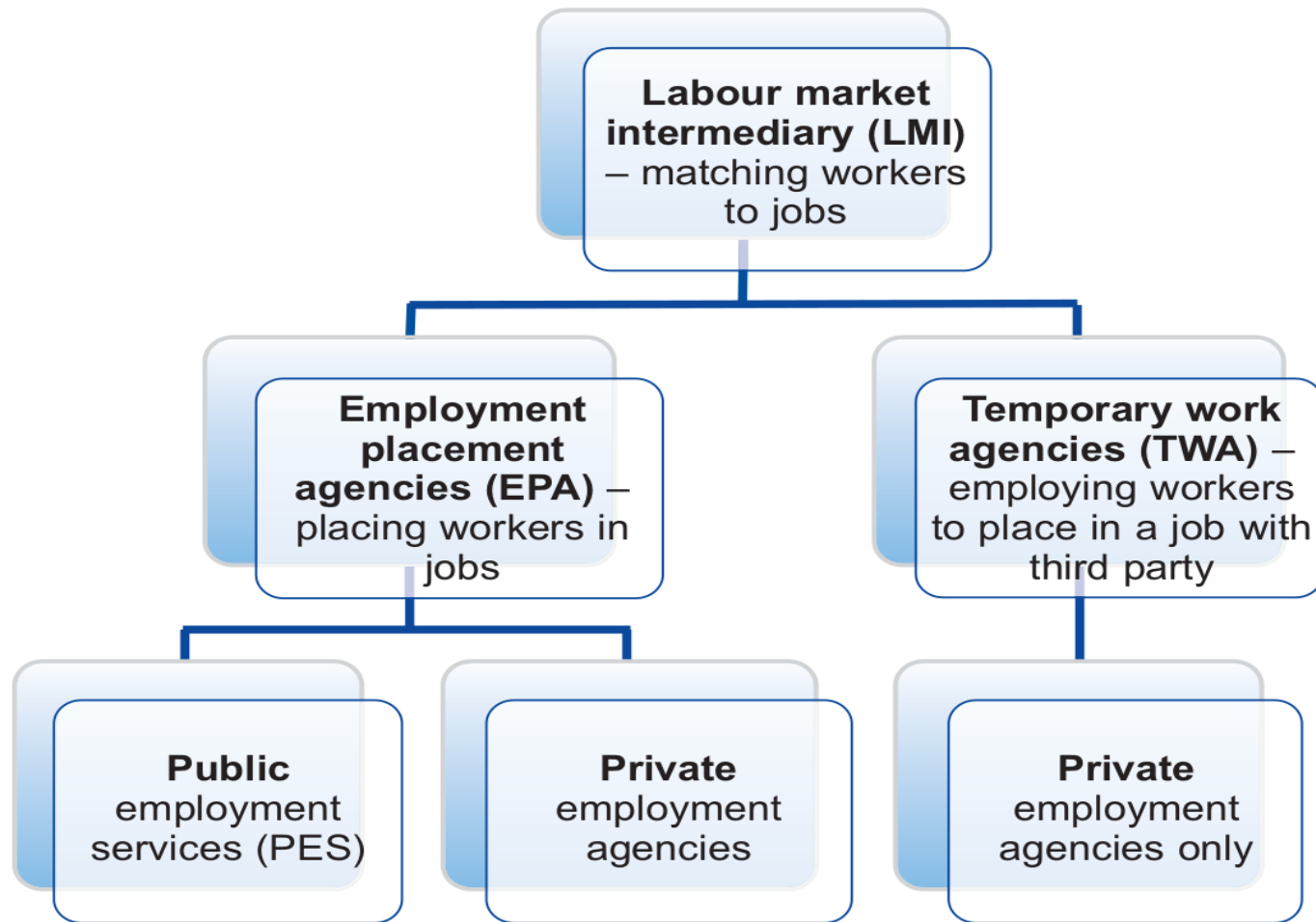


The role and regulation of  
PREAs mediating employment  
abroad, international practices,  
and examples from the  
Republic of Moldova

**Regional course on  
“INTERNATIONAL MIGRATION  
LAW”, 17-18 February 2022**

**Mihail Cebotari**

# Understanding the activity of PREAs



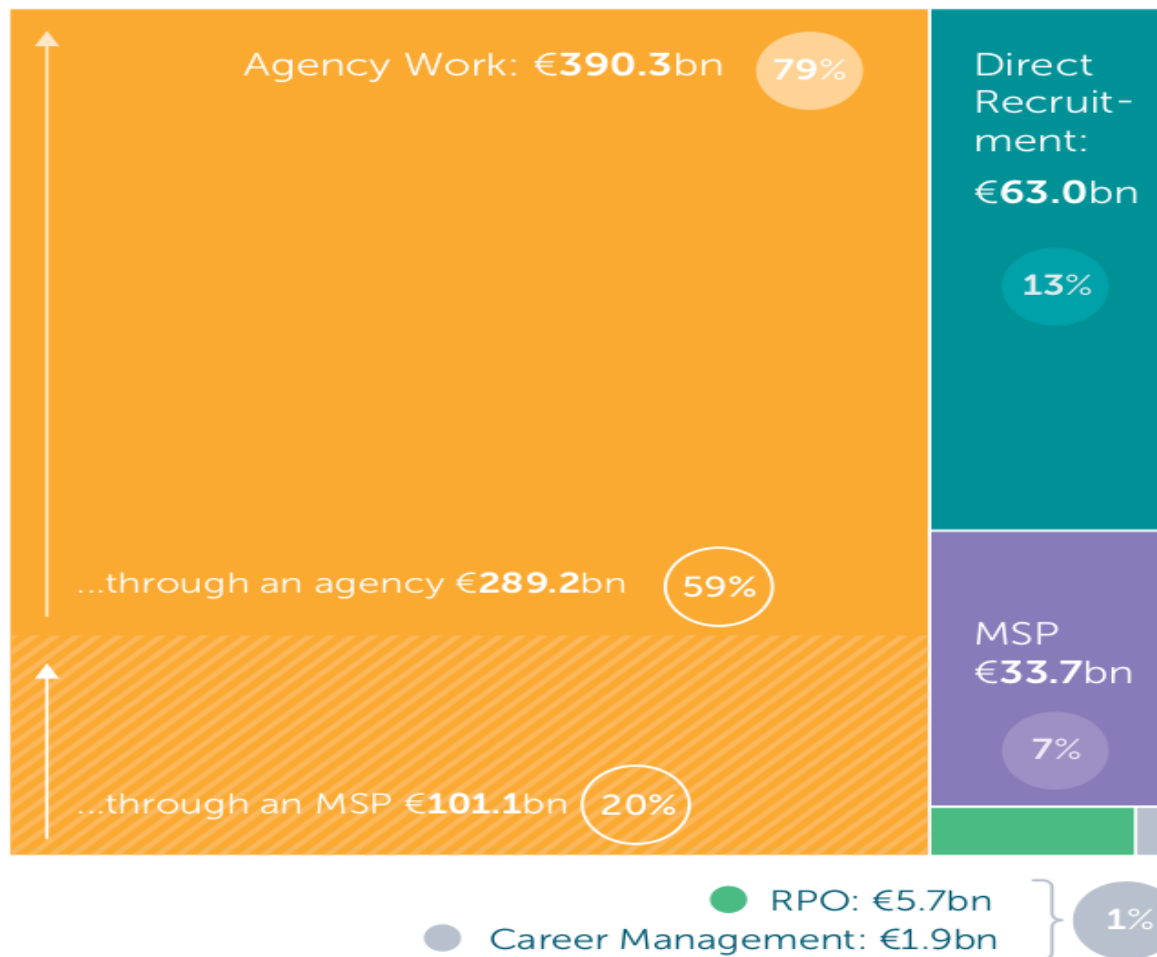
Source: Regulation of labour market intermediaries and the role of social partners in preventing trafficking of labour, <https://www.eurofound.europa.eu/publications/reports/2016/regulation-of-labour-market-intermediaries-and-role-of-the-social-partners-in-preventing-trafficking>

## **Types of PREA Services according to WEC:**

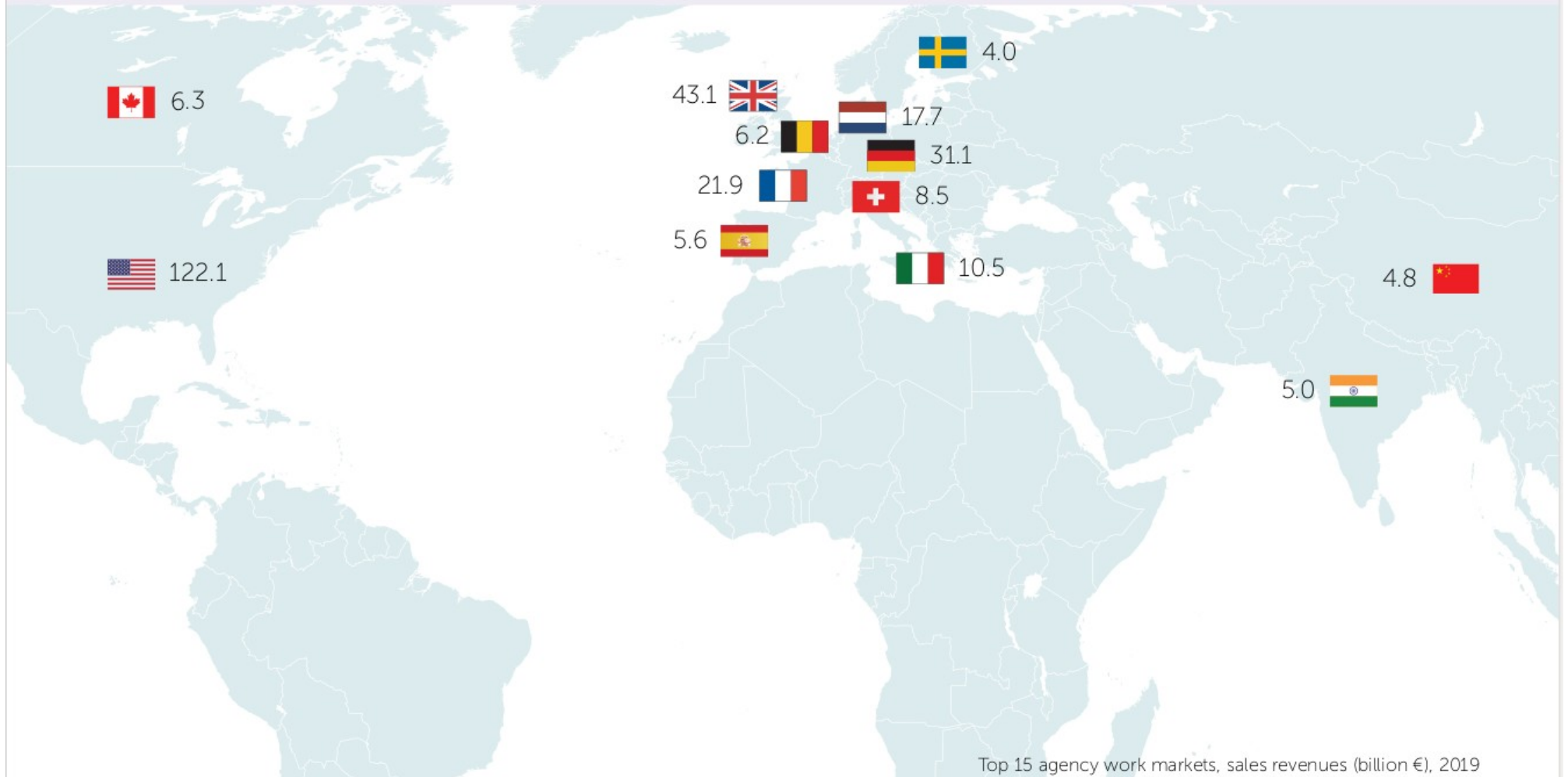
- 1) Temporary Agency Work;
- 2) Managed Services Providers (MSP);
- 3) Direct recruitment (intermediation);
- 4) Recruitment Process Outsourcing;
- 5) Career management.

# The state of the industry

Private Employment Services Industry Global Market  
2019: **€495bn**



## Market evolution varies across the largest agency work markets



USA	Japan	UK	Germany	France	Netherlands	Australia	Italy	Switzerland	Canada	Belgium	Spain	India	China	Sweden
122.1	52.3	43.1	31.1	21.9	17.7	17.3	10.5	8.5	6.3	6.2	5.6	5.0	4.8	4.0

# Regulation of PREAs - the specifics of Republic of Moldova



Source: <https://www.britannica.com/place/Moldova>

## **Defining characteristics of labor emigration from the Republic of Moldova:**

- Approx a million of national citizens hold a second EU citizenship or an EU residence permit.
- Simplified mobility due to the free visa regimes in the EU and CIS regions.
- Implementation of three bilateral agreements for labor migration of Moldovan nationals with Israel(2012), Bulgaria(2018) and Germany(2021).

# Regulation of PREAs - issues and important topics



## **The legal framework in force:**

- Law Nr.105/2018 on the promotion of employment and unemployment insurance.
- Government Decision Nr.1276/2018 for the approval of procedures for access to employment measures.
- Law Nr.140/2001 on the State Labor Inspectorate.
- Government Decision Nr.894/2018, for the approval of the Methodology regarding the state control over the entrepreneurial activity based on the risk analysis in the control fields of the State Labor Inspectorate.

# The role of IOM IRIS standard



# Regulation of PREAs - important issues

- The right to require payment from work-seekers.
- Issues regarding conflict of laws.
- Responsibility of PREA after the placement of worker abroad.
- The Contract for labor intermediation abroad.
- Employment of workers having a dual citizenship.
- Repatriation of workers in a vulnerable situation.
- Advertising of employment offers.
- Sanctions and penalties.

# Perspectives

## **For Republic of Moldova:**

- Digitalization of interaction of PREAs with state bodies.
- Simplified requirements for the activity of PREA coupled with increased transparency and accountability in their work.
- A clearer approach regarding application sanctions and penalties.

## **Globally:**

- Adoption of chain responsibility regulations.
- Development and growth of alternative types of services provided by PREAs (ex MSP and RPO).
- Increased options for selection of personnel due to automation and potential use of block-chain in the recruitment process.



**Thank you for your attention!**