

Legal Protection for Migrant Workers In EU

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Abstract

The principle of the free movement of persons applies within the European Union and the European Free Trade Association. For the European worker, this means that he/she has the right to move to another Member State to work or to look for a job. Freedom of movement is also a fundamental right guaranteed by Article 15, paragraph 2 of the Charter of Fundamental Rights of the European Union. It is based on the Community principle of non-discrimination on the grounds of nationality, which means that a migrant worker must be treated in the same way as nationals regarding to access to work, conditions of work and employment, and social and tax benefits. But how does this principle looks regarding to the access to justice? Theoretically there are no restriction and there is free access to justice for everyone. But in praxis it appears a little bit different, and it is a way more complex issue, depending on various individual factors. The main theme and goal of my article is debating about these particularities and presenting a practical insight about the access to justice of mobile and seasonal workers.

Keywords: access to justice, difficulties, free movement of persons, fundamental human rights, integration