines** that connect the main towns and companies related to agriculture organised by the provincial administration of Huelva.

This year, the **limitation of two persons by car** has also posed **extra difficulties** to reach the workplace. In Huelva, the Civil Guard has been quite active in controlling this throughout the whole province and it probably is one of the measures that has been more respected. This has also been achieved thanks to the involvement of the body of the national police in charge of

assisting migrants and their reaching out activities in communicating anti-Covid measures. In Lleida the temping agency Sendas Gestión rented **buses** to facilitate the transport to the workplace in big cooperatives because vans could not guarantee the distance of security.

The other side of the coin revealed by social organisations is that some companies obliged workers with no means of transport to **sign a sick leave**. As a consequence, they could not have access to unemployment benefits.

"We have met a lot of people who have been given a voluntary sick leave because they had run out of a vehicle to go to work. Considering that only two people could go in the car... or situations like I need to take care of my child because I have no one to leave him with, or one of my parents, and lost their job due to this circumstance, which is not because she feels like it. The company has signed a voluntary sick leave for her and has sent her to the SEPE [National Employment Service] and now people have been left without any kind of benefit or work. So this has been a real outrage this year." ST-HU10

3.3.3 Labour inspection and mechanisms of control

Last year in the agricultural sector in Lleida, there were about 1,100 inspections and only a minor incidence was reported, according to data provided by the employers' association AFRUCAT. However, there is wide consensus on the fact that **labour inspections** are not quite fruitful to act against illegal practices from employers and abuses at work in both provinces. Some public administrations (e.g. in Huelva) complain about the **lack of human resources** to undertake more inspections and this is problematic, since official complaints are the most trustworthy mechanism of the government to prove any deficiencies. In Catalonia, it is a shared competence between the regional and state governments, which requires more coordination and it remains unclear to what extent this is efficient.

Some argue that **inspectors have it difficult to uncover irregularities**. First, they cannot access farms without the consent of their owners, as they are private property. Second, farmers have mechanisms to warn one another when an inspection is taking place (e.g. groups of WhatsApp), as well as to undertake illegal practices out of the main roads. Some also hire irregular workers only at weekends or in the afternoons, when there are no inspectors. Finally, some farmers in

Lleida affirm that irregular migrants go to work to Aragón (on the west side of Lleida), where inspections seem to be laxer, whilst – they argue – there are very few Catalan farmers that hire undocumented workers.

"They do the same thing they did 40 years ago, those who exploit go to the fields, where the Civil Guard does not arrive because they only use the main roads, or employ them on the weekend when the subinspector is not there." ST-LL12

At the same time, some **farmers** reveal that they may **not be aware of having workers with false identities**. Even if the majority wants to do things properly, they may not carry out the recruitment themselves and have difficulties to ascertain that everything is correct. In order to avoid such situations, this year they have started asking for more documentation (passport, identity cards...).

During the months of **lockdown**, **inspections** were **telematic**, asking farmers to send all the required information (e.g. payslips, shifts, names of workers, pictures of workers with face masks or gloves). According to many interviewees from trade unions and the Third Sector, this did not help in identifying irregularities and in the end the number of inspections may have been lower than what was initially planned. However, after much pressure from the organised civil society and the visibilisation of the poor working conditions in the media, in May the Minister of Work in Madrid (Yolanda Díaz from the left-wing party Podemos) ordered more labour inspections in the whole country. Farmers and employers' associations felt very attacked by the media and the government (after being called racist and responsible for having workers under conditions of semi-slavery) and they even asked for the Minister's resignation. Yet, thanks to this ministerial order **more labour inspections** took place (with the body of inspectors of Madrid) and more irregularities were uncovered. In the case of Huelva, this has been especially relevant, as until there haven't been inspectors from outside the province, irregularities have not been reported. According to some interviewees this may point to some inefficiency or even some degree of connivance between the body of inspectors of Huelva and the entrepreneurial sector.

Some organisations help workers in explaining the contents of **payslips**, since most of them are not familiar with them and are unaware of possible mistakes or imbalances. Plataforma Fruita amb Justícia Social, for instance, this summer made around ten or twelve claims to the company, on behalf of workers. In some cases, this was solved with the company paying back what was missing

whilst in other cases, workers had no means to prove their own record of working hours and it was settled without any compensation.

Another mechanism that was created initially to identify potential cases of sexual abuse after the complaints of 2018 is the **Ethic, Labour and Social Responsibility Plan of Interfresa** (*Plan de Responsabilidad Ética, Laboral y Social de Interfresa*), commonly known for its acronym PRELSI. This is supposed to serve as a mechanism to mitigate other types of conflicts at the workplace as well. The plan counts with several 'consultants' who are in charge of reporting problems to the employers' association Interfresa and this communicates it to the affected employer. The problem is that since consultants organically depend on Interfresa, they end up not being quite neutral and it may be very difficult for employees to trust them without fearing reprisal. The proof is that those women who decide to stay illegally and get out of GECCO often refer to cases of abuses. Yet, they do not want to speak up while they still have a labour relationship with the company. The same happens with union representatives: since there are not elections, the representatives are normally the managers.

"It is the same as the union representative in agriculture, who is normally the manager. And you say, if I have a problem, how am I going to tell this guy that he's the one who has been putting my foot here all morning, the one who threatens to kick me out, how am I going to go to this guy and tell him that I am having a problem or that the problem is actually him. Come on, this is nonsense. With [PRELSI] it is exactly the same thing." ST-HU10

In this sense, **PRELSI** may be a **better tool of prevention** if it is accompanied by training sessions for employers, managers and supervisors, rather than a tool to intervention. After the image of the red fruits sector was deeply affected by the echo of the legal complaints in the media, employers are very careful in assuring that any potential cases of sexual abuse are not made public.

"PRELSI should serve to correct things and not fall into the same. This is done with training. They do it and they are doing it well. Now, a real problem could easily happen and an agreement may be reached so that it is not made public. This is my concern, because deep

down you have not solved anything, you have simply shut a mouth. And there has been abuse. So what happens? This will occur again.” ST-HU1

For workers that are hired by GECCO, there are **no mechanisms to prevent daily conflicts within housings**, since these are private spaces that depend directly on employers. NGOs like Mujeres en Zona de Conflicto offer some training and mediation services (with the financial support of the Government of Andalusia), but only if this is requested by employers, so their scope is limited. Yet, both NGOs and the subdelegation of the government believe that more mediation is needed, since it is in these ‘less serious’ daily problems, where many episodes of unease take place and do not come to the surface. In this sense, a more independent public body inspired by the FUTEH could help in fulfilling this need.

3.3.4 Labour risk prevention and anti-Covid measures

Employers’ associations both in Lleida and Huelva have made efforts to create **protocols** against COVID, even before the government developed one, considering the urgent need they had to avoid stopping the production. In Lleida AFRUCAT was the first association in developing a protocol that was then approved by the Catalan department of health and the main trade union UGT. This was uploaded in their website in open access so that other companies could benefit of it. This affected the cooperatives (not the work in the fields) and included the provision of sanitary material, the control of temperature at the entry and exit of the workplace, the disinfection of surfaces, and the supply of screens to separate workers in plants. However, according to CCOO, this protocol did not count with the voice of workers through the union representatives, it was quite superficial in terms of measures and underdeveloped.

In Huelva, the employers’ association Freshuelva also developed a protocol which embraced many of the measures mentioned above, although it was not as detailed as that of AFRUCAT, which was created later. In September 2020 the Andalusian government approved contingency plans that will have to be applied in all farms towards the next campaign. In fact, farmers will not be able to hire any worker if they do not have a contingency plan in their holding. They will have to offer training in labour prevention to all workers and will be obliged to communicate any positive case

of Covid to the authorities, as well as habilitate separate spaces for potential quarantines or infected workers in the lodgings²⁰.

Regional governments also developed protocols, but were general for all economic sectors and the society. The delegate of the regional government in Lleida decided to develop another **protocol especially for agricultural activities and companies** in June, although this was not mandatory. It included general measures and recommendations for arranging the transport to the workplaces, housing and a forecast at the municipal level. It also considered provisions for treating positive cases of Covid, services of emergency and services of epidemiologic surveillance. Although it arrived a little bit late, this protocol counted with the official recognition of the regional government.

At the same time, companies have implemented **measures** such as the provision of face masks (although until summer they were difficult to get), hydroalcoholic gel, tents outside so that people could have lunch with more distance, screens to separate workers inside the plants, individual mats for people to rest outside (instead of sharing cartons), or security guards to ensure compliance of measures such as face masks. In the fields, work has been organised so that workers do not spatially coincide when picking-up the fruit. Yet, it is true that the first months of the pandemic there was **much uncertainty** about what measures to adopt and the official guidelines were changing under a constant feeling of improvisation. For instance, at the beginning gloves were indicated and face masks were discouraged, and then the other way around. In this sense, it has been a learning process also for companies. On the other hand, they complain about the economic cost that all anti-Covid measures have meant for farmers and agriculture producers (according to ASAJA, an average of 3,000€ per farmer) without receiving any public financial support.

A key measure and a good practice of the Spanish government was to **treat sick leaves** (infected people, with symptoms or under quarantine) **as work accidents** by the Social Security so that workers at least could receive benefits. However, this left out irregular migrants that used **false**

²⁰ See <https://www.agrodigital.com/2020/09/03/nuevas-obligaciones-para-el-empresario-agrario-frente-al-covid-19-en-andalucia/>

identities in their work contracts, since these did not match with their name of the health card. Again, this shows a vicious cycle of multiple vulnerabilities for undocumented workers.

3.3.5 Management of outbreaks at workplaces

Despite these protocols, some non-profit associations and trade unions received **complaints** from **workers that felt unprotected**, especially in the plants. In the fields it was easier to guarantee distance security and there were hardly no cases of Covid. Yet, in the plants, particularly at the beginning of the campaign when it was difficult to get sanitary material, workers claimed that there was no hydroalcoholic gel, face masks (one every two weeks) or distance security at the workplace or in the vans. Also, ten minutes breaks were not enough considering that it was harder to work with the face mask and had more needs to go outside and get fresh air. According to Plataforma Fruita amb Justícia Social, the department of health affirms that there might be about 129 files against companies for not complying with sanitary measures. In the same line, CCOO points out that the agricultural board was inoperative, despite the very good intentions before the start of the campaign.

"It was said that a monitoring board of the agricultural campaign would be created, because it was a very complicated, very delicate campaign and there was a lot of emphasis on this. It was even said that the Procicat protocol [the governmental one] would be a living protocol, that could be changed every 15 days. Do you know how many times has the board met til today? None." ST-LL8b

In **Huelva**, there were **hardly no cases of Covid**. According to some, this might have been because the index of contagion in the region was low, but also because there were very few tests done and companies put pressure on workers so that they did not make it public if they had symptoms. In this scenario, as in Lleida, some workers did not express it if they felt bad or had symptoms because they **feared to lose the job**. Instead they would take some medicines before the temperature control to go unnoticed. As the quote below shows, workers were also obliged to lie about their health situation to avoid social alarm in the company.

"We have been called by people crying because a colleague had written in a group of WhatsApp that he was a likely positive case of Covid and sent the medical report to the

group where the manager also was, to protect people, to warn people of what was happening and the manager threatened him, shouted at him and told people that he would be fined with 600 euros for talking openly. So they have been covering the issue. A girl also called me and said: “the doctor told me that I had a pneumonia, but since there is no test, they can't tell me what I have and when I returned to work, it turns out that the boss had told everyone that I was on leave due to depression. And he has forced me to tell people that. Since I have confronted him, he has fired me”." ST-HU10

In contrast with Huelva, **Lleida was especially affected by Covid during the summer**. Several reasons would explain it: poor living conditions among temporary workers and job seekers (explained in the next section), its proximity with slaughterhouses in Binéfar and Fraga (Aragón) where the first outbreaks occurred²¹, and the realisation of more tests and the uncovering of many asymptomatic workers. The outbreaks were **widely reported by the media**, also by the international press, although employers' associations claimed that these were being few isolated cases and that the workplaces were safe. Moreover, the media also published news without a proper knowledge of the functioning of the sector, making false statements like the rapid transmission of the virus in the plants, due to the cooling rooms and the low temperatures inside the workplace, whilst 95% of the staff works in a room temperature.

"If you only have data from fruit plants and now you are helping to make PCRs [Covid tests], how can you say you have outbreaks in agricultural plants? Did you make tests in the middle of Plaça Ricard Vinyes or in the middle of Plaça Catalunya, or even in Cibeles? No, then you have no idea. If we hadn't done any tests and we had acted as our colleagues from Madrid, where when a case was detected people stayed at home and that's what the doctors said... then we wouldn't have any case.” ST-LL5

In March and April, farmers were already working with apples and pears and it was never an object of debate in the media. However, the episode of the summer brought to the surface the structural problems and deficiencies of the agricultural campaigns, especially in terms of the management of migrant labour force.

²¹ There is much mobility between this perimetral area, where workers in Aragón commute every day from Lleida and often live with agriculture temporary workers in the same spaces.

3.4 Living conditions and housing

Accommodation for agricultural workers appears to be a big problem in whole Spain, especially in the south. Whereas it has always been a matter of concern, in the last years the situation has worsened. This has to do with the expansion of harvested land and the recruitment of more workers, together with the inefficiency of governance mechanisms related to the organisation of agricultural campaigns. In Huelva the problems seem to be more manifest in the proliferation of informal settlements and in Lleida they are more related to issues of substandard housing, overcrowding of flats and homelessness, even if this also affects the south of Spain.

3.4.1 Legal framework and political debate

The temporary scheme of **GECCO** obliges farmers to provide workers with housing. Before the economic crisis of 2008, **Unió de Pagesos** in Lleida, as part of the labour intermediation services, fostered the creation and adaptation of 18 hostels (*albergues*) that are managed publicly by City Councils or privately by individual farmers (or groups of them), employers' associations or cooperatives. This was possible thanks to the public funding they received and the resources at their disposal (e.g. a team of architects).

“The 18 collective accommodations in Lleida [...] were promoted by union representatives of Unió de Pagesos, through the foundation, with public money. We had, for example, a cabinet of architects who did collective accommodation. Much easier and cheaper, and we would go to Seròs and say “here the farmers want temporary workers, they have no accommodation and it would be interesting to make a collective accommodation. Be the promoter, we give you the plans, we process the entire application and we organize it for you”. If you don't do that and you wait someone from outside to do it for you, it won't succeed.” ST-LL12

Since the **privatisation of GECCO**, the entry of many Eastern European countries in the EU and the subsequent decrease of workers hired through these formal schemes, Unió de Pagesos suffered an important reduction of funding. Since then, **problems of accommodation have risen**, as it now depends very much on each employer to offer more or less decent housing conditions and

mechanisms of coordination are missing. This makes the management of labour demand and accommodation much more complicated than before.

“Before it was much easier, you would go to Romania, take 600 people and put them in buses and that's it. I had the accommodation ready. [...] Knowing when people will arrive, where you will accommodate them and all this is much more complicated today than in 2002.” ST-LL4

In **Huelva**, prior to the crisis, there was **no actor that centralised this service** like in Lleida, so the initiatives of accommodation relied on the initiative of employers, NGOs or local governments since the very beginning. The Foundation of Foreign Workers of Huelva (FUTEH) could contribute in identifying problems of housing and try to mediate, but it was not in charge of building lodgings.

Along with this privatisation, the **public funding to maintain or improve housing** for agricultural workers has been affected and there seems to be confusion on the budget lines dedicated to this concept. While the regional government affirms that City Councils can apply for such funding, these affirm that there is no open call. This reflects again one of the multiple **conflicts of competences** between administrations.

Besides the legal framework of GECCO, **collective bargaining agreements** also refer to housing and living conditions of agricultural workers. In Lleida, according to the collective bargaining agreement related to agriculture and livestock (*convenio agropecuario*) those workers who live further than 75km, must be accommodated at the expenses of entrepreneurs. Yet, **10% discount** can be applied to payslips for accommodation costs (supplies of water, gas and electricity), whilst respecting the rise of the minimum wage (SMI). However, in practice there seems to be some margin of discretion among employers and this is not always respected. In **Huelva**, there is no such obligation and according to the collective agreement it is rather **just a recommendation**, up to the good will of business owners. It does state that accommodation must be free, but it does not specify anything about the costs of supplies. Yet, several interviewees affirm that those entrepreneurs who offer housing tend to apply a discount for such costs as in Lleida.

In turn, the subcontracting of labour services points to the controversy of **who should be in charge of looking for accommodation** if the recruitment is made by temping agencies. The answer is not clear: whereas an interviewee that owns an agency affirms that it always falls under the

responsibility of farmers, union representatives believe that it probably relies on the entity who does the labour contract, even if farmers also have a moral duty as it concerns their private property. On the other hand, some temping agencies do offer accommodation, but have not much to do when workers reject it because they look for more economic options than the 10% discount of their salary it would represent.

Going a little bit more in depth into the **political and social debate around housing**, in **Huelva**, this is quite linked to the informal settlements, as explained in the next section. Although the provision of accommodation from employers is on a voluntary basis, there is wide consensus that they should be responsible for paying this cost for their workers, as many already do. In **Lleida**, the debate turns around the need to **increase the offer of public hostels**. The question is to whom they should be targeted. According to Pagesos Solidaris, AFRUCAT or some temping agencies, there is a need to **distinguish** between the accommodation **for formal workers and job seekers** (whether they are regular migrants or not), in order to avoid conflicts of cohabitation. Public hostels are normally used for other purposes after the end of the campaign (e.g. activities for youth), so it could be problematic to have just one type of accommodation for everybody. This is also related to the underlying question whether the City Council of Lleida, which receives the great majority of irregular migrants seeking a job, should find accommodation for all of them, whilst other cities have similar problems and do not offer them any solution.

"Let's stop talking about temporary workers when we talk about people who have appeared and have no documentation, because it hurts us. Because the newspapers say temporary workers in the campaign of fruit live on the street in bad conditions. [...] This is also what you have sleeping under a cardboard blanket on a street in Barcelona and you don't call them temporary workers." ST-LL5

For some, irregular migrants seeking a job are just **passers-by** (not temporary workers) that cannot be contracted and therefore do not fall into their responsibility. Employers argue that they cannot carry the whole weight of the collateral problems that pose irregular workers in terms of work and accommodation. This is why many support their regularisation so that they can hire them legally. As this owner of a temping agency affirms, why those people in Lleida are called 'temporary workers' and in Barcelona they are not? What is the definition of temporary worker? The labelling

of ‘irregular migrants’ as ‘temporary workers’ contributes to the **stigmatisation of this job**, which in the last years it has achieved quite negative connotations.

“For me they are passers-by and it is a different social problem [...] it is a responsibility that has fallen on us, those who work in agriculture, which is why when we talk about this issue I say that these people are not temporary workers. Does this mean that those sleeping on the floor in Barcelona in Plaça Catalunya are temporary workers? Why if they are here in Lleida they are temporary workers and if they are in Barcelona Plaça Catalunya they are not? In other words, in Plaça Catalunya they are *manteros*, in Lleida temporary workers and in Valencia those who sell hammocks. You name things and end up stigmatising them.” ST-LL4

Yet, citizen platforms like Fruita amb Justícia Social suggest that the same spaces could be used to allocate all workers with no distinctions, assuming that many of the job seekers that go to Lleida end up working, even if they are irregular migrants. In fact, this platform has been one of the harshest ones in affirming that employers and temping agencies adopt racist discourses and practices, as explained below.

3.4.2 Housing conditions, substandard housing and homelessness

Trade unions, non-profit organisations and exceptionally some temping agencies **check the conditions of accommodation** and lodgings for workers, including those who come under GECCO and outside Spain in both territories. Overall, there are several types: provisional modular constructions, spaces within or next to the farmers’ houses, separate houses and flats. Additionally, there are other types of accommodation which may not be so suitable, such as warehouses or garages, that fall out of the public control. It must be borne in mind that only in Huelva there are more than 2,000 accommodation places spread along more than 3,500 farms, and there are no resources to supervise them all. This year, the lockdown has made this task even more difficult.

In Huelva, according to a recent report, **30% of housing or modular constructions** for Moroccan women do **not comply with the minimum conditions** (e.g. dampness, overcrowding, floors made of sand) (Hernández 2018). Many interviewees also confirm this trend. Whilst a few places are

always mentioned as a good practice (e.g. Agromartín), in others there might be no drinking water, only one burner to cook for 12 people, one bathroom without hot water or no fans, even if the temperatures in Spring are already very high. For NGOs like Mujeres en Zona de Conflicto that mediate with employers to improve the living conditions, it is not always an easy endeavour, since the understanding of the 'minimum conditions' for some employers can be dubious. This year, due to the pressure of the media, the Annual Ministerial Order that stipulates the conditions of GECCO has included an annex of 9 pages to specify the minimum conditions that these housings should have. It remains under question to what extent this will be applied and controlled in the next campaign.

A common complaint among migrant workers is that they **do not want to live in isolated places** next to the fields and far away from urban centres, especially among those who have participated in the campaign several times and count with social networks in the territory. This demand has increased with the reduction of temporary workers' schemes, so it affects Lleida to a greater extent. Whereas those who come under GECCO do not have the option to choose, outside GECCO, workers have more margin to select the place and companions to live with. After all, their stay is not *all* about work.

"In the programmes of recruitment in origin you are obliged to give accommodation. Therefore, if the worker comes he knows he has to live here. When you stop recruiting in origin, the worker says "no, I come and I choose"." ST-LL4

In Lleida, some farmers have difficulties to find accommodation for their workers because some **public hostels** in towns are managed by temping agencies (**private outsourcing**) and have no access to them. There are also some workers who sleep in the margins of the fields or outside towns with no roof, whilst in the city, some **flats are over-occupied** due to the difficulty to find rental flats. This leads to the well-known phenomenon of 'hot-bedding' (*camas calientes*), more common among irregular workers, where people rent mattresses for hours.

"In Lleida they live directly on the streets and especially in a lot of overcrowded flats because there are people from Lleida of X origin that hosts national residents as a way to make some extra money in summer. They sleep in rented mattresses in the hallways of the house, sometimes it is a decent relationship between equals in which a minimum of

expenses can be paid and other times they are charged a lot of money to let them sleep at home". ST-LL9

Besides the problems related to substandard housing and over-occupation, **homelessness** also appears to be a matter of concern. This is more accentuated among irregular workers (although not only) who seek a job in the campaign and have difficulties to find accommodation for being out of the system. The number of affected people may vary every year depending on the socioeconomic context, but it could involve around 500 migrants or more.

"These five hundred or a thousand temporary workers or migrants who are seeking a job but can't find it because they don't have a work permit, because they are not temporary workers, they are seeking a job. We can't be bothered by the management of a campaign that some of us want it with no trouble, we know that zero risk doesn't exist, but there has come a point where it's intolerable to see people sleeping on the street and that someone picks them up to go to work while they are sleeping on the street! The collective agreement requires that there must be accommodation." ST-LL12

As mentioned earlier, the political debate around housing and homelessness is straight related to racism, especially this last year, where social movements have been very critical in the context of the major vulnerabilities posed by Covid. Among employers and some public administrations, at the beginning some used the **racist discourse** that agricultural workers 'like living in the street' because it is 'their way of life' and labelled people in the street as 'passers-by', even if they also understood that workers aim to find the cheapest possible accommodation and save money for their families.

"During the summer in Lleida, sleeping in the open air is a luxury, better than indoors because it cools down and you feel good. It's easy to sleep on the street and feel good. Then people who come from their country and who are unfortunately accustomed to miseries are not as far removed from this as we might be. What I mean is that there are people who want to be sleeping this way because they avoid unnecessary costs on housing. On the other hand, this is unworthy from a humanitarian, even healthy, point of view." ST-LL5

In this conflict, sometimes it is ignored that temporary **workers cannot always afford to pay for accommodation** until they have worked for at least one or two months. Others do **not want to**

have 10% discount of the salary and prefer to find more economic alternatives, considering that there are other added costs they need to pay. As this interviewee reminds, some of these are illegal discounts that temping agencies apply in their payslips (there is often a mismatch between the working hours and the salary) and transport fees. On the other hand, some migrant workers are indebted with those that have forged their false identities to get a work permit illegally.

“There are people who want to sleep in a hostel, which can be offered by the farmer as it sometimes happens, but it is 10% of the salary. Of course, to this 10% of the salary you have to add what you pay to the guy that has found you a job [...] You also have to add the money that I'm sure if you work with a temping agency will be stolen from you because out of every 100 payslips there are 60 or 70 that have now € 1, now € 2 missing every month. If you add this up for 30,000 or 40,000 contracts, imagine [...] then of course they can't claim it because if they do so, they know they won't be hired the next month. There is a list of 30,000 workers waiting to work. And the other issue is if you had to buy the papers [residence permit], because I don't know if I told you but a very high number of people buy papers because it's the only way they can work.” ST-LL9

Racism is not only present in the discourses, but also in **practices**. These have to do mostly with the **reluctancy to rent flats** to temporary workers and **racial profiling**, especially in towns with a large concentration of migrant workers. Once the campaign is over, some workers decide to stay in Lleida until they do not start the next one and they often have no place to stay, but the streets. It is then when the police raids are harsher. This year, the neighbours were more concerned about the situation and expressed their unrest as a matter of public health. During the lockdown municipalities asked the Spanish government for reinforcements and this sent the national police, which increased the raids and the control of documentation.

In this scenario, farmers and employers have felt extremely attacked by these accusations of racism. However, as a social activist reflects in her interview, the **society is not so open to accept** that “we are all racist to the same extent that we are all sexist”. Feminism has done major steps in the last years and has entered the political and social agenda, even if this is superficially or moderately. In contrast, antiracism has not become so mainstream yet and it creates more reluctance in society.

3.4.3 Informal settlements

In Huelva, informal settlements have been in place for several years now. In contrast with Lleida, there have not been local policies to avoid their proliferation and the public pressure to deal with this has increased, especially with Covid. The **largest informal settlements** are in Lepe, Moguer, Palos de la Frontera and Lucena del Puerto. The settlement of Lucena is probably the most severe, since it is very far away from the town; it occupies a natural protected area in a hill; it is one of the largest with around 1,500 people during the peak of the campaign; and it exerts much pressure on the town which has only around 3,000 inhabitants. The settlements in Lepe are very close to the town, in Moguer somewhat close, and in Palos they are next to an industrial park.

There is a **wide variety of shanties** (*chabolas*) **within the settlements**. Some are built with more resistant materials and others are composed of precarious and temporary constructions. Several NGOs undertake actions to dignify and improve the living conditions of migrants while a long-term solution is not adopted. In the pictures below, the trade union SAT installed solar energy panels in a settlement of Lucena to provide electricity. However, access to water is very difficult and only some settlements have little pipes connected to the irrigation system of the fields with non-drinking water.

Pictures of settlements in Lucena del Puerto

Some people live there the whole year (a minority) whilst many stay only during the campaign. Yet, they expect to keep their shanty once they come back and even leave some of their belongings inside, but they are not always there upon their return. Some city councils take the chance to **destroy shanties** when migrants are away, as it is the case of Lucena this last summer. This raises the question if in times of pandemic such an action is the best strategy or it rather poses more threats to the public health, if no alternatives are offered.

In terms of **profiles**, the great majority of people in the settlements come from **Sub-Saharan** countries many of whom (at least in Lepe and surroundings) work in the sector of citrus, not red fruits. Maghrebians (especially from Morocco and to a lesser extent from Alegria) are the second biggest group, but there are also some migrants from Rumania, Latin America and even some local poor individuals from Spain. According to the last census in 2017, **70% of people have a legal residence permit**, although this percentage only applies to men and it could vary significantly

depending on the month of the campaign (Hernández, 2018). Women are a minority, but their presence is increasing. In fact, the first women who appeared in the settlements in 2013 were Sub-Saharan that earned a living as sexual workers and had nothing to do with red fruits. Nowadays, there are more and more Sub-Saharan women that work in the agriculture, but they are still few (about 60 or 70, according to Mujeres en Zona de Conflicto).

In **2018**, the **first Moroccan women** arrived in the settlements - before that they tended to live in garages within towns. They initially arrived (and still today arrive) under GECCO, but either decide to stay illegally once their contract finishes or they are expelled from the program before the end because employers are not satisfied. Some of these women often have no alternative but to exert prostitution, with the danger of falling under networks of **human trafficking**. Finally, there is also a small number of **children**, some of whom are unaccompanied minors, others live with an adult or their family and others are 18+. According to the same report (Hernández, 2018), unaccompanied minors tend to be male, come from Morocco, Ghana, Ivory Coast and Senegal, and are found to live in Lepe, Mazagón, and Moguer. The 60 identified accompanied minors come from Eastern Europe or belong to rom communities, and among the migrant youngsters, there are unaccompanied minors and others who did not migrate alone. Yet both profiles share the need of housing and see the settlements as an alternative.

Irregular women who look for alternative jobs in agriculture tend to go to Almeria and then Granada. Yet, on their way they run the risk of being captured by traffickers, who make them false promises (such as the arrangement of a residence permit or a job) and take advantage of them with the rent of a shanty or substandard housing. In this relationship of dependency, what it starts as a capture (*captación*) can eventually turn into a situation of sexual extortion, forced prostitution or in the worst-case scenario, into a situation of trafficking, although this has not been observed yet.

"They are being extorted, forced by a person who extorts them. Because, in addition, the modus operandi is that they get in a substandard housing, in which they depend on the person who has told them he is going to find them a job somewhere. And that person who is going to give you a job somewhere is the one who controls you. Because in the end, I give you a job on this farm and I also provide you with this shanty, for which you have already paid a price. [...] I let you charge your phone in the shanty. I take the numbers out

of your phone and either you sleep with me or your family finds out what you're doing. In that moment, you have a bond with that person and that person decides... Actually, it's sexual slavery. [...] We are detecting cases of capture [...] If that woman is finally transferred and her passport is withheld, then there are indications that there may be (not that there is right now), but there may be... Then whatever ends up happening, if there really is an end to sexual or labor exploitation, of servitude... Trafficking has many purposes.

NGOs like Mujeres en Zona de Conflicto, with expertise on issues of smuggling and trafficking, has undertaken **awareness-raising programmes of sexual and reproductive rights and access to health** with Moroccan women in the settlements since 2018. They count with a team of four mediators that go to the settlements and carry out workshops mainly related to health issues. They also go to some farms that belong to the three main employers' associations with which they collaborate (Interfresa, Asociación de Citricultores de la Provincia de Huelva and Unión de Pequeños Agricultores) and to the residency of Tariquejo, a good practice in terms of decent accommodation and services for employees (e.g. Spanish lessons). It is in Tariquejo where the most comprehensive training and assistance programmes are implemented, whilst in the farms that belong to Interfresa, training is only related to health issues. Such programmes are also perceived to serve as a tool to combat disinformation to prevent all kinds of abuses.

Another common problem of informal settlements are the **fires**. Whilst these have always happened, especially in summer due to the high temperatures, the last two years there have been more, especially in the town of Lucena. It is not clear what the **trigger factors** are, since the Civil Guard not always investigates them or their reports are not made public. Sometimes it is just an accident after the excessive warming of gas bottles, whereas in other cases they seem to be provoked. Some say it is caused by the same migrants who live in the settlements to call the public attention and others (some NGOs) affirm that they are provoked in accordance with political or economic interests. In Lepe, for instance, there was a big fire a few months ago in a piece of land that is affected by an urban plan to build a commercial centre. For some, this is not a coincidence and there is even an activist that confirms he witnessed the fire the day it happened. Others sustain that extreme right-wing movements could also be involved in such fires. In fact, in many of the towns with shanties there is a wide support to (extreme) right wing political parties (PP and

VOX), even among local temporary workers and citizens who are involved in collective mobilisations.

Pictures of fires in settlements of Lucena del Puerto



In 2019, due to the wide coverage of fires by the media, several working groups were created within the **Forum of Immigration** of the regional government of Andalusia, composed by public administrations, employers' associations, NGOs and trade unions, to seek solutions. A **new protocol of humanitarian aid** was designed to assist people affected by the fires, which included the fitting-out of public sports centres to host victims with some place to sleep, toilettes and provision of food. Yet, this was partly criticised for not being sensitive enough to issues of gender by mixing men and women in the same space and other spaces needed to be adapted for female migrants.

As part of the protocol, a **new census** of all settlements of the province was carried out (although it is not public yet) which should contribute in targeting better the public policies with more accurate knowledge of the reality. An emergency plan between firemen, the police and the administration was also arranged. Other issues discussed in the forum are related to health (including diseases like HIV), drugs dealing, education of minors, water supply or integration of migrants. This space of **interinstitutional coordination** appears to be essential and the recently created working groups seem to have facilitated the management of such common issues, by trying to avoid the classic 'excuse' of "this is not my competence". However, the Forum was paralysed due to Covid and at the time of the fieldwork (October 2020) it had not been reactivated yet.

In turn, there are big doubts about the capacity of the **Forum of Immigration to tackle structural problems** related to housing. According to the subdelegation of the government's office, the competences to improve the living conditions of the settlements rely on the regional and local governments, whereas they can only intervene in matters of security (e.g. prevention of fires, civil protection) or in issuing documentation related to immigration when this is burnt.

"The informal settlements are yet another aspect, where the competences of the autonomous community and local entities are enormous. So there are issues that we cannot address more than to a certain extent. What refers to coordinating, documentation, control, security, promoting that local entities do their work, that they enable water points, cleaning, plans to foster rental flats, convincing the residents of the town to rent their home to migrant people. Thousand things. Everything that is promoting, encouraging, reinforcing. But following on the competences of the national government, we cannot enter there." ST-HU1

In contrast, the immigration office of the Andalusian government affirms that they are only responsible for integration issues, but they cannot build hostels as an alternative to settlements. This is a competence of municipalities. However, the mayors interviewed deny it and point out that without the permission of the regional government, they cannot modify the urban planning order (*Plan General de Ordenación Urbanística*, PGOU), which is often necessary to erect lodgings, especially when they are next to the fields.

On the other hand, **NGOs** do not usually offer solutions in that sense; their role is quite based on a **charity-based approach** and concentrate on providing food, clothes, water, etc. However, there are some exceptions, such as the hostel that is currently under construction in Lepe for 40 people. ASNUCI is responsible for it and although it is not a long-term solution, it may help in mitigating the problem. The challenge is now to define what requirements will be set to access the hostel, considering that only in the informal settlement of Lepe there might be easily 1,000 people during the peak of the campaign.

Pictures of the hostel under construction of ASNUCI in Lepe



Also in Lepe, the local government started building another hostel years ago and after being abandoned it was squatted and today there are dozens of people living in it, although there is no water and the electricity is tapped.

Pictures of the squatted hostel in Lepe



3.4.4 Management of housing among potentially infected workers

Before the first outbreaks took place in Lleida during the summer, the regional government, in cooperation with the county councils (*consejos comarcales*), city councils, non-profit associations and trade unions, prepared several **spaces to host potential workers that were infected or had to quarantine**. In particular, there were two hotels, a summer camp and some youth hostels with an overall capacity for 500 people spread through the province. However, the crisis was not where to allocate those (potentially) infected; in the end only 35% of the capacity of such spaces was used. The problem was rather where to allocate all the workers and job seekers that arrived in the city of Lleida at the beginning of May. This was one month before the peak of the campaign as a result of the employers' associations' announcement offering 35,000 jobs. As previously mentioned, many remained in a situation of homelessness. Until the City Council did not adapt spaces for these people, several weeks passed. At the beginning of June, two fair pavilions with a capacity of 250 people each were adapted (one more than in previous years). NGOs also worked with the Council to organise services of food, showers, clothes, etc. Although at the beginning there was a unique space for all, efforts were made to allocate the few female temporary workers outside the pavilions to protect their physical and emotional integrity.

For some employers the supply of pavilions caused a pull effect for those migrants that did not want to pay for accommodation or food, arguing that people that were already working should not have been accepted, but only job seekers. This is connected to some racist discourses that have been mentioned above, by feeding the message of migrants as 'main beneficiaries of welfare benefits', without unveiling the situation of high precarity behind.

"Yesterday it was mentioned in the meeting that this would have a call effect, where there were people who said "look I'm going to go to the fair pavilion because there I get to sleep and eat and I don't spend". This is legitimate and human. [...] But by the time you have people working, you shouldn't have accepted that." ST-LL5

Besides the formal spaces that the government had arranged for those that did not have where to stay, several episodes of neglect have been accounted. Some had to do the **quarantine in substandard housing** (e.g. warehouses, garages) which was not well suited to guarantee a safe environment. Others were taken to isolated places without giving any information to workers.

When it affected undocumented workers the fear and suffering was much higher so they had to “choose between Covid or eating”. There is even a case of 40 people who were left unassisted for three days because the temping agency that had contracted them felt no responsibility to take care of them.

“One day we received a SOS call from some African workers that had been confined and taken over by the manager, a Romanian or Bulgarian, and had taken them to an abandoned house fifteen kilometres from Balaguer. The women were so scared, crying, that they didn't want to be there because they were far from everything. They had all bought their papers [residence permit], how can you complain? This came to us through a friend of them who spoke Spanish and who called us, and in the end they took them out somewhere else. But of course, these came to us, the ones we didn't see, who knows... And there are many such cases where people have been confined anywhere.” ST-LL9

Although Huelva did not witness any outbreaks of Covid, there were several issues of housing that had to be arranged. Under GECCO, officially there was the instruction that **housing for Moroccan women had to be guaranteed** until their return home, even if they were not working, so it was a beneficial measure for many migrants. However, several problems came out related to **pregnancy** and illnesses. Mujeres en Zona de Conflicto did a great job in this respect. They assisted 300 women, of which 92 were pregnant and 32 gave birth in Spain. Since the majority of housings are not prepared for mothers and babies, they had to be reallocated in shelters or separate spaces within lodgings. Moreover, they were in charge of the management of Covid tests (PCR), in cooperation with hospitals and the government, before the return of all Moroccan women to their country of origin.

In relation to **illnesses**, there were several women that got very sick in a situation of extreme vulnerability. We refer to cases of cancer, chronic kidney failure or hernias. Some already knew that were ill and they run out of medication, initially foreseen for 3 months. Others developed the disease once in Spain and others may have not been fully aware of their health situation and it became more complicated due to the whole stress of the pandemic. Among these women, there were also irregular migrants that were living in the settlements or isolated places with no roof, no food, no medication, no incomes and no one to take care of them. Various NGOs like Mujeres en

Zona de Conflicto and Jornaleras en Lucha report that they had to assist several sick women, after being left aside by employers, creating many tensions between social organisations and farmers.

“Right now there is a very sick woman that has chronic kidney failure. She is having to do haemodialysis twice a week and she is picked up by an ambulance twice a week from a shanty. And they pick her up, put her on haemodialysis and then leave her in the shanty again and no one has said “Hey, we have to find a place for this woman, a shelter where she can stay in fair conditions.” ST-HU10

The situation of **lockdown** also complicated the situation, and in many cases **assistance** to women had to be done **by phone**. Ambulances did not go to the settlements or isolated lodgings to pick up sick women if it was not for Covid (unless it was very serious) and Mujeres en Zona de Conflicto carried out the mediation and translation between medical care centres and women. The NGO in some cases accompanied women to the hospital, but it was only if this was requested by the employer; so again, the wellbeing of temporary workers depended on the good will of managers and employers. On the other hand, once in the hospital, members of the NGO were not allowed to get in, so many women had to suffer their pain by themselves.

4. Conclusions

After a review of the historical developments around the agricultural seasonal schemes of the last decades, this report has focused on the impacts of the pandemic in such schemes, as well as, more broadly speaking, on the Covid effects in the management of the agricultural campaigns in 2020. In particular, the study has analysed three main aspects: recruitment, working conditions and housing and living conditions. To this end, we have focused on two cases which represent paradigmatic examples of temporary workers’ schemes in Spain: the sweet fruits’ campaign in the province of Lleida (Catalonia) and the red berries’ campaign in the province of Huelva (Andalusia).

In relation to recruitment, the closure of borders and the mobility restrictions within the country obliged farmers and employers to seek alternatives to find labourers. Temporary workers’ schemes have been especially affected, particularly in Huelva, where only about 7,000 out of the

approved 19,000 Moroccan women were able to come before mid-March. Although the government tried to foster the hiring of unemployed people and new profiles like migrant youth or asylum seekers by making the process more flexible through the Decree-Law 13/2020, these seem to have been a minority. In this scenario, it remains the question of who has harvested the fruit this year. Despite the lack of official statistics that account for the global numbers of the highly decentralised nature of agricultural schemes, empirical results point out to a relative stability in employment practices, as also confirmed by Palumbo and Corrado (2020).

The certificate of mobility issued by employers for essential workers – including agriculture – facilitated the mobility of temporary labourers that usually concatenate campaigns across the country. In Lleida, the 20% reduction of production due to the bad weather resulted in needing less workers than what was initially expected and, after tight negotiations with the government, employers' associations were able to bring at least half of the usual Romanian workers by bus. In Huelva, Moroccan women, who were stuck in Spain until July due to the closure of Morocco's borders, were able to work more days and cover part of the jobs that were initially thought for their conational fellows arriving from mid-March onwards. Buses from Eastern Europe with temporary workers and their family members did not stop during the pandemic, although their frequency was reduced. On the other hand, both migrant workers (including Moroccan women) and autochthonous workers were under big pressure to work more and compensate labour shortages. However, the production fell 20% because there was not enough labour supply and the consumption and exports partially decreased. In this sense, Huelva seems to have been more affected than Lleida, as it also had less time to look for alternatives in the midst of the campaign and the early stages of Covid.

In relation to the working conditions, the pandemic has made the structural problems more visible and vulnerabilities have become greater. Besides the usual issues such as underpayment or irregularities in hiring practices, workers have been put under much more stress. This has accelerated situations of conflict that in some cases have led to dismissals after complaints by workers. The lack of public or private transport for some labourers with less resources and the limitations of people per vehicle have made it more difficult to reach workplaces. Whilst there have been some good practices such as the rental of buses to facilitate the commuting of workers

in some companies, in other cases, workers with no means of transport were obliged to sign a sick leave.

Labour inspections were more difficult to implement due to the lockdown restrictions. Yet, the intense media coverage of labour abuses – especially among temping agencies – put more pressure to the national government, which ordered more inspections once civil servants were able to move, and more irregularities were uncovered. On the other hand, farmers, cooperatives and employers applied anti-Covid measures and some even developed their own protocols when the official ones had not been created yet. Apart from the little economic support for sanitary material, employers felt somehow abandoned by the government in a climate of much uncertainty. On the side of workers, there were complaints for the lack of compliance with sanitary measures, especially during the first months of the pandemic, and some were afraid to report symptoms of Covid for losing the job.

As regards the living conditions, the pandemic has been especially harsh in visibilising the deficiencies of housing for temporary workers. Whereas in Huelva the situation is extremely worrying due to the proliferation of informal settlements, in Lleida problems are more related to homelessness, overcrowding of flats and substandard housing, even if this is also present in the south. Collective bargaining agreements are not always respected and the subcontracting of temping agencies to recruit and hire workers fosters their lack of responsibility in facilitating decent accommodation. This year, it has been a matter of greater concern since problems of housing have remitted to an issue of public health. In Huelva, even if NGOs, trade unions and municipalities facilitated some sanitary material and food in the settlements, the lack of access to drinking water, electricity and decent hygienic conditions left migrant workers in a more precarious and dangerous position, not to mention the effects of the fires and the destruction of shanties. In addition, medical assistance was more difficult to provide due to Covid restrictions, which especially affected groups of ill and pregnant Moroccan women. Luckily, in Huelva there have not been many cases of Covid in comparison to the outbreaks that Lleida witnessed last summer. This whole scenario has clearly displayed the need for more public investment and interinstitutional cooperation to offer better living conditions for temporary workers.

Finally, some further comparative notes between the two case studies can be observed. The structural problems of global agricultural enclaves with a model of intensive and export-oriented agriculture seem to be more manifest in Huelva than in Lleida. This is probably due to the larger scale of the red berries sector reflected in the production, turnovers and the number of temporary workers (including those recruited in origin), and the greater influence of production techniques imported from California. The little presence of public programmes to create and improve housing and the fragmented mobilisation of NGOs in the south do not contribute to articulate common solutions either. In contrast, in Lleida policies in this regard have historically been somewhat more active and social movements appear to be more organised. Finally, from a gender perspective, the temporary workers' scheme of Huelva entails clear forms of intersectional discrimination, starting from the recruitment process of Moroccan women, to cases of harassment and sexual abuse. In between, there are many who suffer 'less serious' forms of symbolic violence on a daily basis which are reinforced by a relationship of dependence with employers that is intrinsic to the scheme of GECCO. Although discrimination is also present in Lleida in relation to the sexual division of labour and other practices at workplaces, it may be not so institutionalised as part of the seasonal workers' programmes led by the government.

5. Policy recommendations

In the short term:

- **Compliance with the collective bargaining agreement and update the salary scale**, according to the raise of the minimum wage (SMI). This would imply to pay retrospectively all workers since the approval of the raise in early 2020. Compliance with the collective bargaining agreement should also apply to those workers employed under temp agencies.
- **Increase the number of labour inspections** (with more funding and human resources) and ensure that they are effective to identify potential irregularities
- **Increase private transport** so that women living in isolated housing (provided by employers) can go more often than once a week to the town, and decrease their danger of being manipulated by supervisors

- **Increase public transport** so that it reaches the main cooperatives and companies that gather big pools of agricultural workers
- **Improve dissemination efforts** on the **regional public funding** related to the maintenance and improvement of accommodation for agricultural workers, so that City Councils apply for it. This would solve the existing confusion between administrations and facilitate the improvement of housing.
- **Promote the dialogue** between the actors involved in the organisation of agricultural campaigns in round tables of discussion organised by Unió de Pagesos with the collaboration of the University of Lleida. Stress the importance of finding solutions for homeless workers who go to Lleida seeking a job, especially those who are irregular.
- **Promote access to health among all migrant workers**, regardless of their administrative situation. Considering that some temporary workers live in informal settlements or substandard housing and have it more difficult to go to health centres or hospitals, mobile units could be organised to go to isolated places where they live. Health cards should also be provided to all workers.

In the mid-term:

- **Create a coordinated network of public hostels** in each autonomous community to mitigate the problems related to substandard housing, overcrowding and homelessness among agricultural workers. This coordination would also help in having a big picture of what capacity hostels have and if more accommodation places need to be built, according to real numbers.
- **Shorten the length of the work contract to regularise** the situation of irregular workers through the 'social rooting' procedure, considering that in the agriculture sector, it is highly unlikely to get a work permit for one year, which is what the Law on Foreigners obliges to get the residence permit. This would mitigate the situation of social exclusion of irregular migrant workers who are obliged to remain in the informal economy and become very vulnerable at work. Moreover, this would help in dignifying and widening the possibilities to work in the agriculture and contribute to alleviate some of the structural problems in rural areas: depopulation and ageing of population
- **Relocation of the one-stop-shop or single window in Lleida** to assist temporary workers with all their needs (job notice boards, food, showers, clothes, hairdressers...), since all

- services are now scattered in different towns and workers have no time to go to all places, considering the long working hours they have and the current timetables of some of these services.
- **More training to employers and middle-ranking positions** on human resources, diversity management, labour rights and gender equality to avoid potential situations of abuses and ill treatment
 - **More training and information to all temporary workers** about their rights and duties, the legal framework that applies to agricultural work (GECCO, collective bargaining agreements, Law on Foreigners, etc.), basic information about the environment and the functioning of the institutions (e.g. health system) and Spanish lessons to empower workers and make them less vulnerable to disinformation.
 - **Make more visible the good practices that exist** to inspire others and compensate the negative image of the agricultural sector of red fruits in Huelva and sweet fruits in Lleida. These include, for instance, training programmes, Spanish lessons and cultural activities undertaken in the residency of Tariquejo; professional cultural mediators that improve communication between workers and the company, accompany them with their needs and demands, and help in mitigate potential conflicts; installation of Wi-Fi in the accommodation so that workers can more easily communicate with their families in the country of origin.
 - **Strengthen public policies that foster social inclusion and prevent abuses at work.** This could be done with **the recruitment of cultural mediators** by public administrations to whom workers can report any cases of abuses or ill treatment within a relationship of trust and neutrality. This is to compensate other mechanisms of control like PRELSI that are too connected to employers' interests and very focused on potential cases of sexual abuse. This new programme of mediators could be inspired by the service previously offered by the service of labour intermediation of Unió de Pagesos in Lleida or the Foundation for Foreign Workers in Huelva (FUTEH).
 - **More services of mediation and translation in those public services that are widely used during the agricultural campaigns,** including hospitals and medical care centres, civil register and social services to ensure access to health among all workers, apart from those that already exist as part of the Dirección General de Coordinación de Políticas Migratorias of the Junta de Andalucía, that prove to be insufficient.

In the long term:

- **Extraordinary regularisation of irregular migrants:** this would not only reduce informal economy and guarantee human and labour rights of migrants, but also reduce the tensions that their exploitation creates between local and migrant workers, and advocate for better working conditions for all.
- **Deletion of the Special Regime of Agriculture of Social Security** and shift of work contracts to the General Regime: this would guarantee more rights and social protection (e.e. unemployment benefits)
- **Creation of a Regulatory Council** that guarantees that fruits have been picked up following the compliance of labour and human rights of agricultural workers. This Council should track the whole process: who has supplied the seed, who has harvested it, who has bought it, who has planted the sapling, who has picked the fruit up, and who has distributed it until it gets to the consumer.
- **Lobbying for the implementation of online mechanisms in trials,** so that temporary workers involved in legal complaints can declare from wherever they are working, considering that mobility within the country is inherent to their job and their usual lack of resources. This would facilitate the progress of legal complaints and the visibilisation of bad practices in terms of ill treatment or abuses at work. Trade unions and social organisations representing legal cases around Spain should also be more coordinated to facilitate the following-up of cases.
- **Withdrawal of funding** to those employers' associations and companies that do not respect labour and human rights (e.g. promotion of fairs)

Table 5: Summary of policy recommendations

	Public administrations	Employers' associations and farmers	ALL
Short term	<p>Increase labour inspections</p> <p>Increase public transport</p> <p>Improve dissemination on regional public funding on housing</p> <p>Promote access to health among all migrant workers</p>	<p>Better compliance with the collective bargaining agreements</p> <p>Increase private transport</p>	<p>Promote the dialogue between the actors involved in the organisation of agricultural campaigns</p>
Mid term	<p>Create a coordinated network of public hostels</p> <p>Shorten the length of the work contract to regularise irregular workers</p> <p>Relocation of the one-stop-shop in Lleida</p> <p>Strengthen public policies that foster social inclusion at work</p> <p>More services of mediation and translation in public services</p>	<p>More training to employers and middle-ranking positions</p> <p>More training and information to all temporary workers</p>	<p>Make more visible the good practices</p> <p>Lobbying for the implementation of online mechanisms in trials</p>
Long term	<p>Extraordinary regularisation of irregular migrants</p> <p>Deletion of the Special Regime of Agriculture of Social Security</p> <p>Creation of an Ethical Regulatory Council</p> <p>Withdrawal of public funding to non-ethical companies</p>		

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Annex: table of interviewees

Code of interview	Organisation / Institution	Area	Province
ST-LL1	Subdelegation of the Government in Lleida	Policy	Lleida
ST-LL2	Delegate of the Catalan Government in Lleida	Policy	Lleida
ST-LL3	City Council of Lleida	Policy	Lleida
ST-LL4	Temping agency Sendas Gestión	Economy	Lleida
ST-LL5	Employers' association AFRUCAT	Economy	Lleida
ST-LL6	Agrarian union Unió de Pagesos	Economy	Lleida
ST-LL7	Employers' association ASAJA	Economy	Lleida
ST-LL8a and ST-LL8b	Trade union CCOO	Trade union	Lleida
ST-LL9	Citizen Platform Fruita amb Justícia Social	Social	Lleida
ST-LL10	Càritas Lleida (charity)	Social	Lleida
ST-LL11	Red Cross	Social	Lleida
ST-LL12	Foundation Pagesos Solidaris	Social	Lleida
ST-LL13	Assosiation Arrels Sant Ignasi de Lleida	Social	Lleida
ST-LL14	Activist, member of Casa Nostra Casa Vostra	Trade union	Lleida
ST-HU1	Subdelegation of the Government in Huelva	Policy	Huelva
ST-HU2	General Direction of Coordination of Migration Policies in Andalusia	Policy	Huelva
ST-HU3a and ST-HU3b	Provincial Government of Huelva	Policy	Huelva
ST-HU4	Mayor of Lepe	Policy	Huelva
ST-HU5	Mayor of Lucena del Puerto	Policy	Huelva
ST-HU6	Freshuelva	Economy	Huelva
ST-HU7	Frutas la Tinajita S.L.	Economy	Huelva
ST-HU8	Trade Union Sindicato Andaluz de Trabajadores (SAT)	Trade union	Huelva
ST-HU9	Trade Union CGT	Trade union	Huelva
ST-HU10	Activist, Jornaleras de Huelva en Lucha	Social	Huelva
ST-HU11	NGO Mujeres 24 Horas	Social	Huelva
ST-HU12	NGO Asisti	Social	Huelva
ST-HU13	Press La Mar de Onuba	Social	Huelva
ST-HU14	NGO Mujeres en Zona de Conflicto	Social	Huelva
ST-HU15	NGO Asociación Pro Derechos Humanos (APDHA) Huelva	Social	Huelva
ST-HU16	ASNUCI	Social	Huelva