

1. **Objectives.** The literature devoted to international migration of labour seems to underestimate the impact of employers' interests in labour migration. For instance, it includes an opinion that migration of labour may be a triple-win game (Angenendt, 2014) in which migrants, the sending society and receiving society all benefit. In this view employers in the receiving society who – in our opinion – are at the root causes of any labour migration are underrated. This is consistent with the most popular theories of labour migration where the active role is played by migrants, their families/households/friends, intermediating agents, the state of origin and of destination. The role of employers is usually reduced to structural characteristics of the receiving state's labour market or immigration policy.

Historical experience of many labour-receiving countries seems to strongly contradict the validity of such an approach. Analyses of this phenomenon, albeit scarce, suggest that employers express their interests concerning the immigrant workforce and pursue them (Menz, 2008; Surak, 2013). Systematic empirical studies which would attempt the identification of relevant strategies of employers, and expressions of their interests are missing, and the issue is absent in theories of international migration. Little thought has also been given to situations when employers do not express their preferences, but their interests are nevertheless taken into consideration or even given priority by other actors, for example government.

Those considerations justify our intention to carry out the proposed project. **Its principal objective is to fill the gap in the existing theoretical and empirical knowledge about the mechanisms related to the inflow of foreign workers and their allocation in the labour market, a gap characterized by underrating the influence exerted on those mechanisms by employers' interests.** We propose to perceive the role of employers not solely through the lens of their activities but rather take a broader view, which emphasizes any kind of social relations where the interests of employers are considered and accomplished. Our objective has two dimensions: empirical and theoretical. The empirical dimension consists in in-depth analysis of the influence of those interests in different political, economic and socio-cultural contexts: in Germany, Italy, Poland and the United Kingdom, and the European Union (EU) during negotiations preceding the 2004 enlargement. A particular objective of the present project is a thorough analysis of employers' involvement in the channelling of migrant workers to Poland, an emigration country, which recently (2017–2020) became one of the largest recipients of foreign workers in Europe. The aim is to empirically evidence how diverse interests (including employers') are considered and realized in the political process. The theoretical aim is to provide an innovative conceptual framework that refers to all three levels of social reality analysis: macro- (economic or legal environment), micro- (individual actors with agency) and mesoscopic (organisations that pursue deliberate actions). The proposed study will be pioneering to employ the New Institutional Economics (NIE) approach (Hardt, 2005; North, 1991; Staniek 2017; Wilkin, 2016; Williamson, 1975) to labour migration, thus establishing new research instruments and enhancing theoretical advancements in this domain (see Section 2).

In our understanding, employers are labour market actors who offer jobs, and are willing to hire migrant workers. In their common perception, the employment of foreigners brings about a possibility of coping with shortages of native workers, and financial and non-financial benefits, such as flexibility of the workforce. Because of such common benefits, employers can be considered a group, albeit diversified, of common interests (Freeman and Tandler, 2012). The gap which the present project attempts to fill is – in our view – acute and significant because first, the relations and transactions in the labour market are characterized by asymmetry and stronger bargaining power of employers than employees, especially immigrants, and second, contemporary migration of labour is demand-driven. We are aware of challenges the project will have to cope with in respect to the concepts of employers and their interests. Being assured of the support of experienced staff of CMR and the project's Advisory Board (see Section 4), we are confident to deal with these challenges.

We assume that in the context of labour migration the group interests of employers are expressed first of all through employers' activity to influence public policies, and also through particular activities independent of those policies or even contradictory to their objectives. Moreover, employers' interests are framed by historically rooted factors which constitute a favourable institutional environment (Acemoglu et al., 2014). This brings us to the general hypothesis of the present project: **Institutions (including regulations) concerning the inflow and employment of immigrants reflect the group interests of employers.** Putting forward of this hypothesis seems to be justified by the conclusions of our studies of the literature, and by our perception of the main mechanisms of labour mobility in the contemporary globalised economy. Public policies clearly point to a significant role of interests (and preferences) of employers (Okólski, 2019). The validity of this hypothesis will be tested by in-depth analyses aimed at empirical verification of the following four ancillary (supporting) hypotheses:

1. Employers **undertake particular activities** which aim at ensuring themselves the desirable inflow or employment of immigrants; the magnitude and intensity of those activities (in other words: a strategy of pursuing group interests) are dependent on the actual situation or foreseen changes in the labour market.

2. In certain circumstances, the changes (or creation) of institutions (including regulations) concerning the inflow or employment of immigrants which favour the interests of employers take place **without an active participation** of the latter.

3. The actual institutional environment, including formal and informal procedures, serves the group interests (financial and non-financial) of employers, which are related to the inflow and employment of immigrants.

4. Expectations and activities of employers (including institutions of the state) in the process of expressing their group interests concerning the inflow and employment of immigrants have been shaped by culture, customs and norms proper to a given society.

Admitting these hypotheses as correct will prompt us to accept our general hypothesis as plausible and accurately describing the reality of labour migration.

2. Significance of the project. In the domain of international migration research, there has been a growing concern about the insufficient explanation of the role of employers' interests in the process of foreign labour flows and employment (Ambrosini, 2017; Menz, 2008; Salt and Stein, 1997). Systematic studies regarding such role have not been conducted, and theoretical frameworks have not been offered. Some interpretations have been proposed by political scientists investigating employers' lobbying in the United States (Nicholson-Crotty and Nicholson-Crotty, 2011) or the United Kingdom (Ruhs and Anderson, 2009). This is in line with the political science concept of "organized publics" (Freeman 2002). These "organized publics", or interest groups, which can include political parties, employers, trade unions, or NGOs, manage to influence policies, whereas "diffuse groups" which often carry the costs of those policies, do not. The majority of studies conducted within the logic of this theory focus on political actors, but some also touch upon the influence of employers (Menz, 2008; Statham and Geddes, 2006). Most studies offer a narrow perception of the part of employers, focusing only on the stage of formulating public policies, ignoring employers' actions at other, non-policy levels, and the influence of their unarticulated interests.

The role of employers has also been investigated by economists, but most focus on a particular form of employment or a particular sector of the economy, such as seasonal work in agriculture (Scott, 2013). Adopting a sectoral perspective omits a wide group of employers and therefore, severely limits the full understanding of the process of translating employers' interests into specific solutions in migration management. As part of various concepts, more or less systematized (e.g. migration infrastructure, migration industry, or migration as a business), attempts are made to explain the extent to which employer-based strategies affect the ease of migration and increase the presence of migrants on a global scale. In this context, employers are perceived as creative actors who, using a variety of resources (knowledge, financial, social capital), can quickly respond to changing political, economic or social circumstances (Ambrosini, 2017). Against this backdrop, growing attention is paid to work agencies and social networks facilitating the recruitment of foreigners (Forde et al., 2015). Research in this area demonstrates that employers resort to intermediary agents and employment agencies in order to reduce costs and uncertainty in the migration process (Williams and Baláž, 2014). The so-called migration industry (Hernandez-Leon, 2013) plays a more and more important role in international migration (Ambrosini, 2017). This raises new questions regarding the interactions between labour market actors. Authors referring to this concept have long signalled a lack of a coherent theoretical background that would make it possible to clarify the relationship between employers and other actors of the migration industry.

Research grounded in theories of labour migration, such as the neoclassical theory (Borjas, 1989; Harris and Todaro, 1970) and the dual labour market theory (Piore, 1979), assumes that labour demand is a key factor influencing migration flows, which is tacitly accepted in many of these studies, without giving much thought to the actors who create this demand. In the political sciences the focus, in turn, is narrowed to employers' actions and their involvement in client practices and lobbying at the stage of formulating public policies and other regulations (Freeman, 2002). The issue of employers' financial and nonfinancial interests is totally absent in the respective studies. As Freeman and Kessler (2008) argue, much better understanding could be gained by combining the approaches of economics and political science. Our project not only meets this postulate but also offers a comprehensive, in-depth and systematic framework for both empirical research and theoretical considerations, which justifies our endeavour and is a pioneering effort in the area of migration research.

The proposed study advances the current state-of-the-art in several ways. First, it establishes a new conceptual approach to the mechanisms of labour migration focusing on social institutions. Since we concentrate both on employers who constitute a group of common interests **and** the institutional environment

in which the employers' interests are considered and satisfied, to this end we adapt the NIE approach with its core concepts of interest groups, collective actions, conflicts of interests, institutional embeddedness and moral hazard behaviours. Second, the existing research struggles with the question to what degree migration flows are determined top-down by existing legal, cultural or economic macro-structures, and to what degree they are determined by individual actors with agency (migrants, their family members or others). The NIE approach operates at all levels of analysis: the macroscopic level referring to institutional environment, the mesoscopic level of collective actions and relations between labour market actors, and the microscopic level concerning social norms (Davis and North, 1971) (see also Section 3). And third, apart from this innovative conceptual contribution, the proposed research project leads to promising empirical findings. In the international comparative perspective, the interests and actions of employers will be systematically investigated in several institutional contexts characterised by different micro, meso- and macroscopic institutional settings. A particular contribution of our research will be the possibility to observe the influence of employers on immigration to contextually different European countries including Poland, a country that is just beginning to be an immigration destination, thus allowing us to observe a "process in the making".

3. Workplan. Our preliminary investigations were aimed at finding the most appropriate theoretical framework for studying a wide variety of actions that employers undertake to pursue their interests, and the institutional environment favourable for their efforts. We concluded that the perspective of new institutional economics (NIE) is the most appropriate for the proposed project and there are several arguments for this. We present these arguments in reference to Williamson's (2000) pivotal proposal of NIE methodology based on a four-level analytical framework encompassing and combining social, political and economic approaches (Wilkin, 2016).

First, NIE refers to the key social theory concepts of informal institutions, norms, customs and traditions that impact the extent to which employers uphold existing procedures and regulations, or resort to actions that are innovative, risky or illegal. On NIE's second level of analysis – "formal rules of the game" – we want to study employers' participation in creating and lobbying for favourable legal solutions. Third, NIE provides the methodological basis to study the governance of relations between labour market organisations regarding the recruitment and employment of labour migrants. For instance, in order to avoid the risk of sanctions and to blur responsibility in case of irregular or undeclared work, employers may use their bargaining strength and delegate the employment relationship to work agencies. Fourth, NIE refers to the macro-economic approach, allowing us to study the resource allocations in the labour market, such as vested financial and non-financial interests of employers in resorting to labour migrants. At this level of analysis, we also want to consider the extent to which employers make use of the segmentation of the labour market (Piore, 1979), resulting in a heterogeneity of employment contracts. These four levels provide a relatively broad framework for studying several aspects of the employers' roles in the labour migration, different institutional contexts, characteristics of economic system – liberal or coordinated (Freeman and Kessler, 2008), and axioms of migration policy – expansionist versus restrictive (Facchini and Mayda, 2009).

The proposed research project deals with five empirical case studies characterised by different institutional circumstances. The first case concerns fifteen "old" European Union member states that shortly before 2004 decided when to open their labour markets to citizens of the new accession countries of Central Europe. We will investigate the extent to which employers' interests were taken into account when some countries (Ireland, Sweden and the UK) opened their labour markets immediately, others delayed for 2-5 years, and still others (Germany and Austria) for as long as possible (7 years). The next three cases refer to European countries characterised by different institutional environments: – the United Kingdom, with relatively liberal regulations of industrial relations and intense connections with ex-colonies, – Germany, with its traditions of resorting to temporary labour migration, – and Italy, with a relative tolerance towards irregular employment. The fifth case concerns Poland, which constitutes an example of an immigration country *in statu nascendi*.

For each empirical case study, we will include slightly different time frames and focus on country-specific periods of intense employers' activities. The idea is to put stress on decisive moments in each country's recent history when migration policies became more liberal towards labour immigration. The end date for all country-specific cases (thus, excluding the EU case study) will be the present-day moment, which will give us the opportunity of studying the employers' interests and actions after and in the aftermath of the COVID-19-related lockdown and securitization of mobility. We will be able to examine how mobility resumes after unprecedented migration disruption and how employers try to sustain, revive or change the current economic system. The conceptual lens of the proposed research project will shed some light on the rapidly changing relations between government, employers, intermediaries and individuals in the years to come.

As for the work plan, the proposed project consists of three parts and eight work packages. In the first part (WP1) (6 months), we will provide a conceptual framework for empirical case studies. In the second (3 and ¼ years), we will establish the state-of-the-art concerning the role of employers in labour migrations in a historical perspective (WP2), and conduct the empirical analysis in five case studies (WPs 3 through 7). Finally, the third part (WP8) (6 months) will be devoted to the formulation of theoretical considerations.

The main risks in our project concern the access to data. Documents established by employers' organizations, trade unions, commerce chambers etc. may not always be accessible. To avoid this risk, we found local collaborators who will be members of the team (German and Italian partner) or will participate as collaborators and co-authors of publications (UK). In case of severe mobility restrictions due to epidemiologic conditions, these collaborators will also provide us help with documents queries. Risks also concerns in-depth interviews we want to conduct with representatives of employers' organizations, work agencies, trade unions and other stakeholders. The respondents may not remember or be willing to speak frankly about their actions, may be subject to professional confidentiality, or may interpret their decisions ex-post. We will thus complement our interviews with document analysis of official reports, studies and media coverage, and consult the findings with our Advisory Board (Section 4).

4. Research methodology. The proposed methodology not only addresses empirical objectives of this research project, but also strictly corresponds to theoretical stipulations of the NIE approach concerning the use of multiple-case study design, different levels of social analysis, and interdisciplinary approach.. The case study method requires triangulating multiple sources of evidence (Yin, 2014) and, therefore, the proposed methodology is based on three major elements, all involving qualitative methods. It will include:

– **Desk research: A Qualitative Document Analysis** (Bowen, 2009) of documents established by public administrations, employers' organizations, trade unions, commerce chambers etc. concerning the political process shaping the migration policy of each country / region (EU). The analysis will be made in the long time frames, that is from the starting date of country-specific analysis (as described in Section 3) till the most recent time. We plan to carefully assess the credibility of documents: their origin, representativeness and quality. In line with the research applying the QDA method to public policies in other domains, we assume that these sources evidence a policy making process and uncover the interests and actions of the authors of documents. Whenever possible, this part of analysis will be complemented by additional data sources, such as for instance reports from past surveys among employers (notably those conducted by their associations), which explored *inter alia* their attitudes and needs related to foreign labour. For instance, in Poland such surveys are regularly conducted by *Lewiatan*, whereas in Italy two organisations of employers, *Confindustria* and *Unioncamere*, carry out similar studies;

– **Political discourse analysis** (PDA) of political forums (debates, speeches, and hearings), aiming to uncover the interests and positions of the main employers and employers' organizations, their efforts to legitimise the employment of foreign labour force and to shape the migration policy. This part of analysis will also serve to contextualise the other two elements of empirical research. We therefore intend to carry out a purposive sampling strategy aimed at achieving a diverse sample of high-circulation media outlets in terms of their political alignment, target audience, and type of journalism. The analysis will be made in the long time frames, dating back to the beginning of country-specific analysis or, if this is not possible due to unavailability of empirical material, to the earliest years possible;

– Our objective is to study not only lobbying activities and political debates, but all circumstances in which other actors consider employers' interests, even if the latter are not explicitly expressed. As in all these situations, written documents are not necessarily left behind, we will complete our empirical material with **in-depth interviews** with app. 20 key actors for each case study: representatives of employers' organizations, work agencies, trade unions, former employers, stakeholders representing political elites and administration (conducted in person or online). These respondents will be purposely chosen, in concordance with our local partners, to reflect the wide spectrum of labour market actors and economic sectors important for each case study. The interview scenario will include common core of topic areas regarding organised, past and present actions undertaken by employers and their relations with other labour market actors, as well as questions about specific context of particular countries selected as our case studies.

The concluding phase will be dedicated to formulation of the theoretical considerations, based on conclusions from all analytical steps in the study. An overall analytical strategy will try to define and test plausible rival explanations covering those rivals that appear as being the most threatening to our original propositions. Within the general strategy we will use analytical techniques to deal with any problems of

developing internal and external validity when doing case study research. To secure the highest standards of research and increase the project's recognition, an international Advisory Board will be established, comprising of experts in the field (prof. Maurizio Ambrosini, dr. Franck Düvell, dr. Bela Galgoczi, prof. Georg Menz, prof. Martin Ruhs, prof. John Salt, dr. Sam Scott, prof. Joanna Tyrowicz), who will *inter alia* point out aspects for analysis that might otherwise be overlooked and help us deal with issues of credibility of data and sources.

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