

# **A REVIEW OF THE MALTA LABOUR MIGRATION POLICY CONSULTATION DOCUMENT**





## TABLE OF CONTENTS

---

About the MDA	Page 3
Executive Summary	Page 5
Introduction	Page 7
Review of Recommendations	Page 8
Conclusion	Page 26

## ABOUT THE MDA

---

The Malta Development Association (MDA) is the highest body and voice of private Real Estate developers in Malta.

The MDA brings together the large majority of private real estate developers, estate agents and other interested parties under one single umbrella to act as a potent force bringing about growth and development of this important sector of Malta's economy. It links private real estate developers to the relevant state authorities and to customers through numerous initiatives and activities and promotes responsible development and ownership of real estate in Malta through legislative advocacy, educational programs and professional networking opportunities. MDA advances responsible, sustainable development that creates jobs and benefits the communities in which its members work and live.

Since 2017, it has formed part of Property Malta Foundation, which is a public-private initiative set up with the main aim of promoting Malta's lifestyle identity and to position the country as a leading destination of choice for everyone interested in purchasing property in the Mediterranean.

The main aims of MDA are:

- To provide a central organisation for real estate developers.
- To provide a united front in making recommendations to government on ways of promoting real estate development and in seeking solutions to practical problems in the property market.
- To pool resources together towards greater economies of scale in real estate development and also ensure that members conform to national building standards and planning laws.
- In the spirit of the search for appropriate technology, the Association shall promote the use of local inputs and finance research into suitability of local building materials.
- To liaise with financial institutions in developing more effective development schemes.
- To establish links with real estate institutions and allied bodies at home and abroad with the aim of promoting and attracting more foreign investment to the industry.

The MDA wants to be responsive, respected, responsible and relevant in partnering with the state and national policies to further improve the quality of life in Malta and Gozo.

## THE COUNCIL OF MDA

---

### **PRESIDENT**

Michael Stivala

### **VICE PRESIDENT**

Denise Xuereb

### **SECRETARY GENERAL**

Paul Attard

### **TREASURER**

Alfred Camilleri

### **ASSISTANT SECRETARY GENERAL**

Pierre Galea

### **COUNCIL MEMBERS**

Anton Camilleri

Malcolm Mallia

Pio Vassallo

Euchar Vella

Chief Executive Officer: Leon Chetcuti

## **SECTIONS WITHIN THE MDA**

MDA represents economic operators from the following sectors:

- Builders / Bennejja
- Building Contractors
- Condominium Services
- Demolition and Excavation Contractors
- Estate Agents
- Landlords
- Property Developers
- Quarry Owners
- Renewable Energy
- Road Contractors
- Technical Section
- Traders

## EXECUTIVE SUMMARY

---

### KEY ISSUES IDENTIFIED

#### 1. Workforce Stability and Retention

Imposing minimum termination rates could unfairly penalize sectors with naturally high turnover, such as construction and hospitality.

Redundancy restrictions do not distinguish between economic downturns and employer mismanagement, making it difficult for businesses to adapt to changing market conditions. Higher renewal fees and complex compliance requirements could discourage long-term employment.

#### 2. Bureaucratic and Administrative Burdens

Slow work permit and renewal processing times are already an issue; added regulatory requirements could worsen delays.

Rigid redundancy and termination rules could introduce unnecessary legal and compliance complexities.

A lack of clear guidelines on compliance audits and documentation could create uncertainty for businesses.

#### 3. Salary and Work Permit Costs

Increased first-time permit fees (€600 from €300) could make Malta less attractive for skilled foreign workers.

Fixed salary thresholds for TCNs may overregulate wages, hurting small businesses and reducing hiring flexibility.

Businesses should have the freedom to offer market-driven salaries, ensuring fair compensation without unnecessary restrictions.

#### 4. Migration Policies and Labour Market Demand

Hiring quotas for TCNs based on workforce composition could limit business flexibility and create artificial hiring constraints.

Restricting TCN hiring for positions previously held by TCNs for 12 months is impractical for seasonal and contract-based industries.

Visa-exempt workers should not be required to leave Malta while awaiting permit approvals, preventing unnecessary disruptions.

## 5. Integration and Skills Training Requirements

Mandatory integration courses before arrival could delay hiring and add financial burdens. Upskilling initiatives should be flexible and industry-led, rather than a bureaucratic requirement for permit renewals.

Existing frameworks like the Skills Pass should be leveraged to avoid duplicating requirements.

## 6. High-Risk Country Classification & Employment Agencies

Classification of high-risk countries should be based on international standards (e.g., UN, EU) rather than subjective local criteria.

Employment agencies play a crucial role in filtering out high-risk candidates and should be empowered rather than restricted.

## MDA'S RECOMMENDATIONS

Shift to a reward-based approach – Instead of penalizing high turnover, incentivize workforce retention through lower fees and streamlined renewals.

Improve administrative efficiency – Faster permit processing, automatic extensions for delayed applications, and clear compliance guidelines are needed.

Ensure competitive salary and permit policies – Avoid overregulating wages and reconsider increased permit fees.

Allow businesses to hire based on real market demand – Remove restrictive TCN hiring quotas and allow recruitment based on industry needs.

Make training and integration practical – Upskilling initiatives should be accessible and industry-driven, not rigid preconditions for employment.

Ensure visa and permit flexibility – Extend grace periods for unemployed TCNs and allow visa-exempt applicants to remain in Malta while awaiting approvals.

## CONCLUSION

The MDA supports fair and sustainable migration policies but urges more practical, business-friendly solutions. The proposed changes risk creating unnecessary hiring barriers, increasing compliance burdens, and reducing Malta's competitiveness. A flexible, transparent, and well-managed migration system is needed to support economic growth, industry stability, and worker integration, aligning with Malta's long-term vision (Envision 2050).

## INTRODUCTION

---

Foreign workers play a crucial role in the real estate and construction industry, addressing labour shortages and ensuring that projects are completed on time and within budget. Many sectors, construction being one of them, depend on migrant labour for both physically demanding and skilled work that the local workforce may be unable or unwilling to fill in sufficient numbers. Their contributions not only sustain industry productivity but also support broader economic growth by enabling essential infrastructure development, housing projects, and commercial construction. Restrictive migration policies could lead to severe labour shortages, increased project costs, and project delays, ultimately hindering national development.

Recognising these challenges, the Malta Development Association (MDA) has undertaken a comprehensive review of the government's new labour migration policy. This review was conducted through extensive consultation with its members across various sectors of the property industry. The objective is to ensure that migration policies align with the industry's operational realities while supporting economic growth and workforce stability.

Before presenting recommendations, the MDA highlights a discrepancy in the interpretation of construction workers' wages. Available data does not fully reflect the actual wage structure in the industry, particularly concerning self-employed individuals. Many construction workers operate as self-employed professionals, generating profits that may not be captured in standard wage statistics. This omission may lead to an underestimation of earnings within the sector. To ensure fair and informed decision-making, policymakers and stakeholders are encouraged to rely on more representative data sources, such as the Labour Force Survey, which provides a more accurate picture of salaried employment in the construction sector.

Furthermore, it is also essential that any migration policy aligns with the country's long-term vision, particularly in the context of Envision 2050. The MDA stresses that retention and integration should be key priorities in shaping migration policy, ensuring that foreign workers are effectively incorporated into the workforce and society.

The MDA's recommendations seek to establish a balanced framework for labour migration that considers the operational realities and sectoral needs of employers. The policy must be flexible enough to address specific challenges in industries with high labour mobility and critical skill shortages. Additionally, before introducing new measures, the administrative systems supporting labour migration should be optimised and streamlined to improve efficiency.

A key shift in policy approach is also necessary—moving from a punitive system to a reward-based system. Instead of penalising companies with higher labour turnover, the government should incentivise companies with lower employee turnover, making them more competitive and encouraging better workforce retention.

Finally, the government should reconsider its approach to employment in low-skilled jobs, particularly in the public sector. The state's competition with private sector employers for local low-skilled labour has further strained the already limited Maltese workforce available for construction jobs. A more strategic allocation of local workers, alongside a well-managed migration policy, is crucial to sustaining the industry's workforce needs.

# FEEDBACK ON THE RECOMMENDATIONS

## RECOMMENDATIONS RELATED TO RETENTION AND STABILITY

### RECOMMENDATION 1

---

#### Minimum termination rates allowed prior to application

- The introduction of minimum termination rates may disproportionately disadvantage sectors with naturally high turnover rates, such as hospitality and construction.
- It is important that voluntary resignations and dismissals for good and sufficient cause will be excluded from termination rate calculations.
- This recommendation may lead to wage inflation since employees would have more power to demand non-efficiency related wage increases.
- Clarification is needed on how “termination rates” will be calculated and audited for compliance.
- Employers require clear guidelines on the specific documentation needed to demonstrate compliance.
- The impact of this recommendation on existing TCN employees and their respective renewals must be clarified, including whether it applies only to first-time applications.
- Start-up operations, such as new hotels, typically experience high turnover. It should be specified whether exemptions will be available for the first years of such operations.
- Industries with inherently high turnover, such as hospitality and construction, require specific adjustments. In the hospitality sector, seasonality must be taken into account, as it often results in higher staffing turnover, including a significant proportion of part-time employees.
- Mechanisms should be in place to allow for Employer’s justifications.

## RECOMMENDATION 2

---

### Redundancies

- While ensuring workforce stability is important, a blanket prohibition on applications following redundancies may unfairly penalise employers facing fluctuating market conditions.
- There is no distinction between redundancies caused by external economic shocks (such as COVID-19) and those resulting from internal mismanagement, which should be addressed.
- We urge that any prohibitions on employing TCNs should be suspended while an appeal is in process.
- We propose that, except in cases of mitigating factors, employers should be prohibited from hiring a TCN for a position previously occupied by a TCN who was made redundant within the past 12 months.
- Clarification is needed on the impact of this recommendation on existing TCN employees and their renewals, particularly whether it applies only to first-time applications.
- Allowances should be considered for redundancies resulting from external factors such as market disruptions or seasonal variability.

## RECOMMENDATION 3

---

### Renewal Period up from one to two years

- The success of training participation programs for low-skilled workers is highly dependent on the workers' aptitude and willingness to engage in training.
- Extending renewal periods generally supports workforce stability; however, linking renewals to training participation for low-skilled workers may impose undue financial and administrative burdens on employers.
- To promote integration and a sense of belonging, there must be certainty that work permits will be extended if workers meet established criteria. Instances where visa applications are declined without valid justification create uncertainty for both employers and employees.
- A one-year minimum employment term benefits both employers and employees, as premature termination by an employee results in financial penalties tied to early contract termination.
- The two-year renewal period should be applied universally.
- The criteria used to evaluate the effectiveness of training programs should be objective and clearly defined.
- Clarification is also needed on the impact of this recommendation on existing TCN employees and their renewals, particularly whether it applies only to first-time applications.

## RECOMMENDATION 4

---

Higher fees for first-time permits, lower fees for renewals

- The increase in the first application fee from €300 to €600 will directly impact new recruits, potentially making Malta less attractive to workers by adding an additional financial burden.
- This measure may also reduce Malta's competitiveness compared to other European countries. A new TCN arriving in Malta for the first time already faces significant costs, including approximately €2,000 for the work permit, visa, medical requirements, skills pass (for hospitality), and accommodation.

## RECOMMENDATION 5

---

Enhancing direct access to TCN recruitment

- Empowering employers to manage TCN recruitment independently is a positive initiative, but it requires proper training and ongoing support to ensure effective implementation.
- While training programs for firms are beneficial, they require time to develop, and continuous access to these services is essential. Interim measures should allow employers to engage third-party service providers when needed.
- Third-party service providers offer specialised, sector-specific expertise that generic training programs cannot fully replace. Instead, training initiatives should complement these services. Employers should have the flexibility to decide whether to manage TCN recruitment in-house or rely on third-party providers.
- For new applications, if the candidate is already in Malta, authorities should explore the possibility of issuing a temporary work permit until the application is processed.
- This should also apply in cases of employer changes to ease the financial and logistical burden on the individual while allowing the government to begin collecting national insurance contributions.
- Administrative delays should not negatively impact employers or employees. As a general principle, where applications are delayed due to administrative reasons, existing permits should be extended automatically.

## RECOMMENDATION RELATED TO THE PROTECTION OF EMPLOYEE RIGHTS AND ENHANCING WORKING CONDITIONS

### RECOMMENDATION 6

---

#### Desk Investigations and possible disqualification

- There is general agreement on this recommendation. However, processing times by authorities should match the submission deadlines imposed on employers. Expediousness should not be one-sided, and decision-making and implementation must be objective, transparent, and consistent across all sectors to ensure fairness and prevent perceptions of bias or arbitrary decisions.
- The scope of desk investigations must be clearly defined, specifying which entities will oversee them.
- Employers must receive prior notice before disqualification, with clearly outlined disqualification criteria.
- A rectification period must be granted before disqualification, allowing employers to engage with authorities and resolve any issues. Disqualification should not be automatic.
- Actions must be suspended during the appeals process until a final determination is made. The appeals process must be cost-effective, swift, and governed by clear timelines.
- Disqualification criteria must be properly defined, and an expedited appeals process must be established to protect employer rights.
- The requirement to submit engagement forms within two days as outlined in 6.1 is impractical. The timeframe should remain at 10 working days or be increased to at least five working days.
- Whilst there is agreement with sub-recommendation 6.2, further clarification is required on cases where employees fail to honor definite contracts or notice periods. Additionally, financial compensation should be permissible when the Employer invests in certain skills training.
- There is also agreement in principle with sub-recommendation 6.3, but implementation is challenging in labour-intensive industries. A sufficient supply of available and capable employees across all sectors must be ensured.

## RECOMMENDATION 6

---

- There is also agreement in principle with sub-recommendation 6.3, but implementation is challenging in labour-intensive industries. A sufficient supply of available and capable employees across all sectors must be ensured. During the interview process, prospective employers may not always be aware if a candidate is registered as a person with a disability, making compliance more complex.
- We are in agreement with sub-recommendation 6.4 and we have nothing further to add.
- Whilst there is agreement with sub-recommendation 6.5, clarification is required regarding whether employers will be required to submit CIR receipts during the employment license application stage, as was previously mandated.

## RECOMMENDATION 7

---

### Consistent compliance with existing LMNT policies

- The creation of a centralised database for job postings is a positive step forward.
- The database should have clearly defined accessibility parameters, specifying whether it will be publicly accessible or restricted to regulatory authorities.
- Compliance audits must follow a structured schedule so as to ensure transparency and fairness. Once an individual has undergone an audit and been found compliant, they should be exempt from further audits for a specified period to maintain a level playing field.

## RECOMMENDATION 8

---

### Salary Payment method for newly engaged TCNs

- We are in agreement with this recommendation and confirm our alignment with its objectives.
- Employers and employees should be provided with clear guidance and adequate support during the transition to this system, particularly for those facing difficulties in opening bank accounts. Currently, employers often issue cheques as an interim solution, as the process of opening a bank account can take months.
- Interim measures should be implemented to support individuals who are making genuine efforts to achieve compliance with the law.

## RECOMMENDATION 9

---

Extension of grace period for TCNs whose employment has been terminated

- Whilst we are generally in agreement with this recommendation, we must point out that in cases where an individual is pending appeal following dismissal on the grounds of good and sufficient cause, their employment status and legal position are contingent on the specifics of the appeal process and its outcome. If the person was dismissed but subsequently employed by another entity, their legal status in Malta will primarily depend on the reasons for their dismissal and whether any restrictions are applicable. A third-country national (TCN) employed in Malta following such a dismissal may find themselves in an illegal situation if their work permit or residency status is tied to their previous employer, or if the appeal outcome affects their right to remain or work in Malta. It is crucial to clarify the legal position in such instances and ensure mechanisms are in place to prevent potential abuse by employers terminating individuals on frivolous grounds.

## RECOMMENDATION 10

---

Amendment to restrict single permit applications for non-work visa holders

- Whilst we are in agreement with this recommendation, we must highlight the potential benefit of establishing a clear and accessible process for individuals who are genuinely transitioning from a non-work visa to legal employment. For instance, if an individual is on a family visa and wishes to seek employment in Malta, and the family can demonstrate their ability to financially sustain the individual during this process, there should be no requirement for the person to return to their home country to await the permit. Requiring them to return home and then go through the visa process again seems unnecessary. Given that many applicants come from distant countries with limited financial resources and face significant travel costs, such a requirement would impose unnecessary hardship. Allowing these transitions to be processed locally, with strict compliance to regulations, could offer a fair and efficient solution. Additionally, this approach would benefit employers, as it would enable candidates to begin employment immediately upon obtaining their work permit, thereby avoiding unnecessary waiting times.

## RECOMMENDATION 11

---

### Interim permits for TCNs from visa waiver countries

- This measure will affect all jobseekers from visa-exempt/waiver countries, the majority of whom currently originate from Colombia, Brazil, Serbia, Macedonia, and Albania. In practice, most candidates take some time to assess job opportunities and evaluate the overall quality of life before committing to employment.
- Candidates who are within the 90-day period and have a pending work permit application should be permitted to remain in Malta. This would prevent employers from being forced to wait for the candidate to return to Malta, particularly considering the additional requirement to reapply for a visa. Furthermore, any delay in securing a candidate for a position results in a longer gap in operations. It is crucial to avoid such delays and, while ensuring compliance with the law, maintain a practical approach to meet the needs of the economy.

## RECOMMENDATION 12

---

### Partners and Families

- We are in agreement with this recommendation and have nothing further to add.

## RECOMMENDATION 13

---

### Establishing a high-risk country list for employment applications

- The identification of high-risk countries should be solely based on the positions of international bodies, such as the United Nations or similar organisations. We believe the policy should be grounded in objective, measurable criteria that reflect the specific risks posed by individuals, in line with the positions of international bodies, rather than relying solely on generalised geopolitical concerns of economic operators or Identita' employees.
- We propose that the role of employment agencies be empowered rather than restricted. These agencies are highly specialised and best equipped to evaluate the nuances of individual employment applications, including assessing risks. Instead of limiting their role, we should provide them with the necessary tools, resources, and responsibility to act as the first line of defense. This would enable agencies to more effectively filter out high-risk individuals and ensure compliance with regulations, adding an additional layer of security.
- Instead of operating in the shadows, we suggest that specialised agencies be recognised for the value they bring to the process. These agencies should be viewed as value creators, not merely transactional intermediaries. Empowering them with the appropriate authority and resources, while ensuring they have the right level of responsibility, will result in better outcomes for employers, employees, and Maltese society as a whole.

## RECOMMENDATION 14

---

### A study on skilled-occupation salaries

- We do not agree with the approach that ties salary expectations for third-country nationals (TCNs) strictly to market wage averages. We believe this constitutes an overregulation of the labour market. While it is crucial to ensure that TCNs are not paid less than local or EU nationals, imposing occupation-specific salary thresholds based on market averages could lead to unintended negative consequences. Small and medium-sized operators with limited resources may be disproportionately impacted by such requirements, potentially hindering their ability to hire skilled workers or leading to financial burdens that are difficult for them to manage.
- Rather than mandating specific salary thresholds, the focus should be on ensuring that TCNs are treated fairly and on par with local or EU nationals. Ensuring equitable remuneration in line with occupation standards is essential, but without imposing restrictive market regulations that could place undue burdens on employers. Employers should be encouraged to offer fair wages based on market conditions, but imposing rigid salary thresholds could inhibit their ability to compete for talent and maintain a healthy, diverse workforce.

## RECOMMENDATION 15

---

### Victims of Human Trafficking

- We are in agreement with this recommendation and have nothing further to add.

## RECOMMENDATIONS RELATED TO ALIGNING LABOUR MIGRATION WITH LABOUR MARKET NEEDS

### RECOMMENDATION 16

---

#### Strengthening the vacancy requirement

- The decision to employ an individual ultimately rests with the employer, and this should remain a matter of discretion. The recruitment process is inherently subjective, and employers must have the flexibility to make decisions based on their operational needs and criteria. Subjecting these decisions to additional scrutiny or subjective oversight could be counterproductive.
- This recommendation would likely result in a lengthier recruitment process, which could hinder employers from filling positions in a timely manner. The additional steps required for advertising, justifying rejections, and seeking approval from Jobsplus would slow the process down and may lead to missed opportunities for both employers and potential employees.
- Our members have encountered significant inefficiencies within the Jobsplus system, often receiving applications from candidates who, in 99% of cases, do not meet the criteria or are unsuitable for other reasons. This results in unnecessary time spent on interviews and providing feedback, ultimately without any suitable hires. The lack of adequate filtering by Jobsplus is detrimental to an efficient local recruitment process.
- Most employer's respective websites, which are accessible to all, provide ample time for Maltese and EU jobseekers to submit applications if they wish. We believe this is a more effective and efficient method than relying solely on the Jobsplus database, which does not align with our operational criteria.
- Requiring employers to justify rejections of local applicants introduces unnecessary administrative complexity, diverting valuable time and resources from core business activities. This additional burden could create friction between employers and regulators without adding value to the recruitment process.

## RECOMMENDATION 17

---

### Suitability Check

- Building on our feedback on Recommendation 16, and as a general observation, our members already encounter significant inefficiencies within the current Jobsplus function. Introducing additional bureaucratic processes for suitability checks will only exacerbate these issues, further slowing down the recruitment process. The more subjective decision-making is placed in the hands of regulators, the more cumbersome and inconsistent the process becomes. A remedy should be in place to prevent arbitrary outcomes if the regulator is granted subjectivity in these decisions, as such outcomes could negatively affect the hiring process.
- While ensuring suitability is critical, requiring signed CVs and references may not always be practical, particularly for low-skilled roles, and would significantly lengthen the recruitment process.
- Many employees do not possess formal qualifications but are fluent in English. The Maltese language requirement will pose a significant challenge.
- In cases where candidates do not have formal qualifications and their skills and knowledge have been obtained through practical job experience, alternative methods of assessment should be considered.
- Low-skilled roles should have reduced documentation requirements to streamline the recruitment process.
- Interviews should play a key role in the suitability check process, offering an opportunity to assess practical skills and overall fit for the role.

## RECOMMENDATION 18

---

### Workforce Application Limits

- We strongly disagree with the proposal to impose limits on the number of TCNs employers can apply for, based on a fixed percentage of their current total workforce. We believe these proposed limits represent an overregulation of the labour market, which should be allowed to self-regulate. Employers should have the freedom to hire based on operational needs, and if there is demand for certain positions, those positions should be filled without being subject to arbitrary workforce percentages or previous terminations. Restricting the number of TCNs based on the current workforce may hinder the market, limiting businesses' ability to meet demand and efficiently fulfill their staffing requirements.
- If there is genuine demand for labour, businesses must be allowed the flexibility to hire the required number of employees without being restricted by arbitrary quotas or limitations. Market dynamics should drive hiring decisions, not imposed restrictions based on workforce size or past terminations.

## RECOMMENDATION 19

---

### Newly-registered businesses

- Market entry for individuals seeking to start a new business could be restricted, potentially hindering innovation and growth opportunities. The newly established businesses of today could be the big businesses of the future.

## RECOMMENDATION 20

---

### First Employment

- Similar to the previous recommendation, this can create barriers for newly established businesses.

## RECOMMENDATION 21

---

Minimum number of MT/ EU nationals prior to applications for TCNs

- If there is a genuine demand for labour, businesses must be allowed the flexibility to hire the required number of employees without being restricted by arbitrary quotas or restrictions. The market dynamics should dictate hiring decisions, not an imposed restriction based on workforce size or past terminations.

## RECOMMENDATION 22

---

Renewal Verification

- We are in agreement with this recommendation and have nothing further to add.

## RECOMMENDATION 23

---

Assessment of shortages and surpluses with the possibility of introducing quotas or moratoriums on surplus occupations

- If there is a genuine demand for labour, businesses must be allowed the flexibility to hire the required number of employees without being restricted by arbitrary quotas or restrictions. The market dynamics should dictate hiring decisions, not an imposed restriction based on workforce size or past terminations.

## RECOMMENDATIONS RELATED TO SKILLS- BASED APPROACH TO MIGRATION

### RECOMMENDATION 24

---

#### Skilled-Occupation List

- We are in agreement with this recommendation and have nothing further to add.

### RECOMMENDATION 25

---

#### Renewing the salary benchmarks for the KEI and SEI

- Imposing salary thresholds without considering individual potential or professional development could limit opportunities for highly skilled individuals who are just starting their careers or are looking to grow within the Maltese job market.
- Rather than setting fixed salary benchmarks, the focus should be on creating an environment that supports professional growth and integration into the Maltese job market. Providing individuals with the opportunity to develop within the market and allowing flexibility in salary requirements would encourage a diverse range of talented individuals to come to Malta, contributing to the economy in the long term.

### RECOMMENDATION 26

---

#### Integration courses prior to arrival in Malta

- We agree in principle, but clarification is needed regarding the Skills Pass, which already includes some cultural training. If the Skills Pass continues alongside this new requirement, adding more training could delay the work permit process and increase costs.
- It's also important to avoid creating bottlenecks. We need to ensure there's sufficient capacity to deliver these courses quickly, at reasonable prices, and with a manageable duration. Furthermore, it's crucial that those qualified to teach these courses have easy access to do so.

## RECOMMENDATION 27

---

### Upskilling and integrating the foreign workforce

- Although this is a well-intended measure, it is crucial that the upskilling initiatives do not result in undue hardship or excessive burdens on foreign workers, particularly in terms of lengthy processes. While strategic training is essential for long-term success, it should not come at the expense of making the recruitment or integration process unnecessarily complex or difficult for candidates. The focus should be on providing efficient, accessible pathways for workers to gain skills, without subjecting them to prolonged delays or overwhelming bureaucratic hurdles.
- Implementing all these courses and changes at once is too much for both employers and employees. The Skills Pass alone led to employers losing staff, as employees were reluctant to bear the extra cost or go through the hassle of obtaining the Skills Pass.
- It is important to know whether this requirement will apply to work permit renewals or solely to first-time applications. Additionally, details are needed on the duration of the programme, its frequency, and the associated costs.

## RECOMMENDATION 28

---

### Lowering fees for occupations within the health and care of persons with disability and the elderly

- We are in agreement with this recommendation and have nothing further to add.

## RECOMMENDATION 29

---

### Skills card expansion

- We are in agreement with this recommendation. However, discussions with the relevant stakeholders are essential to ensure the smooth implementation of this measure and avoid creating bottlenecks in the process.

### RECOMMENDATION 30

---

Align labour migration policy to the national skills strategy

- We are in agreement with this recommendation and have nothing further to add.

### RECOMMENDATION 31

---

Strategic Partnerships

- We are in agreement with this recommendation and have nothing further to add.

### RECOMMENDATION 32

---

Register of exemplary employers – longer renewal periods

- We are in agreement with this recommendation. Longer renewal periods will be especially well-received by certain TCN staff members, particularly senior staff, who intend to remain with the company long-term.

## CONCLUSION

---

By means of this paper, The Malta Development Association conducted a thorough review of the Malta Labour Migration Policy Consultation Document including all the recommendations and presented its position. The MDA notes that the role of foreign workers in the real estate and construction sectors is critical and there is the need for a balanced migration policy that supports industry growth while ensuring fair treatment of workers and efficient administrative processes.

MDA's key concerns center on policy recommendations that may inadvertently hinder workforce stability, create unnecessary bureaucratic hurdles, or negatively impact Malta's economic competitiveness. The association emphasises that restrictive measures such as arbitrary employment quotas, salary thresholds, and rigid compliance requirements should not stifle business flexibility or discourage foreign talent.

A core recommendation is shifting from a punitive to a reward-based approach, incentivising businesses that retain employees rather than penalising those with naturally high turnover. Additionally, streamlining administrative procedures, ensuring fair redundancy rules, and enabling smooth permit renewals are essential for sustaining industry productivity.

MDA also stresses the importance of aligning migration policies with Malta's long-term economic strategy, Envision 2050. This requires pragmatic solutions, such as allowing flexibility in salary benchmarks, integrating training programs without imposing excessive burdens, and ensuring that job vacancy procedures are not overly restrictive.

While the MDA agrees with certain recommendations such as enhancing foreign worker integration and strengthening employer compliance it advocates for a more employer-friendly regulatory framework. A migration policy that balances economic needs, worker protections, and operational realities will ensure a sustainable and competitive labour market for Malta's growing economy.



MALTA  
DEVELOPMENT  
ASSOCIATION

[mda.com.mt](http://mda.com.mt)

