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Abbreviations

- AK** (Arbeiterkammer: Austrian Chamber of Labour)
AMS (Arbeitsmarktservice Österreich: Austrian labour market service)
BZÖ (Bündnis Zukunft Österreich: Alliance for the future of Austria)
EC (European Commission)
EMN (European Migrations Network)
FPÖ (Freiheitliche Partei Österreichs: Freedom party of Austria)
ICMPD (International Centre for Migration Policy Development)
IHS (Institut für höhere Studien: Institute for Advanced Studies)
IV (Industriellenvereinigung: Federation of the Austrian Industries)
ÖGB (Österreichischer Gewerkschaftsbund: Austrian trade union federation)
ÖVP (Österreichische Volkspartei: People's party)
ÖWB (Österreichische Wirtschaftsbund: Austrian Economic Alliance)
RWR Card (Red-white-Red Card)
SPÖ (Sozialdemokratische Partei Österreichs: Social Democratic Party)
WIFO (Österreichisches Institut für Wirtschaftsforschung Wien - Austrian Institute of Economic Research Vienna)
WKÖ (Wirtschaftskammer Österreich: Chamber of Commerce)

Introduction

Now many industrialised countries are implementing measures aimed at restricting low-skilled immigration and facilitating high-skilled immigration instead. The US, Canada and Australia were the first to adopt proactive migration policies from the mid-1960s and early 1970s. Europe is relative newcomers, starting with the German Green Card system and the UK highly skilled migrant programme, both adopted in the early 2000s (De Somer 2012: 4). There have been significant changes both in attitude and action in Europe towards the immigration of highly skilled workers. Europe has traditionally involved a considerable share of low-skilled workers, often by developing guest-worker policies and seasonal quotas (Castle 2010). However, since the mid 1970s, European countries pursued rather restrictive immigration policies (Mahroum 2001). Nowadays, consensus-oriented debates appear in several European countries, aimed at restricting low-skilled immigration and facilitating highly-skilled immigration instead. These developments show a major change in immigration policy in several European countries that have been for long considering themselves to be non-immigration countries (Hercog 2008). In recent years, policy makers in Europe and the public in general concentrated on the two major socio-economic trends: demographic change and skill shortage in the labour market. In the same time, business and industrial leaders have been claiming major difficulties in finding persons with the right skills to fill vacant jobs (Mahroum, 2001: 3). These difficulties have been recognized in sectors such as Information Technology, Telecommunications and Health and it has led many industrialised countries to take new initiative to admit highly-skilled migrants (Rothgang and Schmidt 2003).

The definition of “highly-skilled” migrants is diverse. For instance, EMN (European Migration Networks) report adopts the definition of ILO ISCO-88, a person who is qualified as a manager, executive, professionals, technicians or similar, who moves within the internal labour markets of transnational corporations and international organisations, or who seeks employment through international labour markets for scarce skills (Biffel 2012: 16). In academic literature on the other hand, for instance De Sommer defines highly-skilled migrants as follow (De Somer 2012):

... a principle driving force behind EU legislative developments on foreign workers who are highly skilled is the so-called ‘global race for talent’. This notion refers to the burgeoning competition among

industrialised states to attract the ‘best and brightest’ migrants worldwide. Driven by anxieties related to international competition for innovation, progress and economic growth generally speaking – combined with concerns about ageing populations and shortages in specific, skilled labour market sectors. (De Somer 2012: 4).

In other words, governments in industrialised countries significantly started to consider highly qualified migrants as a ‘scarce good’ which needs to be brought into their country before they are lost to a competitor countries (De Somer 2012:4). Carrera also shows the similar perspective. According to Carrera, definitions in European labour migration laws, who should be regarded as a highly skilled migrants are too diverse and this leaves them subject to expectations regarding the “degree of profit that the immigrant could bring to the receiving state” (Carrera 2007: 2).

Governments may play a positive or negative role in influencing incentives for highly skilled workers to stay or move abroad. They may play a positive role by providing benefits for high-skilled foreign workers to enter or to remain in the country, by easing immigration and work permit restrictions. Such a view considers an abundant pool of migration, which host country may select immigrants they want (Hercog 2008). Recently, EU governments have been changing immigration legislation to make it easier to attract highly skilled labour (Castle 2010). Following the Lisbon Agenda in 2000, the European Commission (EC) encouraged its member states to abandon the zero-immigration policy which majority of EU states pursued since mid 1970s, since this policy had failed both to prevent unwanted immigration and to attract more highly-skilled labour force (Gonzalez, Parkes, Valiante, Sorroza & Ette 2013). For instance, in 2001, EC presented a proposal for a Directive to establish a common legal framework for migration to the EU, covering a full range of labour migration. However, it turned out that it was too much work for the member states. Therefore, the Commission proposed segmented alternatives. For example, the European Commission introduced the EU “Blue Card” in 2009 to attract highly qualified workers from third countries and to improve the legal status of those already in the EU. The Blue Card put forward individual measures for different types of migration and member states were obliged to adopt it by mid-2011. According to

Mahroum (Mahroum 2001), these changes provide the EU with the flexibility to cope with globalization and changing demographic trends.¹

According to De Somer, academic literatures in general grouped states' selection mechanisms into two competing models, namely the 'points-based' versus the 'employer-led' selection system (De Somer 2012: 5). In comparison to point-based systems, controlled by the state, which aims to receive economic migrants based on such talents as language skills, work experience and education, employer-driven selections on the other hand allow a greater role for employers who can select the workers they need subject to government regulations. Several academic literature analysed advantages and disadvantages of both system (De Somer 2012: 5) and De Somer summarises those main arguments. For instance, points-based systems have the benefit of providing both policy-makers and migrants a transparent set of procedures, because employers are less involved in the selection of workers however in the same time the system includes the potential pitfall of admitting immigrants who are not able to put their skills to use in jobs at their skill level upon arrivals. In employer-driven systems this pitfall is excluded because the within this system it is assured that immigrations will have a job when they arrive. However, the system entails the danger that employers will manipulate the system to attract cheaper labour or could lead that workers will become too dependent on their employers.

In sum, technological advancements, ageing society and globalisation of production and trade are the long-term trends that are most often cited as the challenges which several European countries confronted for the international competition for talent (Hercog 2008). Therefore, in the long term, Europe aims to tackle those challenges mainly associated with labour-market shortages with a dual approach (Gonzalez et al. 2013). One way is to involve intra-EU labour mobility, in order to increase the efficient distribution of labour between EU states and to channel national emigrants to the countries which their skills will be most necessary. The second way is to attract migrants from outside of EU.

¹ However, Blue Card does not give immigrants to access to whole European labour market, but only the first country they enter allowing subsequent movement to a second state under strict conditions only (Gonzalez et al., 2013).

Austria also introduced a more flexible new immigration scheme for highly-skilled and skilled migrants, the so-called “Red-White-Red-Card (RWR Card)”, and related rules entered into force on 1 July 2011. A working group formed by the Federal Ministry of the Interior in 2009, consisting of the social partners and the Federation of Austrian Industries for the development of the criteria the new immigration model, and presented their results in October 2010 (EMN 2010).

In Austria, there is a distinction between *highly skilled* and *highly qualified* (Biffl 2012: 16). Highly-skilled refers to someone who has the required adequate and specific competence, as recognized by higher educational qualifications, and/or extensive work experience. Highly-qualified on the other hand, refers to someone who has required adequate and specific competence, as proven by higher educational qualifications only. According to Biffl, this distinction reflects the Austrian education and training system which has a strong vocational orientation (Biffl 2012: 16).

The RWR Card aims to facilitate the immigration of qualified third-country workers with a perspective of permanent settlement in Austria, based on personal and labour-market related criteria. These criteria include qualification levels, work experience, language skills and age, for which points are given. Those who attain certain points are granted access to the Austrian labour market. The law was passed after extensive social partners’ discussions.² The initiative was started by the Federal Economic Chamber (WKÖ) and the Federation of Austrian Industry (IV), in cooperation with the International Organisation for Migration (IOM) and is based on the mixture of several other countries model – such as United Kingdom, Australia and Canada (Kreuzhuber 2013). This new law replaces a quota-based system applying to so-called “key workers (*Schlüsselkräfte*)”, which granted a certain number of immigrants access to the labour market if specific criteria were met. Under the new law, there are five different types of labour migrants: 1) ‘high potentials’ or specific highly qualified workers, 2) Skilled workers in professions or trade where there is a labour shortages in Austria, 3) ‘other’ key workers – which is similar to old quota-based system, 4) foreigners who have graduated from an Austrian university and 5) self-employed ‘key’ workers.

² European industrial relations observatory on-line. Available at: <http://www.eurofound.europa.eu/eiro/2011/07/articles/at1107011i.htm>

Roughly saying, Austria had three main changes regarding labour migration policy system in its history. From guest-worker system to quota system (adopted in the early 90s) and this quota system continued until 2011. Since 2011 quota system is substituted by points system. This is a significant policy change Austria made, by modifying its quota system which continued approximately for last 20 years therefore there is a need to analyse this policy process. This thesis analyses this change Austria made, in other words, the recent policy change regarding labour market access of non-EU nationals in Austria. In order to analyse the significant change focused on its policy process, this thesis aims to analyse the relationship among ideas, interest groups and discourses which influenced on this change in 2011, in order to answer to the main question “which rationalities guided this policy reform in Austria and who were the actors involved in this change?” especially the focus will be put on the analysis of the various actors and ideas that influenced the change of the labour migration policy.

Structure of thesis

Structure of this thesis is the following. Chapter one will show the development of labour migration policy in Austria since 1960s in order to understand how the implementation of the Red-White-Red (RWR) Card reached in 2011. In other words, the chapter aims to show the flow of labour migration policy in Austria. The chapter will be divided in four sections – Before the 1990s which covers approximately from 1960s to 1990s, In 1990s, In 2000s and in last section, it will introduce the new law with the adoption of Red-White-Red Card. The chapter is based on the existing literature review and at the end of the chapter, the significance of study will be explained. Chapter two will introduce the main theoretical frameworks and their relevance for this thesis. The main theories which will be introduced in this chapter are Epistemic Community Hypothesis, model of labour market interest groups in labour migration policy making and Discourse Coalition (DC). After introducing these theories and explaining how these frameworks could be used for this thesis, main hypothesis will be set for the analysis. Chapter three is the main part of this thesis, analysing the main question “which rationalities guided this policy reform in Austria and who were the actors involved in this change?” The chapter will cover mainly the period between 2007 and 2012 in order to understand the policy process, mainly dividing into the three phases – *issue building and agenda setting, policy formulation, and decision-making*. Within this process, it analyses mainly

the role of epistemic communities and labour market interest groups. This part will also include the conflicts between various groups and their main arguments especially during the second phase – *policy formulation*. Main methodologies for this part will be literature reviews including academic literature, policy and study reports, media analysis and interviews with experts from WKÖ (Wirtschaftskammer Österreich: Austrian Chamber of Commerce), AK (Arbeiterkammer: Austrian Chamber of Labour) and IV (Industriellenvereinigung: Federation of Austrian Industry). Conclusion will summarise the main findings of Chapter three and interpretation of results based on the main hypothesis.

Chapter 1: Development of Labour Migration Policy in Austria

Roughly saying, Austria had three main changes regarding labour migration policy system. From guest-worker system to quota system (in the early 90s) and this quota system continued until 2011. Since 2011 quota system is substituted by points system. This chapter will introduce the labour migration policy development in Austria since 1960s based on the literature review. The chapter aims firstly to provide the historical overview in order to understand “how it reached to Red-White-Red (RWR) Card in 2011?” and secondly to review the existing studies and literature dealing with RWR Card implementation in Austria.

Before the 1990s

The approach to temporary and circular migration in Austria is characterised by the experience with the so-called “guest-worker” system of the 1960s and 1970s. Following the German and Swiss models, the recruitment of foreign workers was started in the early 1960s (EMN 2011: 27). By the late 1950s, employers found it increasingly difficult to fill labour shortages in certain industries and they demanded to liberalise the employment of foreign labour, although, it was initially rejected by trade unions (Kraler 2007: 5) (Fassmann & Reeger 2008: 23).

As their attempts to find a legal solution failed, social partners reached an agreement on the temporary employment of foreign workers in the framework of the existing

regulations in 1961 (Kraler 2007: 5). In the so called 'Raab-Olah Agreement' from December 1961, a contingent of 47,000 foreigners was defined, for which enterprises did not have to prove, that there was no Austrian labour for a certain position (Fassmann & Reeger 2008: 23). The trade unions were very hesitant in agreeing and accepted only with the conditions such foreigners were employed under the same conditions concerning wage and working, foreigners should be dismissed before Austrian nationals and they should generally only be allowed to work in Austria for one year. It means that they should stay only on a temporary basis with no permanent settlement, family migration or societal integration. But this idea failed due to resistances from both employers' and the employees' side. Employers' did not want to lose their workforce which they trained and also the migrants stayed since they had a job therefore they had no reason to give up a chance to earn more money than they would have at home (Fassmann & Reeger 2008: 23).

The scheme allowed the temporary admission of a certain number of foreign workers. Afterwards, recruitment and social agreements were made firstly with Spain (1962), although it was unsuccessful (Kraler 2007: 6). Additionally the agreements with Turkey (1964 and 1969) and Yugoslavia (1966) were concluded. It was typical for this period of Austrian migration history that migration policy was main part of labour market policy and was especially dominated by the social partners (EMN 2011: 27). The Austrian Federal Economic Chamber for instance, established recruitment centres in the sending countries and in 1967 and a provisional employment centre was installed directly at the train station in Vienna (*Ostbahnhof*). However, this concept of direct recruitment turned out insignificant over time, due to the continuing immigration and the formation of networks with enterprises and guest workers already present in Austria recruiting their friends and relatives in the sending countries (Fassmann & Reeger 2008: 25).

These new labours entered Austria as tourists but under the economic boom conditions of the early 1970s it was easy for them to get an employment permit (Fassmann & Reeger 2008: 25). Furthermore, partly because of the relatively low wage levels in Austria at that time, the response to recruitment initiatives remained unsatisfactory from employers side. As a result, the bulk of employment permits were issued to migrants who either were 'chain-recruited' by employers through migrants already in Austria or who came on their own, outside formal or informal recruitment channels and without the

required labour related visa and this practice that came to be known as “tourist employment” (Kraler 2007: 6)

However, in the first half of the 1970s, the demand for foreign labour decreased radically due to the two parallel developments. Firstly, the economic stagnation after the first oil price shock in 1973 resulted the high unemployment in Austria, reduced working hours, increased inflation and public debts as well as crashing enterprises. Secondly, the entrance of the baby boom generation into the labour market led to the end of the internal labour shortages. As a consequence, the official recruitment of foreign labour was stopped completely in 1974 (EMN 2011: 28).

As it is mentioned already, the “guest worker” system was based on the rotational principle. In other words, the foreign workers were supposed to come to Austria for a certain period of time then return to their country of origin to be replaced by new workforce. However, the failure of the rotation principle and the trend towards a permanent settlement became obvious, with temporary stays often having turned into permanent residences (Fassmann & Reeger 2008: 25).

From 1974 to 1976 there were several endeavours to reduce the number of foreign labour force in Austria and as a consequence, a new law – the 1975 Employment of Workers Act (*Ausländerbeschäftigungsgesetz*) was passed (Fassmann & Reeger 2008: 25) (Kraler 2007: 4-6). The principle of this new law was a prioritization of nationals over foreigners on the labour market. For instance, employers had to prove that they could not fill vacancies with equally qualified Austrian nationals before an employment permit was issued. As a result, number of foreign workers, particularly those from Yugoslavia sharply dropped and this phenomenon repeated after the second oil shock in 1981 (Kraler 2007: 6). According to Kraler, this framework continued until the great changes of the early 1990s.

The end of the Cold war and the opening of the Eastern borders and rising number of asylum-seekers and refugees brought ideas along essential modifications in Austrian migration Policy (EMN 2011: 28).³ The control of immigration through the labour market policy, under the strong influence of the social partners, was no longer

³ Massive inflow of conflict refugees from the territory of the disintegrating Yugoslavia.

considered satisfactory, therefore the regulation competences were moved from the Federal Ministry of Labour and Social Affairs or the social partners to the Federal Ministry of Interior (EMN 2011: 28). In 1987, the Minister of the Interior claimed a leading role in migration policy making and attempted to undertake a comprehensive reform of immigration regulations, including the Employment of Foreign Workers Act (Kraler 2007: 8). However, according to Kraler, the need to reform immigration policy was considered by a much broader range of actors, including trade unions, academics and sections of the wider public, not only by the ministry of Interior (Kraler 2007: 8-10). Supporters of this reform argued that the control of access to the labour market were ineffective and that a quota system that would distinguish between categories of migrants and between different purpose of stay would be a much more effective management and regulation of migration. By that time, the system of separate labour market controls continued in place due to trade unions resistance (Kraler 2007: 8). Initially, trade unions demanded that legislation should be amended to better differentiate between new arrivals and foreigners already present in order to protect the latter against the former.

Kraler argues that although there have been several debates regarding migration policy in 80s, it was rather uneventful in terms of legislation and the massive policy change took place in 1990s (Kraler 2007: 6).

In 1990s

At the beginning of the 1990s, migration was increasingly the subject of political and public discussions (EMN 2011: 28) and it started to move towards a more control-oriented policy (Fassmann & Reeger 2008: 25). According to Kraler, this politicization of migration was related to the rise of the Freedom party and the emergence of the Green party as new opposition party, which lead to the “*parlamentarisation of migration policy making*” (Kraler 2007: 6-10).

During this period, with the free mobility of labour within the EU, Austria tried to reduce the inflow of migrants of third countries, particularly the number of migrant workers.

In 1992/1993, a quota system was finally introduced also for the residence of third-country nationals for the admission of certain groups of persons (e.g. self-employed,

students, family members etc). This quota system determines the share number of employed foreign nationals in proportion to Austrian nationals and it continued until 2011. A quota was established annually in a regulation of the Federal Ministry of the Interior (EMN 2011: 28). As a result, persons who wanted to immigrate to Austria had to have a residence permit and needed to provide evidence of their means of subsistence as well as place to stay. Furthermore, first application had to be made from the country of the origin. This meant that also for potential immigrants workers from outside the EU had to already have employment before arriving, which differed significantly from the “guest-worker” system. Persons from outside the EU and the EEC were subject to a selection procedure – priority was given to spouses, underage children and parents of foreigners residing in Austria also to persons with special qualifications that were necessary for the Austrian labour market. In case of a significant shortage of labour, the Ministry for Labour and Social Affairs was entitled to grant short-term permits outside the annual quota (Fassmann & Reeger 2008: 25-26).

First-time immigrants got a residence permit for six months which could be extended for another six months and then for another two years. As soon as third country immigrants lost their employment or their accommodation and were not able to find something new in a short period of time, the residence permit expired and they could be forced to leave the country (Fassmann & Reeger 2008: 25-26).⁴

The policy was in overall a success to reduce the number of foreigners in Austria (Biffl 2011: 18). The net migration declined sharply after 1992 and it increased slowly with the wake of the Austrian EU-membership and the onset of the Eastern enlargement of the EU.

In 1997, the Aliens’ Act (*Fremdengesetz*) was passed, characterized by the principle of “Integration before new immigration”, which meant that there was a clear emphasis on measures concerning those who were already in Austria (Fassmann & Reeger 2008: 25-27). According to EMN study, due to this Act, new immigration became more difficult and persons who had a consolidated stay in Austria were protected against expulsion depending on the duration of their stay. Furthermore, this new Act distinguished

⁴ These regulations apply only to third country nationals, since EEA citizens and their family members have the right of free movement.

between a temporary residence (residence permit = *Ausfenthaltsurlaubnis*, changed to *Aufenthaltsbewilligung* in 2006) and a permanent settlement (settlement permit = *Niederlassungsbewilligung*). The quotas for settlement permits were remained but no maximum limits were defined anymore for temporary residence (EMN 2011: 28-29). Attempt to harmonise immigration legislation with the Employment of Foreign Workers Act (by linking a long term residence permit with access to employment, regardless of an aliens previous employment history) were not follow, due to the resistance from the trade union (Kraler 2007: 11).

Since 2000

Reforms at the beginning of 2000s clearly followed the restrictive immigration laws in 90s. The government programme of early 2000 proposed several specific migration policy, especially focused on integration (Fassmann & Reeger 2008: 25-27) (EMN 2011: 29).

In July 2002, the parliament adopted the amendment of the Aliens Act which was passed in 1997, which several EU directives already adopted or then still in the making (Kraler 2007: 11). For instance, ‘residence certificate’ was introduced, therefore finally harmonizing residence rights with employment rights which had been resisted by the Trade Unions in the 1997 reform.

The reform introduced three new changes. Firstly, labour immigration of unskilled and semi-skilled workers was officially ended by the abolishment of the quota for employees, and only a quota for key personnel/highly/skilled migrants remained and the introduction of minimum wage requirement initially set at 2016 Euro per month. Secondly, the employment of seasonal workers was significantly facilitated by allowing their recruitment for industries other than those traditionally engaged in the sector such as agriculture and tourism, and by extending the employment period up to one year. An own quota for key workers was introduced to facilitate the immigration of highly qualified third-country nationals, and at the same time the immigration for low-qualified third-country nationals was restricted to seasonal work (EMN 2011: 29). Thirdly, all third

country nationals newly coming or those who have been living on Austrian territory since 1998, were obliged to sign the “integration agreement”.⁵

Only three years after the 2002 reform, the government undertook another complete revision of the aliens legislation ‘Foreign National Legislative Package (*Fremdenrechtspaket*)’ in 2005. According to Kraler, the 2005 reform increased the powers of state organs to control migrants in an irregular situation, while maintaining the restrictive position towards new immigration and increasing the integration requirements demanded from new comers (Kraler 2007: 11-13). For instance, the principle of ‘Foreign National Legislative Package’ was the permanent control of third country nationals movements through the tight quota systems. The so called ‘Law of residence (*Niederlassungsverordnung*)’ was fixed each year by the federal government together with the relevant parliamentary committees and social partners. This is divided into sub-quotas for the federal states and further branched according to the purpose of residence, which can be relevant for family reunion, key personnel, etc (Schumacher 2008: 6-8).

Foreign National Legislative Package 2011

According to Biffl, it was not until 2008 that the government decided to introduce legislative reforms in recognition of skill needs which the Austrian education system could not satisfy in large enough numbers (Biffl 2011: 18-20). On 10th June 2009, minister of Interior Maria Fekter addressed an amendment of Foreign National Legislative Package 2005. Fekter launched the reassessment based on the aim to make Austria “*the safest country in the world*” (Bittmann 2011: 31). The new Foreign National Legislative Package 2011 was adopted on the 22. February 2011, which will be discussed in details in the next chapters. Among other change, the new legislative package includes the Red–White–Red Card (RWR Card), which has been formulated by social partners. The initiative was started by the Federal Economic Chamber (WKO) and the Federation of Austrian Industry (IV), in cooperation with the International Organisation for Migration (IOM).⁶ This new law replaces a quota-based system applying to so-called “key workers”, which granted a certain number of immigrants access to the labour market if

⁵ For instance, compulsory German language course were introduced for the first time.

⁶ European industrial relations observatory on-line. Available at: <http://www.eurofound.europa.eu/eiro/2011/07/articles/at1107011i.htm> (accessed 30. March. 2013).

specific criteria were met, to a point system (Biffl 2012: 6). More details regarding Red-White-Red Card will be discussed in next section.

Red-White-Red Card – overview of settlement and residence law

As mentioned in previous section, the inflow of labour migrants from third countries has been regulated by quotas until July 2011. However, even before 2011 large number of third country citizens could enter outside a quota regulation, through:

1. Persons working for foreign media with sufficient income,
2. Artists with sufficient income,
3. Wage and salary earners who may access the labour market without labour market testing (specific groups of persons defined in the foreign worker law)
4. Partners and dependants of Austrian and citizens of the EEA, who are third country citizens (Biffl 2012: 13).

In 2011, a point system of immigration “Red-White-Red Card (RWR Card)” has been introduced and it modified the key-skills quota and aims a more flexible immigration of qualified third-country work force and their families who wish to settle permanently in Austria according to personal and labour market criteria (Federal ministry of labour, social affairs and consumer protection 2013). The RWR card is available for the 4 groups of applicants: 1) Very highly qualified workers, 2) Skilled workers in shortage professions, 3) Other key workers, and 4) Graduates of universities and colleges of higher education in Austria. For instance, highly skilled third country nationals wishing to work in Austria need to obtain at least 70 points out of 100 possible points. Points are given in four domains, for educational qualifications and honorary recognition of competences, for work experience, language skills and age (See Annex 1) (Federal ministry of labour, social affairs and consumer protection 2013). In the area of shortage professions and other skills 50 points out of a maximum of 75 needs to be reached.⁷ An additional advantage given to university graduates in Austria. Third country graduates who have successfully completed at least the second part of their course (Diplomstudium) or Master’s degree studies at a university, college of higher education or accredited private university in

⁷ The detailed information of points is available at : http://www.bmask.gv.at/cms/siteEN/attachments/6/7/6/CH2369/CMS1320222996526/2013-01-01_-_fact_sheet_-_rwr_card.pdf (accessed 31. March. 2013).

Austria are given one-time residence permit to stay for a further six months to looking for a job. They can apply for RWR Card without labour market test, if within this period they find an employment according to their qualification based on a valid work contract and if they prove a salary equivalent to the locally customary salary of national graduates (in 2013: 1998 Euro minimum monthly gross salary plus special payments).⁸ The table below shows how it changed regarding foreign graduates (Master or Diploma Programme, Bachelor Programme not included) since the adoption of RWR Card in 2011.

Table 1. Change of graduates in Austrian university

	Before 2011	After July 2011
Job-Seeking Visa after Graduation	No	6 months after graduation
Quota	Yes	No
Labour Market Test	Yes	No
Minimum Salary	(Approx.) 2400 EUR / Month	(Approx.) 2000 EUR / Month (2012)
Part-time Job during the Study	Only after labour market test	20 hours / Week. No labour market test.

Furthermore, there are two different versions of RWR card:

- 1) RWR Card – entitles to residence and employment only with a certain employer
- 2) RWR Card plus – entitles to residence and unlimited labour market access.

The RWR Card grants settlement and work with a specific employer for the first year of employment. After that the ‘RWR Plus Card’ will be granted which allows settlement and free access to labour market anywhere in Austria. Family members of RWR Card holders get an RWR Plus Card, allowing them to work in Austria (Biffl 2012: 17). Furthermore, in addition to the RWR Card, a Blue Card can be obtained. With the EU Blue Card Regulations, Austria transformed the provisions of the European Blue Card Directive (Council Directive 2009/50/EC) into national law. This harmonises the conditions of entry, residence and labour market access of highly qualified third country citizens and their families within the EU. Applicants for the EU Blue Card are required to have completed a university course of three years minimum duration, to prove an annual gross salary of at least 54.400 Euro (in 2013, 150% of the average yearly and gross salary for a full-time employee), and condition that no equally qualified unemployed person

⁸ The regulation does not apply for the bachelor graduates (March 2013).

registered with the Austrian Federal Employment Service (Arbeitsmarktservice, AMS) can be recruited by the potential employer, through the mandatory labour market test.⁹

In addition to this, third country nationals who do not have an employer who nominates them can request Austrian embassy/consulate for a job search visa (for the period of 6 months). The Austrian embassy issues the visa if the required points are reached (Temesvari 2012: 8).

In addition, third country nationals who have a residence permit without the explicit right to enter labour market may obtain a work permit on the basis of an employment nomination scheme, after labour market testing (Biffl 2012: 17).

Persons with a residence permit on the basis of 'special cases of paid employment activities' are exempted from the foreign worker employment law and they do not need a work permit. Relevant groups of this category are diplomats and their domestic service providers, representatives of religious groups, internationally renowned researchers, mariners and employees on cross border ships, top managers and their families and household service providers.¹⁰

Finally, the Federal Ministry of Labour and Social Affairs can admit seasonal workers in tourism and in agriculture and forestry to meet seasonal demands for workers. However, the work permit is limited to six months but can be extended to a further six months. After twelve months, the seasonal worker is not allowed to apply for a further permit for two months to prohibit settlement visa through this channel (Biffl 2012: 19). The numbers of annual quotas are decided by the Minister of Labour.

To conclude, Austria has a long history of immigration since 1960s, by implementing guest worker model. This selective system aimed to fill jobs which employers in Austria could not fill with native workers. Over time, guest workers settled and became the core of the chain migration. In 1990s, family reunification and immigration on humanitarian grounds has taken place over labour migration. Historically Austria could not attract highly skilled workers due to its weak economy after World War Two and the wages

⁹ The EU Blue Card is issued for a period of two years.

¹⁰ Highly skilled managers are third country nationals who have a leading position in the managing or executive board in multinational company or who are internationally recognized researchers and who have monthly gross income of 120 percent or more of the wage levels (in 2010: 4900 EUR per month) (Biffl 2012, 18).

were relatively low in comparison to other receiving countries. Furthermore, in the 1990s, Austria still experienced brain drain and failed to attract large numbers of highly skilled workers (Biffl 2011: 19-20). Therefore, reconsidering of labour migration policy towards a large high-skill intake took place since the end of the 1990s. The main indicator for the limited attractiveness of Austria for highly skilled migrants is the small number of highly skilled third country nationals who entered Austria through the highly skilled immigration programme (*Schlüsselkraftverfahren*) (Biffl 2011: 19-20).¹¹ As a result in 2009 and 2010, the Austrian government was rather divided over labour migration policy and its reform. While employers' associations pushed for an increased intake of highly skilled migrants, workers' associations claimed that increased investment in further education and training such as Lifelong Learning Programme, is more effective way to address skill-shortages in Austria (Biffl 2011: 19-21). The detail of different actors positions and arguments will be discussed in detail in next chapters.

Significance of study

The main change of labour migration policy in Austria with the introduction of RWR Card in 2011 is that Austria now regulates the migrants workers who enters into Austria not with the quotas, but based on individuals skills, education and experience. Reconsidering of labour migration policy towards attracting highly-skilled foreign workers took place since the end of 1990s and this is a significant change Austria made. There are several information sheets and documents describing the technical and legal change itself, and studies focuses on guest worker and quota system (Biffl 2011, Cavide 2006, EMN 2011, Fassmann & Reeger 2008 and Kraler 2007). For instance, European Migration Network (EMN) Austria, published several study and policy reports focus on labour migration policy in Austria. Especially two study reports published in 2011 focus exclusively on labour migration policy in Austria - "Temporary and Circular Migration in Austria" and "Satisfying labour demand through migration in Austria (written by professor Gudrun Biffl)" provide an great overview of labour migration policy development. Especially the second report includes extensive information of measurements to attract highly-skilled migrant workers under the quota system (before the implementation of RWR Card) and also the key-stake holders involved for the policy making.

¹¹ Statistics are available at the website of Minister of Interior: http://www.bmi.gv.at/cms/BMI_Niederlassung/statistiken/ (accessed on 31st March 2013).

Krahler analyses in the article “Immigrant and Immigration Policy Making in Austria (Krahler 2007)” the development of immigrant policies and changing patterns of policy making in Austria closely linked to the development of Austrian political system and broader social changes. The article also includes the change of labour migration policy since 1960s and describes how transformation of the Austrian political system influenced on it. On the other hand, in the article “Corporatist Birds of Feather? Labour Migration and Employer Preferences in Austria and Netherlands”, Cavide analyses the role of employer associations in labour migration policy making in Austria and as a case study he describes their influence on recruitments of foreign skilled-workers – in IT sector in 2000 (Cavide 2006). The article also provides the detailed analysis of the tension between trade unions (and workers association) and employer association during the negotiation period and Cavide concludes that social partners in Austria has great influence on labour migration policy making.

Both articles provide a wide range of information and in-depth analysis regarding the change of labour migration policy in Austria. However, there are still very less academic literature purely focuses on the analysis of the policy process with the introduction of RWR Card since the new law entered into force in 2011 only two years ago.

Doctoral dissertation written by Horvath “From the guest-worker to migration management: Securitisation and economisation of labour migration regulation in Austria” includes partly the analysis the RWR Card implementation in 2011. Horvath analyses this change in connection with the paradigm of managed migration and securitisation. According to Horvath, RWR Card is clearly based on the human capital and labour-market oriented economic logic. However, he also points out that RWR Card is also in process of securitisation of immigration policy process which Austria demonstrated in last decade. For instance, the criteria of RWR Card clearly differentiate the qualifications such as language skills which immigrants have. He emphasises by referring Menz’s argument (Menz 2009) that this new paradigm of managing migration shows the encouragement of human resource potentials on the one hand and more restrictive procedures and administration of humanitarian migration channels on the other (Horvath 2012: 287). Since one main focus of the dissertation is securitisation of immigration policy making, he describes those main discourses mentioned above based

on the positions of different political parties regarding RWR Card. However, the analysis does not include other actors, such as non-state interest groups involved in labour migration policy making.

Therefore, this thesis aims to analyse the relationship among ideas, actors – especially focused on non-state interest groups - and discourses which influenced on the change in Austria in 2011. In order to analyse it, the frameworks provided by several authors will be used. For instance, Balch and Menz analyse the change of labour migration policy in several European countries (e.g. UK, Germany and Spain) and provide frameworks to explain those changes (Balch 2009, 2010a, and 2010b, Menz 2007, 2009 and 2011) in different level.

Balch argues that the importance of foreign labour for the national labour market is generally considered as a function of economics and the interplay in the political arena. However this does not always help to explain the direction of policy change (Balch 2010). The ideas concerning immigration include a huge range of professionals engaged in policy/relevant work i.e. policy makers, government officials, those working in think-tanks, research organisations, government research organisations, the NGO sector, charities etc (Balch 2009, 2010a, 2010b).

Menz (2007, 2009 and 2011) and Cavides (2008) argue that in general the existing literature analyses the political development in individual European countries. However the role of non-state interest groups has not attracted major scholarly interest. For instance, although the roles of employer organisations are considered to be structurally key-actors in labour migration policy, it has less come into the focus of research. As the previous section shows (labour migration policy development in Austria), also in case of Austria since 1960s, employers and trade unions were highly involved in labour migration policy making in Austria.

According to Balch (Balch 2009), the needs of business need to be seen as one set of interests among others in terms of pressure for an opening of the debate about economic migration. However, although business clearly plays a role in terms of exerting pressure for change, Balch argues that it is more a case of pushing towards a tipping point, feeding the political desire to change policy (Balch 2009). According to Balch, the

construction of a new policy in a sensitive area requires more than a response to a simple list of demands. It is often easier to get agreement from unions and employers on how then to develop the system after the new policy frame had been constructed. Therefore, there is a need to analyse how this policy frame has been constructed.

These models emphasise the importance to consider responsible ideas and key-actors for the change in order to capture the picture of policy process. Therefore based on these frameworks, the thesis will analyse the main question “which rationalities guided this policy reform in Austria and who were the actors involved in this change?” Next Chapter will show in detail how those frameworks will be used for the analysis of Austrian case.

Chapter 2: Theoretical Framework

This thesis analyses the labour migration policy reform in Austria. The main focuses will put on the relationship of ideas, actors and policy process in order to answer to the question **“which rationalities guided this policy reform in Austria and who were the actors involved in this change?”**

Three main theories will be used for the analysis - **1)** Epistemic Community Hypothesis (ECH), **2)** model of the interest groups in labour migration policy making, and **3)** The Discourse Coalition Approach (DC). These three theories provide tools to analyse different aspects of policy change. Theory **1)** and **3)** are mainly used by Balch (Balch 2009, 2010a and 2010b) in order to analyse the change of the labour migration policy in UK and in Spain. Model **2)** are mainly provided by Menz (Menz 2007, 2009 and 2011) and Cavides (Cavides 2005, 2006 and 2008).

Balch analyses in his several articles and books the potential causal factors for the labour migration policy change in UK and in Spain from the end of the 20th century to the first decade of 21st. He demonstrates the role of ideas and knowledge influenced on those changes focused on the main question *“why such changes took place and why they occurred and when they did?”* (Balch 2009, 2010a and 2010b). Spain and UK were chosen as case studies of his empirical research because of different backgrounds and migration histories of these two countries. First of all, in case of Spain, it shifted from a country of emigration to one of immigration. UK on the other hand abandoned the notion of zero immigration

and shifted to its notion to managed migration. Two of his main focuses in these studies are first of all, the role of experts to bring the ideas for the policy framing and secondly the influence of those ideas brought by experts for the concrete policy change itself. In order to analyse this main question, he uses Epistemic community Hypothesis (ECH) provided by Haas and Discourse Coalition (DC) Approach together with several other theories.¹² To summarise his conclusion, firstly regarding the role of experts for the policy framing - in case of UK, role of experts in reframing the labour migration policy is remarkable and attempts to increase research capacity in government clearly opened the door for experts to have an influence on labour migration policy change. In case of Spain on the other hand, there was a lesser role for knowledge provided by experts in the reframing the policy (Balch 2010b: 182-183). The factor which influenced the labour migration policy change was whether the party politics, in other words, switch between policy frames responded more clearly with the positions of the two political parties, their institutional networks, and the development of European-level discourse. Balch argues that in case of Spain, the notion of “Europe” considered as important source of new ideas about labour migration policy. Especially liberal constitutionalism bounded by EU membership shifted labour migration policy in Spain from securitisation of immigration after 2000 and then to the managed migration after 2004. Although, there was evidence of emerging involvement of experts especially after 2004 with the think tanks and government-funded research however their influence is less clear than in UK (Balch 2010b: 184).

Secondly, by adopting the DC approach, Balch argues that the policy on migration needs to be communicated and sold to the public (Balch 2010b: 190). In other words, framing of policy on immigration needs to be seen to include a broader discourse regarding national interests and it pushes policy makers to link the issue of migration with other meta-discourses – such as demographic arguments about ageing population. For chance to occur, in case of both in UK and in Spain, there was a need to link these ideas brought by experts with contemporary and specific national economic models of growth (Balch 2009: 32-34). Balch provides for instance the evidences that in both countries the tendency towards “technocratic management of labour migration” which includes

¹² He uses together with ECH and Discourse Coalition Approach, theories such as The advocacy coalition framework (ACF) and Freeman’s modes of immigration politics in liberal democratic states. See the chapter 3 – Developing the approach: theory and methods in *Managing labour migration in Europe*, ideas, knowledge and policy change (Balch 2010).

identification and measurements such as skills shortages and migration requirements (Balch 2010b: 201).

Balch's frameworks provide a tool to analyse the labour migration policy change in deeper level, which involves the responsible ideas and its flows and actual factors, which drives policy makers to make decisions. Particularly for the role of ideas, he shows how Epistemic Community Hypothesis (EPH) provided by Haas could be used in order to analyse the ideas behind the labour migration policy. This framework matches also to analyse the Austrian case – the change of labour migration in 2011 in order to observe the rationalities behind this concrete policy change.

Menz and Cavides on the other hand show through several studies the impact of labour market interest organisations on labour migration policy making and provide case studies in several European countries such as Germany, UK, Netherlands and Austria (Cavide 2005, 2006 and 2008, Menz 2007, 2009 and 2011). Both authors emphasises the importance to look at those labour market related interest groups to analyse the labour migration policy and describes potential tensions between different groups, which will be described in detail.

Therefore, by using those frameworks which provide a analytical tool in combination with examples of cases studies in other European countries, the thesis aims to analyse whether those patterns could also be observed in case of Austria.

Epistemic Community Hypothesis

In the first part, the main question will be *“How certain ideas are incorporated and transferred into policy?”* Migration policy has been identified as being influenced by various ideas such as ‘realist’ frame of internal security, ‘liberal’ frame of human rights, or issues such as illegal immigration, globalization, or labour market, with each frame speaking to different core values and understandings (Balch 2010:6).¹³ Then whose and which ideas and knowledge mattered for the labour migration policy reform in Austria? For this part, the **Epistemic Communities Hypothesis (ECH)** by Hass will be used. ECH identifies the role of specialists in introducing new ideas to reframe policy, to identify and propose

¹³ See also p. 4 Cavide 2006.

specific policies for negotiation, particularly in areas of policy uncertainty (Haas 1992: 2-3). The ECH focuses on the factors responsible for policy ideas, and the ways that these ideas are introduced into the policy process. Ideas are seen as providing the cognitive maps that allow actors to recognise interests and make choices.

Haas argues that ideas and knowledge provided by epistemic communities is useful and he provides several reasons for that (Haas 1992).

Firstly, what is epistemic community? Haas defines an epistemic community as ‘possible providers for the sort of information and advice’ and ‘a network of professionals with recognized expertise and competence in particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area’ (Haas 1992:3-4). In addition to this definition, Haas categorized epistemic communities in four ways in order to distinguish it from other groups:

- 1) a shared set of normative and principled beliefs, which provide a value-based rationale for the social action of community members;
- 2) shared causal beliefs, which are derived from their analysis of practices leading or contributing to a central set of problems in their domain and which then serve as the basis for elucidating the multiple linkages between possible policy actions and desired outcomes;
- 3) shared notions of validity – that is, intersubjective, internally defined criteria for weighing and validating knowledge in the domain of their expertise, and
- 4) a common policy enterprise – a set of common practices associated with a set of problems to which their professional competence is directed, presumably out of the conviction that human welfare will be enhanced as a consequence (Haas 1992:3).

Then where epistemic communities can be found? Haas suggests think tanks, regulatory agencies and governmental policy research bodies (Haas 1992). The question arose here is that in which kind of policy field, epistemic communities powers or roles could be particularly influential? Good examples are environment policy, energy policy or public health policy, which requires more scientific or technical knowledge. However, Haas argues that the epistemic community does not necessarily need to be the group of natural scientists. They can also consist of social scientists or individuals from various discipline

or professions who claims sufficiently to a body of knowledge that is valued by society (Haas 1992: 7). Furthermore, an epistemic community does not essentially need causal beliefs and notions of validity based on the methodology used in natural science. ‘They could originate from shared knowledge about the nature of social or other processes, based on analytic methods or techniques deemed appropriate to the disciplines or professions they pursue (Haas 1992: 16)’.

In some cases, epistemic communities become more transnational over time as a result of the diffusion of community ideas through research collaboration or conferences, and various of information communications and contracts (Haas 1992: 17). Furthermore, Haas points out that not only the national- oriented but also international organisations could be the key epistemic communities for the policy framing:

... transnational communities ideas may take root in an international organisations or in various state bodies, after which they are diffused to other states via the decision makers who have been influenced by ideas. As a result, the community can have a systemic impact. Because of its large diffusion network, a transnational communities influence is likely to be much more sustained and intense than that of national community ... (Haas 1992: 17).

According to Haas, the logic for epistemic communities to play a role in policy change requires a three-phase process of uncertainty-interpretation-institutionalisation (Haas 1992: 12-16).

He sets the ‘uncertainty’ of policy makers as basic premise, for epistemic communities to play an important role for the policy framing. The state of uncertainty provides a push factor for policy makers to turn to specialists in order to improve their uncertainties in order to understand the specific current issues and predict future trends (Haas 1992: 13).

... under conditions of uncertainty, decision makers have a reasons for consulting epistemic communities and some of them more politically motivated than others (Haas 1992: 4) ...

Affonso claims for instance that this influence of knowledge could be particularly powerful during the “critical junctures”, such as economic crisis or failure of past policies (Affonso 2007: 6). In such periods, policy makers and states lack information to frame

their “objective” interests and therefore heavily rely on ideas, discourses and experts that make sense of reality and provide “credible causal stories” to explain social or economic problems and most importantly “receipts” to overcome the crisis (Alfonso 2007:6).

This knowledge incorporates the epistemic community’s interpretation of the issue and in this way involves a transmission of ideas. The third and final stage of the ECH is an institutionalisation of this interpretation in policy practice and institutional arrangements. This refers to the extent to which the new ideas provided by the epistemic community result in a concrete change in policy.

Then why Haas emphasises the epistemic communities? In other words, why it is valuable to consider the role of epistemic communities in order to understand the policy framing and change? Haas gives reasons for that. Firstly, it is the resources they bring. Epistemic communities claims to knowledge, supported by test of validity, gives them power to influence on policy debates and play a role as their primary social power resources (Haas 1992: 17). In this way, epistemic communities can help formulate policies. In some cases, policy-makers will seek advices to gain information which will justify a policy that they wish to pursue for ‘political ends’ (Haas 1992: 15-16).

Based on this theoretical background, the first hypothesis is the following:

- Hypothesis 1a: Consensual knowledge, the ideas provided by epistemic communities from both national and transnational communities, played an important role in labour migration policy reform in Austria.
- Hypothesis 1b: By tracing the activities of epistemic communities, it is expected that there have been key-resources such as publications which adopted by policy makers and influenced on the labour migration policy framing in Austria.

ECH offers the combination of an elite-network based analysis of policy-making, which power in politics is connected with ideas, knowledge and policy change. However, limits of the ECH are its elitists approach, that scientific evidence and knowledge produced by scientific community is seen as a central policy resources. In other words, it underestimates other key-actors and discourses. Therefore, the main limit of ECH is

whether it can completely capture the complexities of political discourse or not (Afonso 2007). In addition, Haas points out that increasing influence of expert groups such as epistemic communities may result negative implications for such 'deep-seated political values' as a democracy and participation (Haas 1992: 24). Furthermore he argues that the impact of epistemic communities remains conditioned and bounded by national structural realities (Haas 1992:4). Therefore there is also a need to observe the policy process in different level.

Labour Market Interest Groups

The main question of the second part is *"Who are the main actors involved in labour migration policy reform in Austria?"* According to Afonso (Afonso 2007), "influence" from the epistemic community could be defined as the use of expert ideas in public discourses by politicians and bureaucrats. In other words, it refers the translation into the new policies, as Haas points out. However, the influence of epistemic communities is highly dependent on existing interests and institutions who can limit, but also sometimes push its impact on policy making and he claims that *"It would be misleading to consider that expert knowledge always matters"* (Afonso 2007: 8). Afonso argues that knowledge can only have an impact if it is compatible with existent institutions and congruent with strong interest groups within a specific policy sector. Therefore, he suggests to analyse the role of epistemic communities in combination with other variable such as role of interest groups (Afonso 2007: 8).

The second part will focus on the analysis of the key-stake holders for labour migration policy in Austria. For the analysis of this part, Menz and Cavide's framework will be mainly used.

Several authors points out the tensions between different labour market interest groups and that the recent labour migration policy in several European countries followed a common trajectory (Cavide 2005, 2006 and 2008, Cerna 2011, Menz 2007, 2009 and 2011). For instance, Cavide claims that although political parties often play an important role in the development of general immigration policy - especially smaller populist and right-wing parties have successfully encouraged voters through their xenophobic rhetoric - however the profile of parties is rather restrained in the area of labour migration policy.

“There is no systematic effect of parties promote simply by looking at the party’s position on the classic left-right political continuum ” (Cavide 2006: 4).

Regarding this phenomenon, Menz argues that the situation could be captured by power relations among organised labour market interest groups. According to Menz:

... Labour market interest organisations represent their constituents and their concern; new demands for labour migration will be coloured by the contribution individual sectors make to the economy, the structure of the labour market, the predominant production system, and corporate strategies... (Menz 2009: 4).

Especially the formation of labour migration is a core component of the new paradigm of managed migration shaped by the actions and positions of non-state actors, mainly labour market interest organisations such as trade unions and employer association. Cerna also argues that in terms of high-skilled immigration policy, both organised workers and employers have specific preferences and demonstrate different centralisation levels (Cerna 2011). In general, labour market interest organisations are organisationally strong and they attempt to create new links with ministries of interior affairs to influence of labour and social affairs (Menz 2009: 7-9).

Table 2 summarises briefly the main positions of trade union and employer associations, and their main arguments provided by Menz and Cavides.

Table 2: Positions of Trade Unions and Employer Associations

	Trade Unions	Employer Associations
Liberal labour migration	Oppose	Strongly supporting
Demands	Keep the status quo	Actively identifying labour needs and forward policy proposals

In contrast to the post war period when migration policy across Western Europe focused on filling labour market shortages mainly with unskilled workforce, the contemporary neoliberal competition, state tries to maximize its competitiveness by assuring a business-friendly climate (Menz 2009: 9). Therefore according to Menz, it is particularly meaningful to consider suggestions from employers in order to design and plan a countries migration policy (Menz 2009: 94-96). However, employers will not simply lobby for a “more liberal” policy. In order to explain European employers’ various

demands and policy preferences, Menz points out the needs to analyse the production system they are embedded in (Menz 2009: 8-9). For example, in a liberal market economy such as Britain, employers would be expected to advocate for both high and low skilled immigrants. On the other hand in coordinated market economies such as Germany and Austria, employers would demand mainly high-skilled labour.

Cavide shows the similar perspectives to Menz. For instance, he challenges the idea of 'unions preferences determine policy' and considers employers' association as more appropriate unit of the analysis to understand labour migration policy (Cavide 2006).

Cavide summarises the role of trade unions and business preference regarding labour migration (Cavide 2006). Unions are seen as being opposed to liberal labour immigration because of its potential for lowering wages within regulated labour markets and providing alternative labour. However, unions have shown pragmatic behaviour during the period of rapid economic growth in the 1960s, which resulted in the inflow of foreign labours. Nevertheless, in the wake of the 1973 oil crisis and the demise of full employment in Western Europe, the preference of unions was seen to have again solidified in favour of restriction (Cavide 2006: 4-5). According to Cavide, however recently a more openness of unions towards immigration was observed. He provides the examples of unions in United States and Mediterranean countries - which have mobilized in favour of laws granting amnesty to illegal workers and increasing family reunion rights (Cavide 2006: 5). He analyses this logic behind it as the failure of these countries to control illegal migration and it resulted unions to accept such workers as unavoidable and in need of a more complete integration and support (Cavide 2006: 5).

Employers are seen on the other hand as supporters of immigration due to the tendency of migrant workers towards lower wages and to keep the labour market de-regulated (Cavide 2006: 5-6). However, according to Cavide, employer preferences are often different depending on the specific economic branch, for instance migrants are welcomed in IT sector but no in construction.

In contrast to trade unions whose interests in this area focuses on conserving the status quo, employers actively identify labour needs and forward policy proposals. In other words, the role of employers as policy initiator is privileged, since trade unions can form the major obstacles blocking a liberalisation of labour migration (Cavide 2006: 6).

However, trade unions do not constitute a uniformed anti-immigration bloc or organize pro-actively as policy entrepreneurs on issues of labour migration. Therefore presence of trade union is another key element that refracts employer preferences. When unions are well organised and can point to genuine flexibility that privileges their domestic constituency, employers may be forced to negotiate in advance with their union counterparts before bringing policy proposals to the government (Cavides 2006: 6).

Furthermore, Menz points out that although access to the new labour is a priority for employer association, when unemployment rates within the country are high and public opinions are hostile towards migration, business attempts carefully to influence governmental actors. *“Lobbying in this highly charged and sensitive policy domain is a delicate process, likely to involve skilful rhetorical strategies invoking the danger posed to national competitiveness by skill shortages”* (Menz 2009: 11).

Based on this framework, my second hypothesis is follow:

- Hypothesis 2: Labour market interest groups in Austria were highly involved in the labour market policy change and different arguments among various interest groups will be observed.

The limit of the two frameworks provided by Menz and Cavides, which emphasize the role of interest groups, is that although labour market interest groups paly a role in terms of exerting pressure for change, it is more a case of pushing towards a tipping point, feeding the political desire to change policy (Balch 2009). The construction of a new policy in a sensitive area requires more than a response to simple lists of demands. It is often easier to get agreement after the new policy frame has been constructed. Therefore, the thesis will analyse how this policy frame has been constructed by using ECH.

The main question arises by considering the actors in two different levels - epistemic communities and labour market interest groups – is how to define what is epistemic community and labour market interest groups in a clear manner. Balch for instance, argues that in his analysis in case of Spain and in UK, a key question with the ECH was:

...the extent to which policy communities could be defined as Epistemic which means a network of professionals with recognized expertise and competence in a particular domain and authoritative claim to policy-relevant knowledge within that domain or issue-area. These kinds of actors were identified in both the UK and Spain, however they were disparate and incoherent, perhaps reflecting the inter-disciplinary nature of immigration as an academic topic... (Balch 2010b: 182-183).

Therefore, also in case of Austria, to conceptualise and to draw a clear border which expert groups to define as epistemic communities are expected to be a key-challenge.

Haas points out the difference of epistemic communities from other groups as follow:

... It is combination of having a shared set of causal and principled beliefs, a consensual knowledge base, and a common policy enterprise that distinguishes epistemic communities from various other groups. They differ from interest groups in that the epistemic community members have shared causal beliefs and cause-and-effect understandings. If confronted with anomalies that undermined their causal beliefs, they would withdraw from the policy debate, unlike interest groups... (Haas 1992: 18).

Alfonso's analysis also provides a tool to differentiate the "epistemic communities" from other groups. According to Alfonso, in general epistemic communities share 'cognitive and normative' beliefs - 1) what is the cause of the problem 2) what should be done to solve this problem (Alfonso 2007: 7). He argues that most importantly the main difference between epistemic community and interest groups are: epistemic communities share "consensual knowledge base" emphasising the causal process and interest groups on the other hand focus more on "social movements and legislators, between whom conflict tend to be rule" (Alfonso 2007:7).

Discourse Coalition (DC) Approach

The third part of this thesis will analyse the main question *"How policy makers try to sell their ideas and demands to the wider public for the policy formulation?"* As Menz pointed out, for instance, although employer associations are actively advocating the liberal labour migration policy, in a sensitive policy domain such as migration policy they are likely to involve *"skilful rhetorical strategies"* (Menz 2009:11). Then how policy makers including employers' and workers' associations try to sell their ideas and demands to the public?

What kind of rhetorical strategies do they use to pursue their dominant framework? In order to analyse this part, Discourse Coalition Approach (DC) will be used.

According to Balch, discourse coalition helps to understand how policy issues can be placed with constructions regarding societal crisis, secondly, to answer the question “how do certain discourses become institutionalised over others?” (Balch 2010 42-44).

The notion of discourse coalition was suggested by Hajer (1993) and integrated for the analysis in order to cover different actors in a policy debate who share the same frames (Soukup and Atac 2010). According to Hajer, Discourse Coalition is:

“A discourse coalition is the ensemble of a set of story lines, the actors that utters these story lines, and the practices that conform to these story lines, all organized around a discourse.” (Hajer 1993: 47)

The term ‘discourse’ is used in language of daily life interchangeably with discussion or dialogue and the story of a discussion or dialogue is the aim of discourse analysis (Hewitt 2009: 2). The object of such analysis is to understand patterns and hidden rules of how language is used and narratives are shaped. Therefore, discourse analysis provides a tool which involves “*examining communication*” (Hewitt 2009: 2) to gain new perspectives in the process of policy change.

... Discourse analysis challenges researchers to question policy making processes, how dialogue takes place, and how power relations produce dominant discourse and marginalises others... (Hewitt 2009: 13)

Discourse is of particular interest of policy studies because it analyses the argumentation’s role in the policy process (Balch 2010: 42) and there are various traditions of discourse analysis which originated from different understandings of the meaning of discourse (Hewitt 2009: 2). Therefore, ‘discourse analysis’ can be broad and vague. There are multiple discourses that could play a role in the formation of policy, but Balch defines discourse as *‘a set of policy ideas and values, and in terms of its usage, as a process of*

interaction focused on policy formulation and communication' by referring Schmidt and Radaelli (Balch 2010: 42).¹⁴

With the DC approach, actors in the policy community use “*narrative storylines*”, based on dominant discourses, which define social and power relationships. Different from the ECH approach which dominantly focuses on the scientific community and the role of expert groups, the main focus on discourses on the other hand provide a wider search for the production and reproduction of these narrative storylines (Balch 2010). These may or may not have some links to expert knowledge, but are likely to involve broader discourses. However ideas and knowledge must then fit with these discourses in order to be acceptable (Balch 2010: 43). This approach therefore emphasizes the role of these narrative storylines, which then serve to interpret knowledge about policy. Therefore, within this approach, the subjective understanding of the debates surrounding immigration by the actors in the policy community become crucial.

As it is shown in the second theoretical framework mainly provided by Menz and Cavides, it is expected to observe different and dominant frameworks of various groups regarding RWR Card implementation also in case of Austria. Furthermore, it is predictable that those various groups use different narrative storylines. For instance, in case of labour migration policy making, Balch points out that government cannot simply say ‘*we are expanding labour migration to please the interests of the business lobby*’ (Balch 2010: 190) and there are needs to be an articulation of, for instance, a national interest. As it is pointed out earlier, the reasoning should be something acceptable by wider public. Balch continues that this is why the framing of policy on immigration – whether on the basis of security, human rights or economic arguments need to be seen to speak to broader discourse regarding national interests in general (Balch 2010: 190).

According to Soukup and Atac, categorising a certain ensemble of political and social actors as a discourse coalition means to uncover how specific actors make use of specific discursive narrations to interpret and make sense of complex social reality, such as labour migration issues. Therefore, a discourse coalition can be interpreted as “a group of actors who share a social construct” which means organised by a specific configuration of

¹⁴ Schmidt, V. and C. Radaelli (2004): Policy change and discourse in Europe: conceptual and methodological issues. *West European Politics* 27(2): 183-210.

frames (Soukup and Atac 2010). Additionally, in order to make sense of complex social reality, social and political actors use sets of meaning construction which connect specific problem definitions and solution proposals, embedded in a coherent combination of ideas and values, metaphors and storylines (Soukup and Atac 2010: 5).

The DC framework provides a tool to analyse firstly, to understand different discourses with narrative storylines from various groups, and secondly whether expert knowledge from epistemic communities are integrated into the narrative storylines used by different policy makers.

Based on the DC, my third hypothesis is the following:

- Hypothesis 3: The consensual knowledge, ideas provided by epistemic communities are replaced through narrative storylines by various actors involved in the labour migration policy reform in Austria. These narrative storylines are linked to broader social issues in order to frame societal and political arrangement.

The conclusion will summarise the main findings from the three parts in order to answer the main question mentioned above. The particular focus will be put on following aspects:

1. How influential is the knowledge from the epistemic communities in public discourse?
2. Is there consensus or contradiction between experts from the epistemic communities and interest groups?
3. Does experts consensus extend to common ideas regarding policy programmes?

Chapter 3: Labour Migration Policy Reform in 2011 - Ideas, Knowledge and various interest groups

Based on the theoretical framework provided in previous chapter, chapter four will analyse the relationship among ideas, knowledge and positions of various interest groups regarding labour migration policy reform in 2011 with the adoption of Red-White-Red

(RWR). The focus will be put on the process, debates and the positions of various actors mainly between the period 2008 and 2012. Some part of 2007 is also included into the analysis since they are highly relevant to the RWR card implementation. The reason to select this specific period is firstly the reform with the RWR was included in the coalition governmental programme in 2008 and entered into force in July 2011. The second category – skilled labours in shortage professions was implemented one year later, in May 2012 (See the Annex 1). Although the debates of RWR card are continuing in 2013, the drafting of this thesis is from April to August 2013 and it cannot cover the picture of the whole year of 2013. Therefore the period is limited until 2012.

This chapter aims to show the ideas, knowledge and debates of various actors following the policy cycle of the labour migration reform therefore categorisation of this specific period 2007-2012 is an issue. For instance, Soukup and Atac (Soukup and Atac: year) uses the policy cycle model of public policy analysis provided by Jann and Wegrich (Jann and Wegrich: 2007) in order to explain the policy cycle of the tax reform in Austria in 2004/2005. Jann and Wegrich categorises the policy process into the four stages – *issue building*, *agenda-setting*, *policy formulation* and *decision-making*. This categorisation helps us to analyse the policy reform in relation to the particular stage of the policy cycle (Soukup and Atac year: 10). Therefore, this chapter aims to analyse the ideas, knowledge and positions of various interest groups regarding labour migration policy reform in 2011, following the time line of the whole process based on this model. Although, the public policy-making is never a linear process it is expected to analyse a certain chronology within the policy process (Soukup and Atac: year). Furthermore, this model is expected to be a great tool to analyse the changes of various actor's ideas and debates.

The four categorisations provided by Jann and Wegrich will be used for this thesis in following way in three phases: “The construction of ideas” and preparation process will be categorised as *issue building* and *agenda-setting* – First Phase. “The debates of various groups after the ideas have been brought” will be categorised as *policy formulation* – Second Phase and “implementation of the law into the force” as *decision-making* – Third Phase.

Methodology

The main sources of the analysis are articles from 2008 and 2012 from two major Austrian newspapers – *Die Presse* and *Der Standard*. The sources are only from the official webpage of these two newspapers with the search key-words “*Schlüsselkräfte* (key-workers)”, “*Arbeitsmigration* (labour migration)” and “*Rot-Weiß-Rot Card* (Red-White-Red Card)” and all the relevant articles which could be found in webpage with these key-words were collected. Therefore the printed version of newspapers are not included as a source. Furthermore, articles describing dominantly about other categories of migrants (e.g. asylum-seekers, refugees, inside EU migration, tourists) and focusing mainly on other issues (e.g. integration, multiculturalism, anti-racism) are not included. Selected articles within this period for the analysis are dominantly describing the labour migration from third countries and RWR card in Austria. Only two articles in February 2013 were included to have a brief statistical overview of number of RWR Card distribution in 2012, however, debates made in 2013 are not included in the analysis. The table below indicates the number of articles used for the analysis, categorised by years.

Table 3. number of articles used for the analysis

	Der Standard	Die Presse	Total
2008	2	2	4
2009	5	1	6
2010	20	27	47
2011	11	6	17
2012	14	17	31
2013	1	1	2
			107

In addition, parliamentary documents, press statement, dialogue, policy, position and study reports published mainly between 2008 and 2012 are used. They are indicated as reference at the end of this thesis. Additionally expert interviews have been made with Dr. Alexandra Schöngrundner from IV (*Industriellenvereinigung*: Federation of Industry), MMag. Margit Kreuzhuber from WKÖ (*Wirtschaftskammer Österreich*: Chamber of Commerce) and Mag. Johannes Peyrl from AK (*Arbeiterkammer*: Austrian Chamber of Labour) and whole interview transcriptions are attached as Annex (See Annex 4). Although, this thesis focuses exclusively on the period between 2008 and 2012, a few sources of 2007 (e.g. interviews, publications) are also included since they are relevant to the RWR Card issue. Additionally, translations of German texts into English are done by the author of this thesis

First Phase – issue building and agenda-setting

The labour migration reform with so-called “Red-White-Red Card (RWR Card)” was included in the governmental programme from 2008. On 21 January 2009, in order to develop a new immigration system for highly-skilled migrants, the Ministry of Interior set up a working group with representatives of the social partners and IV and those groups were responsible to set up the points and the concrete criteria for RWR Card (EMN Austria 2009: 11-12).

Then what was happening before 2008-2009? In other words, how relevant actors were preparing for the agenda setting? Before the RWR Card is entered into the governmental programme, there have been already discussions and actions within social partners and IV regarding the change of labour migration and this section aims to show it from 2007 to 2009 – which was the preparation period for the new policy formulation by building issues.

For instance, staffs from the WKÖ visited Canada in 2007 in order to learn about Canadian migration and integration system. They convinced after this study visit that Austria also needed to change its labour migration system. Also within the IV, the discussion about the change of the labour migration system started in 2006-2007 and they visited other countries such as Australia, US and Canada in order to get the information and to observe how the labour migration system works there. Through these study visits they informed themselves about the different kinds of immigration policy. In the same time, in May 2007, IV published its position paper “Living together: the future of migration and integration”, with the input of external experts from universities (e.g. Fassmann from the University of Vienna), Austrian Integration Funds and NGOs (e.g. Caritas). The report emphasises the importance to attract highly-skilled immigrants for the future of industry and society in Austria, especially the needs to design transparent immigration system based on essential criteria such as education, work experience and language skills.¹⁵

¹⁵ Living together: the future of migration and integration (IV 2007). Available at: http://www.iv-net.at/iv-all/publikationen/file_464.pdf (accessed on 08.08.2013).

After these study visits, both WKÖ and IV invited think tanks and experts, such as universities, IOM (International Organisation for Migration) and several migration communities, in order to develop together the proposal for a new migration system. They were analysing the models of several countries – Canada, Australia, New Zealand and especially UK, to filter out the so-called “best-practices”, which could fit into the Austrian system.¹⁶

In 2008, WKÖ and IV in cooperation with IOM created the discussion paper – “*Zuwanderung Gestalten: Ein zukunftsorientiertes Migrationsmodell* (Designing Immigration – a future oriented migration model)” and this is a key-document for the RWR Card designing. The paper includes the detailed model for the point-based immigration system and describes also how points should be given to different categories (e.g. work experience, education and languages) (See the Annex 2). The discussion paper emphasises that the new migration system in Austria should be flexible which meets the needs of labour market with the clearly defined criteria.

There are three main points described in this early discussion paper which build the main arguments later in the discussions for the supporters:

- 1) Regarding the demographic development, the decrease of the population size in Austria is described in the context of the EU: *“It is expected that without immigration, in 2050 the population will decrease to 7.3 million. As a result in the long-term, the population in working age (between 15 and 60) will decline by 10 % and in 2050 it is expected that only half of the total population will belong to this age group.”* In order to response to demographic trends especially to keep a stable number of working age population in the future, Austria needs an-active pro immigration policy. According to the population change scenario from Statistic Austria, Austria needs 25.000 to 40.000 immigrants in a year. It is expected that until 2050 without immigration the population in European Union will decrease (approximately 88 million fewer than now) and in the same time the share of older persons (more than 65 years old) will increase significantly. This phenomenon will lead to a lack of young and qualified labours and this development is already becoming apparent in certain fields.

¹⁶ Interview with MMag. Margit Kreuzhuber (WKÖ) and Dr. Alexandra Schöngrundner (IV).

- 2) The lack of qualified labour is described as one of the biggest challenges for companies in Austria. For the argumentation, references to the results of studies and surveys are made: For instance, in the report it is described, that 83 per cent of companies confront difficulties to find right workers for their positions, especially in the field of technology and natural science. Additionally, results of a survey is described that half of industries mentioned the lack of workers in the field of technologies, which could lead to problems. In this paper there are also references to the arguments which are deployed by the protectionist groups such as: although there has been several efforts to use available domestic workforce such as investments in life-long learning, trainee programmes and attempts to enhance the participation of women in labour market, still remarkable lack of qualified workers in industries are unavoidable.
- 3) The third factor is about the link between the quality of key-workers and competitiveness of the Austrian economy. It is stressed that in order to remain internationally competitive, Austria needs to strengthen its efforts in the knowledge-based and expert-oriented economies which are assumed to be dependent on skilled workers. Here again both arguments are taken into consideration: a central aim is on the one-hand to invest more into the next generations in Austria, through training for a sufficient number of qualified workers who are prepared for the demands of the labour market. On the other hand, it is stressed that there is a necessity to increase Austria's attractiveness as workplace for international top experts and qualified professionals in order to remain its global competitiveness.

According to Kreuzhuber, the representative of Migration and Integration at WKÖ (Interviewed in June 2013), the paper "Designing Immigration – a future oriented migration model" was the base for the negotiations with other social partners and also presented to the ministry of interiors. Although it has been modified in process several times until the final version was completed (See Annex 1), this paper was a root of RWR Card (Kreuzhuber, 2013).

In 2009, IV published another study report "*Vielfalt als Chance und Wachstumsstrategie* (Diversity as chance and growth strategy)", in order to point out the needs of qualified immigrants for Austria and to provide concrete suggestions. In this study reports, IV refers several studies from the experts – such as statistical data and United Nations

Reports. For instance by referring UNDP Human Development Report 2009, the report points out firstly the needs of immigrants for the human development perspective, emphasizing that migration could bring win-win situation that both host and sending countries could benefit from it, and secondly that immigration is a key-factor in maintaining the competitiveness of the region. Furthermore, the report provides the qualified-migration management models of other countries (e.g. Australia, Canada, USA) and also good-practices.

In Austrian media in 2009, apparent conflicts between different actors and politicians are described regarding the reformation of labour migration policy in Austria. Clearly, the reformation was welcomed by the WKÖ who was actively engaged in the process from the beginning and representatives have emphasised a more flexible immigration system for the Austrian economy and to remain internationally competitive.

The reaction of the Green Party towards the RWR Card was generally positive as well (EMN Austria 2009: 11-12). The party welcomed the fact that a point-based immigration system would create fairness and would provide for the best use of immigrants' qualifications. Nevertheless, the Green Party warned that the integration of third country nationals should not be neglected, regardless of their qualifications.

Most critical opinions arose from two opposition political parties, the BZÖ (Bündnis Zukunft Österreich: Alliance for the future of Austria) and the FPÖ (Freiheitliche Partei Österreichs: Freedom party of Austria) - both parties claimed that (contrary to the USA) Austria is not a country of immigration. According to these parties, the Red-White-Red Card will lead to wage dumping and serves only industrial interests.

The new system replaces the quota system and was planned to enter into force as of 1 January 2010 (EMN Austria 2009: 11-12). However, it eventually entered into force on 1st July 2011. It delayed approximately a year and half from its initial plan. The newspapers in December 2009 reported the evidence that there have been pending and conflicts between different actors regarding processing of a new system. In December 2009, the quotas for the year 2010 were announced with the number of 8.145 – 4.905 for the family reunification and 2.450 for the key-workers – and the newspaper *die Presse* reported that although the new immigration system is needed, the negotiation between

the social partner groups about the details were in pending and therefore the quota system will be continue in 2010.¹⁷

Second Phase: Policy formulation

In the first half of the 2010, fierce discussions between different actors and political parties were reflected in media regarding the implementation of RWR Card, until they reached to an agreement in October. Table 2. summarises positions of different actors reflected in Austrian media in 2010. The groups are divided into the three groups:

Table 4. Positions of various groups

Support Group	Protectionism Group	Opposition Group
<p>WKÖ (Wirtschaftskammer Österreich: Chamber of Commerce)</p> <p>IV (Industriellenvereinigung: Federation of the Austrian Industries)</p> <p>ÖWB (Österreichische Wirtschaftsbund: Austrian Economic Alliance)</p> <p>SPÖ (Sozialdemokratische Partei Österreichs: Social Democratic Party) – ÖVP (Österreichische Volkspartei: People’s party)</p> <p>Coalition Government</p> <p>Austrian Green Party</p>	<p>AK (Arbeiterkammer: Austrian Chamber of Labour)</p> <p>ÖGB (Österreichischer Gewerkschaftsbund: Austrian trade union federation).</p>	<p>FPÖ (Freiheitliche Partei Österreichs: Freedom party of Austria)</p> <p>BZÖ (Bündnis Zukunft Österreich: Alliance for the future of Austria)</p>

By looking the Austrian medias, it becomes also clear that social-partners voices are particularly important and dominant in the labour migration policy area as they were together with the IV in charge to develop the detailed point system and the criteria¹⁸. In other words, those groups were responsible and played an important role for the policy formulation. As we can see from the Table 2, in the first half of the 2010 the opinions were divided also within the social partners.

¹⁷ Migranten: Zuwandererquote bleibt gleich (Die Presse 09.12.2009: http://diepresse.com/home/politik/innenpolitik/527180/Migranten_Zuwandererquote-bleibt-gleich), accessed on 25. 04.2013)

¹⁸ However, the voices of chamber of agriculture was hardly reflected in media.

To summarise each groups opinions regarding RWR Card implementation which reflected in Austrian newspapers in 2010, which clearly shows the leading frame of each group, firstly for the support group, three rationalities seem to be most important for their reasoning: **1) lack of skilled workers in labour market, 2) demographic change and 3) the dimension of managed migration.** For instance, ÖWB (Austrian Economic Alliance) pushed the inflow of highly skilled workers, by emphasising the importance of active marketing instead of waiting until they come. ÖWB also pointed out that Austria is already late to host large number of qualified workers in comparison to other industrialised countries.¹⁹

There are several evidences of rhetoric strategies this support group is using in order to build their frame. For instance, in July 2010, the coalition government of SPÖ and ÖVP pushed social partners to make an agreement until the Autumn 2010. Social Minister Hundstorfer (SPÖ) for instance mentioned “*Austrian needs qualified workers. 83 per cent of small and medium size companies have problem of lack of labours*”.²⁰ Minister of foreign affairs Spindelegger (ÖVP) on the other hand pointed out that Austria needs 100.000 new immigrants until 2030, and he emphasised the importance of well-organised system with the clear goal to attract qualified workers otherwise the Austrian social and health system would be not capable to survive. He pushed to implement RWR Card by referring the statistics, which prognoses demographic trend of Austria provided by *Statistik Austria*.²¹ These examples show how policy makers uses the expert knowledge provided by epistemic communities – in this case the statistical data – in order to transfer it to the public through the narrative storylines. In this case, the narrative storylines are the competitiveness and profit of Austria. As a discourse coalition approach (See the Chapter two) shows, policy makers uses the narrative storylines which could be accepted by wider public – which is in this case, the benefit of Austria and what Austria needs. As the previous chapter shows (See the chapter one) immigration issues have been a political debate in Austria especially since 2000, which means is a very sensitive issue in political debate, associated often with the issues of security and value of Austria.

¹⁹ Wirtschaftsbund will mit Agentur Fachkräfte werben (Die Presse 31.07.2010: <http://diepresse.com/home/politik/innenpolitik/584787/Wirtschaftsbund-will-mit-Agentur-Fachkraefte-werben>), accessed on 25. 04. 2013.

²⁰ Wirtschaftsbund will mit Agentur Fachkräfte werben (Die Presse 31.07.2010: <http://diepresse.com/home/politik/innenpolitik/584787/Wirtschaftsbund-will-mit-Agentur-Fachkraefte-werben>), accessed on 25. 04. 2013.

²¹ Schrumpfendes Österreich durch “Massenzuwanderung (Der Standard 26.07.2010: <http://derstandard.at/1277338963577/Vorschlag-des-Aussenministers-Schrumpfendes-Oesterreich-durch-Massenzuwanderung>), accessed on 25.04.2013.

However, if the narrative storylines are highly associated with the benefit of Austria, it is easier to be accepted by wider public, as Balch pointed out in his theoretical framework (See the Chapter two)

In the same month, minister of internal affairs Fekter (ÖVP) mentioned that, *“What we need is migrants who are highly qualified engineers with a degree, not unqualified and illiterate someone from the mountain village. The system should regulate unqualified migrants who even cannot speak German but facilitate migrants who are highly qualified.”* From this statement, we can observe the rhetoric strategy used by policy makers. It is clear that the rationality behind is that deeply economic-based dimension, but also with the dimension of the managed migration, which aims to reduce the number of unqualified migrants and instead to increase highly-qualified ones.²² By distinguishing two groups – highly-qualified and low-qualified immigrants, it emphasises what kinds of immigrants Austria should want and accept. In other words, the term *“illiterate someone from the mountain village”* is used to distinguish clearly those two different groups.

An additional requirement was made by minister of Education Karl in this year to include students from third countries in Austrian higher educational institution to the category of RWR Card, and expands the category for the graduates. The debate regarding the extension of students in universities became more intense later in 2012.

Opposition groups were mainly FPÖ and BZÖ. FPÖ for instance criticised coalition governments ideas to bring more immigrants consistently and warned that it could result the pressure to the Austrian labour market. FPÖ also claimed that the inflow of foreign workers should be restricted and if they come, they should come without their family and to give a priority to Austrian citizens. BZÖ on the other hand, criticised coalition government’s attitude of staying silent regarding the issue of asylum-seekers, especially their mandatory stay in the camps.²³

²² Fekter will Maschinenbau-Ingenieure statt “Analphabeten aus einem Bergdorf” (Der standard 30.07.2010: <http://derstandard.at/1277339251191/Innenministerium-Fekter-will-Maschinenbau-Ingenieure-statt-Analphabeten-aus-einem-Bergdorf>), accessed on 25.04.2013.

²³ Schrumpfendes Österreich durch “Massenzuwanderung” (Der Standard 26.07.2010: <http://derstandard.at/1277338963577/Vorschlag-des-Aussenministers-Schrumpfendes-Oesterreich-durch-Massenzuwanderung>), accessed on 25.04.2013.

For the protectionism group, mainly among ÖGB and AK - the workers associations - seems that two rationalities of **1) impacts on the lowering wages, social dumping** and **2) protection of Austrian workers** to be dominant. Although partly their opinions overlapped with more extreme opposition groups throughout the whole year of 2010, it could be concluded that they were trying to find a consensus with WKÖ and IV. ÖGB for instance, in February 2010, seems to be at the opposite side of RWR Card implementation. The head of the ÖGB, Foglar mentioned that Austria now (in 2010) has the logical system, which examines whether foreign worker is needed or not for the certain jobs and correspond immigration system is in place. Furthermore he emphasised that Austria should firstly take care of 402.200 unemployed people and integration instead of immigration should take first place because Austria has massive problem of integration.²⁴ However approximately half year later in July 2010, ÖGB softened their idea, e.g. by a mentioning of ÖGB Vice-president Oberhauser that Social partners are working together for the criteria development for the RWR Card and expected to bring suggestions from the social partner side in Autumn.²⁵

In the first half of 2010, it seemed that for AK there have been several issues, which should be solved first before the opening of labour market with point-based system to third country nationals. The first thing which AK pointed out was that the importance **to invest on more education and trainings for people who are already in Austria** and criticised **the idea to bring more cheaper labours from outside**.²⁶ AK expressed the clear idea the priority should not be simply pushed towards the acceptance of more immigration but to solve the problem of unemployment rate and to give a priority to people who are already in Austria first.²⁷ Furthermore, AK considered that if foreign labours come into Austria they should get properly paid. Therefore, together with ÖGB,

²⁴ Kriterienkatalog für Zuwanderer: ÖGB skeptisch (Die Presse 14.02.2010: http://diepresse.com/home/politik/innenpolitik/539673/Kriterienkatalog-fuer-Zuwanderer_OeGB-skeptisch), accessed on 25.04.2013.

²⁵ Ungeliebter Analphabet aus den Bergen (Der Standard 30.07.2010: <http://derstandard.at/1277339153659/Oesterreichs-Umgang-mit-Migration-Ungeliebter-Analphabet-aus-den-Bergen>), accessed on 25.04.2013.

²⁶ Strache warnt vor Super-GAU, Tumpel vor Billig-Fachkräften (Der Standard 28.07.2010: <http://derstandard.at/1277339153659/Zuwanderungsdebatte-Strache-warnt-vor-Super-GAU-Tumpel-vor-Billig-Fachkraefften>), accessed on 25.04.2013.

²⁷ Schrumpfendes Österreich durch "Massenzuwanderung" (Der Standard 26.07.2010: <http://derstandard.at/1277338963577/Vorschlag-des-Aussenministers-Schrumpfendes-Oesterreich-durch-Massenzuwanderung>), accessed on 25.04.2013.

AK emphasised the importance to build the clear protection mechanism against social dumping before discussing the RWR Card implementation until October 2010.²⁸

There are several critical aspects should be mentioned, pointed out by protectionist group from AK, which did not appear directly in media. For instance, migration legal expert Peyrl from AK commented in interview regarding two dominant arguments of supporting group – **1) lack of labour** and **2) demographic change**. For instance, regarding the arguments that Austria needs more labour and lack the specialists & highly qualified workers, there is critical factors which needs to be considered before bringing cheap labours from outside:

... If Austria really needs highly-qualified workers and specialists, first thing which companies need to try would be to raise the salaries... Try to imagine this way – If company does not have enough tailors then this company will go to the tailors working in another companies and will suggest them a higher salary to get these workers which they do not have – however this did not happen in Austria... although all supportive groups argue that “We need million specialists”, there is no proof that even if companies raise the salaries, there would be still lack of workers and specialists... (Peyrl 2013).

Secondly, regarding the arguments of demographic trends by referring statistical sources, which is dominant and powerful discourse from the side of supportive group, Peyrl comments as follow:

... What we know for sure is that we will not have enough inhabitants in 2050 and the labour migration policy should change in order to keep the pension system for example. However it does not mean that we know exactly how many workers we might need because we simply do not know how economy will run in 2050... I consider that what Austria eventually needs is the creation of job. If we create jobs, either we attract migrants or it is good for next generation in Austria – regardless of their nationalities or background ... (Peyrl 2013).

Although the logics provided from the AK are comprehensible, in general opinions of supportive groups, especially business associations are more visible in terms of quantity in Austrian media. As two examples above show, the workers side was sceptical about

²⁸ AK und ÖGB: Vorbehalte gegen Zuwanderer-Karte (Die Presse 27.07.2010: http://diepresse.com/home/politik/innenpolitik/583967/AK-und-OeGB_Vorbehalte-gegen-ZuwandererKarte), accessed on 25.04.2013.

several points regarding the leading frames of the support group which is highly associated with an 'economic dimension' and they considered that there are factors, which should be carefully considered beforehand. However, eventually AK and ÖGB made an agreement with WKÖ and IV. In the second phase, especially in the first half of 2010 in Austrian media, although the conflicts between social partners were described, it was not clearly explained how they reached to a consensus in October 2010. According to Kreuzhuber, a representative of migration and integration of WKÖ, this is typical for the Austrian social partnership that while they are negotiating, they don't put it in media and instead they just simply mention that they are in the process of negotiating.²⁹ However they were debating approximately for two years to make an agreement and IV and WKÖ attempted to convince AK and ÖGB for the RWR Card implementation. Schöngrundner, the project leader of migration and society at IV commented at the interview that for instance, IV tried to convince AK and ÖGB by finding a shortage list of workers in Austria, by telling them that there are not enough workers in Austria to do this job. On the other hand IV emphasised that Austria has too less highly-skilled immigrant works, these people will have high salaries when they work in Austria and there will not be the salary dumping, which was one of the main concern for AK and ÖGB.³⁰ Although WKÖ and IV were strongly interested in RWR Card, there was another issue which ÖGB and AK was very interested. As it is mentioned previously, in 2011, there has been complete opening of Austrian labour market to EU 8 countries (countries which joined to EU in 2004), the employee side wanted to make regulations combating against social and wage dumping, which is also related to the topic of immigration and social partners went through strong negotiations to cover all these topics. Therefore, the compromise they made in October 2010 was not only regarding RWR Card, but also in another area – the new laws against social and wage dumping. According to Peyrl, AK considers it as a great success that now it is a serious offense not to pay according to the collective agreement. Which means that before this new law was adopted, if workers get paid less than he/she supposed to get they could go to the court and get the salary which they should get beforehand and employers had nothing to loose. However, now in Austria, the employers not only need to pay properly but also it is a crime therefore they need to go to the court. Therefore laws against social and wage dumping were considered as a success for the AK and ÖGB because it is much harder

²⁹ Interview with MMag. Margit Kreuzhuber (Representative of migration and integration for WKÖ).

³⁰ Interview with Dr. Alexandra Schöngrundner (Project leader of Alpbacher Wirtschaftsgespräche, migration/society for IV).

for companies to betray workers (Peyrl 2013). Therefore it was a deal among social partner groups which every group could be satisfied. In October 2010, the social partners announced that they made a consensus regarding RWR Card and published the dialog report “Agreement of Austrian Social Partners regarding the fight against the loan and social dumping and to build the criteria-based immigration model”.³¹

“Immigration brings diverse chances. Highly-qualified immigrants will facilitate the economic development in Austria and power of innovation will be stronger. Migrants can stimulate the exports... Companies in Austria can use these potentials and Migrants are important labour for the economic life...” (Social Partner Dialogue Report p.5).

Social partner made an agreement and suggested through the dialogue report to establish a transparent system, which meets the demands of the labour market and points are given to qualifications, work experience, language skills and work contract. The core of the agreement was to build a point-based immigration system and the adoption of a new law for the “under-paid” after the opening of the labour market to the new nine-EU states citizens in May 2011.³² The main suggestion is to build clear protection mechanism in order to avoid the impact on the minimum wage of Austria and to facilitate the qualified immigrants.

Third phase – decision making

According to Kreuzhuber (WKÖ), social partners were invited to create the criteria for RWR Card and in 2010 they presented it in a detailed way. Then social partners gave it to the government and started the negotiations with ministries (Kreuzhuber 2013).

At the end of January 2011, social partners and IV made statements to the governments draft regarding the change of the law for the employment of foreign workers (*Entwurf – Bundesgesetz, mit dem das Ausländerbeschäftigungsgesetz geändert wird*).³³ Generally, all the

³¹ Einigung der Österreichischen Sozialpartner zur Bekämpfung von Lohn- und Sozialdumping und zur Schaffung eines kriteriengeleiteten Zuwanderungsmodells, available at: http://www.google.at/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDkQFjAB&url=http%3A%2F%2Fportal.wko.at%2Fwk%2Fdok_detail_file.wk%3FANGID=1%26DocID=1454523%26ConID=511569&ei=xGY6UevLDsmN7Qac14D4Dg&usq=AFQjCNFF6c3aYgUNUkYeef-16xsxEyNvw&sig2=ypYfU (Accessed on 26.04.13).

³² Hungary, Poland, Czech republic, Slovakia, Slovenia, Estonia, Lituania and Latvia

³³ Available at: http://www.parlament.gv.at/PAKT/VHG/XXIV/ME/ME_00250/index.shtml

organisations (AK, WKÖ ÖGB and IV) stated that they welcome this change of category-based immigration system.

WKÖ for instance emphasises importance of this change by referring the result of the study report - “Potential effect of change of Austrian migration politic in a direction to attract qualified immigrants for the middle-long term economic development (Prognosis 2050)”³⁴ – that the national gross income can increase to 1.8 per cent until 2050 and reduce the unemployment rate to 0.3 per cent.

One of the main point, which differs to the social partner and IV’s agreement was the law for graduates from third countries in Austrian universities regarding the labour market test after the graduation. All of the four organisations stated that labour market test should not be implemented to foreign graduates in Austrian universities (Diploma or Master study) and that it is not what social partners and IV agreed. Regarding the labour market test for the part-time job of students during their study, ÖGB stated that labour market test is needed in this case because of the large number of students and without it will result a pressure to the labour market.

Additionally, WKÖ and IV stated to give bonus points to the MINT-Faculty graduates (Mathematic, Computer Science, Natural Science and Engineering). The main reason is that Austrian companies need especially skilled workers with those degrees and furthermore three out of four companies have problem to find a right person.³⁵

In October 2011, three months after the implementation of RWR Card, government seemed very satisfied with this change and emphasised the importance to aim to attract high-qualified immigrants and to collect the best brains from the world.³⁶

In July 2011, finally RWR Card was implemented except in one category – skilled workers in shortage professions, where the law entered into force on May 2012, a year

³⁴ Potentielle Auswirkungen einer Änderung der österreichischen Migrationspolitik in Richtung qualifizierte Zuwanderung auf das mittel- bis langfristige Wirtschaftswachstum (Prognosehorizont 2050), by Donau University Krems and Institute for advanced studies Vienna (HIS).

³⁵ Ausländerbeschäftigungsgesetz, Gesetztext and Stellungnahme Änderung, available at: http://www.parlament.gv.at/PAKT/VHG/XXIV/ME/ME_00250/index.shtml (accessed on 26.04.2013)

³⁶ Ein Erfolg: Regierung lobt “ihre” Rot-Weiß-Rot-Card (Die Presse 17.10.2011: http://diepresse.com/home/politik/innenpolitik/701690/Ein-Erfolg_Regierung-lobt-ihre-RotWeissRotCard), accessed on 26.04.2013.

later. Since social partners and IV made an agreement regarding the implementation of RWR Card, fierce conflicts among different actors as 2010 have not been observed. However, same as 2010, most important rationalities for the reform – demographic trend and economic dimension stayed the same and are reflected in Austrian media and documents by politicians, experts and also from the social partner side. Experts and studies emphasises the demographic trends and lack of labour market, social partners suggest the direction into the meeting demands from the labour market and politicians reflects these ideas in their statements.

In general in 2012, like in previous year, politicians, experts and different actors expressed satisfaction with the implementation of RWR card that it is going to the right direction. According to an article of *Die Presse* in January 2013, within a whole year of 2012 (numbers without in a year 2011 since July), 1931 applications were made for the RWR Card, and 1500 out of 1931 were accepted. Within this number, 1210 applicants are families who came together.³⁷

Since May 2012, the labour market is also opened for third country nationals, who belong to the category of skilled workers in shortage professions (they need to obtain 50 out of 75 maximum points). According to Kreuzhuber, it is social partners' task to develop the shortage list and it is in general very complicated process. For example, the vacancies, which are published in Austrian employment service (AMS) are put to relation to the job-seeking persons in the profession. Then if per one vacancy, maximum of 1.5 persons are unemployed, this profession could be considered as shortage labour list. However, social partners also had to negotiate both with employers and employee side and make proposals together to the ministry of social and labour affairs (Kreuzhuber 2013). One month before, in April, while social partners were still working to develop the “25 occupation lists with labour shortages”, secretary of ÖGB Achitz expressed the idea that ÖGB considers that it is equally important to develop more education and job trainings and develop the skills of people who are already in Austria to solve the labour

³⁷ Rot-Weiß-Rot-Karte: Zuwanderer-Regeln kaum genutzt (Die Presse 25.02.2013: http://diepresse.com/home/politik/innenpolitik/1348988/RotWeissRotKarte_ZuwandererRegeln-kaum-genuetzt?_vl_backlink=/home/politik/innenpolitik/index.do), accessed on 26.04.2013.

shortage problems.³⁸ Therefore after the implementation of RWR card, they still did not completely abandon this critical point which they had especially during the second phase.

Furthermore, *die Presse* reported in September that WKÖ and IV are requesting the further expansion of the RWR Card. General secretary of WKÖ Hochhauser mentioned that skilled foreign workers are urgently needed and one out of five jobs cannot be filled with the workers from the inside of Austria. He continued that therefore it is important for Austria to create a “welcoming culture” to attract highly skilled workers.³⁹ Later he also said that although the exact number, how many foreigners Austria need in the future is difficult to say, one clear point is in any case “the needs for more immigrants”. In order to solve the problems of demographic trends and lack of labour, he also emphasised the needs to consider a combination of attracting more immigrants, to develop more jobs trainings and to support more female workers in the labour market.⁴⁰

Discussions regarding the detailed expansion has been started since August, also to include graduates with bachelor degree to the category of RWR Card.⁴¹ By then, only graduates with a master or diploma degree could get the RWR Card. The main reasoning was for instance those students were educated by Austrian tax and it is logical that Austria expands this chance also to Bachelor graduates to stay in Austria after completing their study, start to work and pay tax. In the same time, the issue arose regarding too less foreign graduates from third countries stay in Austria after completing their study and after the implementation of RWR Card, only 222 graduates out of 1.285 graduates applied for the RWR Card, (in August 2012).⁴²

³⁸ Für ausländische Fachkräfte öffnet sich neue Tür (Der Standard 4.4.2012: <http://derstandard.at/1333528403193/Ab-Mai-Fuer-auslaendische-Fachkraefte-oeffnet-sich-neue-Tuer>), accessed on 26.04.2013.

³⁹ Facharbeiter: Ausländer dringend gesucht (Die Presse 18.09.2012: http://diepresse.com/home/wirtschaft/economist/1291658/Facharbeiter_Auslaender-dringend-gesucht), accessed on 26.04.2013.

⁴⁰ “Mehr Zuwanderer je nach Fortschritten im Inland” (Die Presse 11.07.2012: <http://diepresse.com/home/politik/innenpolitik/1264314/Mehr-Zuwanderer-je-nach-Fortschritten-im-Inland>), accessed on 26.04.2013.

⁴¹ Arbeitsbewilligung für Bachelor (Die Presse 21.08.2012: <http://diepresse.com/home/bildung/universitaet/1281492/Arbeitsbewilligung-fuer-Bachelor>), accessed on 26.04.2013.

⁴² Ausländische Akademiker an Jobs in Österreich wenig interessiert (Der Standard 16.08.2012: <http://derstandard.at/1343744963731/Auslaendische-Akademiker-an-Jobs-in-Oesterreich-wenig-interessiert>), accessed on 26.04.2013.

Throughout the year, IV and WKÖ suggested for the further improvement. For instance, IV general secretary Neumayer pointed out in January that although RWR card is successfully implemented, the issue of lack of skilled labour is still an actual problem and Austrian politic should actively try to attract those skilled workers, which Austrian companies need. Similarly, the president of the WKÖ, Leitl said that a successful marketing is important to inform skilled workers all over the world what kind of benefits they could have in Austria.⁴³

In sum, in general regarding the new labour migration law, from 2008 and to 2012, the main arguments focus on what Austria needs and what kind of positive impacts highly-skilled immigrants could bring to Austria. The main rationality which guided the policy reform is highly neo-liberal dimension with the logic of human capital. According to Peyrl, the important and positive change he considers with this new labour migration system brought is the “attitude”. As it is also clearly reflected in the same way he explained in Austrian media, most organisations and political parties except some extreme parties agreed and made positive comment, although there have been suggestions how it could be improved more. However in general it is very positive and Peyrl commented in the interview what is the main success of the RWR Card in his opinion:

... I have impression that because of the RWR card for the very first time, since 20 years migration is discussed in different ways. Since the beginning of the 90s together with the rising of extreme right-wing parties, in public opinion migration was always considered as a threat. However RWR Card changed this image because it is not treated as a threat anymore. Therefore I think that that is one of the main success of the RWR Card ... (Peyrl 2013).

As we can observe from the media analysis and interviews with experts, politicians and actors commented most of the time in a very clear manner that immigration is a key to solve the problems which Austria have. Especially in case of support group, they used the narrative storylines which is highly associated with the profit of Austria in order to transfer their leading framework to the wider public. As Carrera points out (See the introduction), within this narrative storylines, highly-skilled immigrants are defined as

⁴³ “Mehr Zuwanderer je nach Fortschritten im Inland” (Die Presse 11.07.2012: <http://diepresse.com/home/politik/innenpolitik/1264314/Mehr-Zuwanderer-je-nach-Fortschritten-im-Inland>), accessed on 26.04.2013.

“profit bringer” to solve demographic and labour market problems in Austria. Although there have been more cautious and protectionists approach, however, extremely negative connotation or rhetoric associated to migration – such as consequences of rising crime rate or potential threat to the national security – were never be found nor in Austrian media and through the expert interviews. Therefore, it could be concluded that in general regarding the new labour migration policy in 2011, migration is considered as a very positive phenomenon and key to solve the problems of Austria.

Role of the epistemic communities

There are evidences that could be found through the media and desk research and expert interviews, the interactions among policy makers, interest groups and epistemic communities. This section will show and analyse the evidences that could be found the interaction between epistemic communities and actors based on the three main methodologies: desk research, media analysis and interview with experts.

Firstly, the discussion paper written by WKÖ and IV in collaboration with IOM during the first phase “*Zuwanderung Gestalten: Ein zukunftsorientiertes Migrationsmodell* (Designing Immigration – a future oriented migration model)” was a root of RWR Card to establish the point system. In other words, this was a preparation process for the agenda-setting within the first phase. The final version of point system of RWR Card introduced in 2011 (See the Annex 1) is based on the points distributions suggested at this discussion paper in 2008 (See the Annex 2). By comparing those two tables (Annex 1 and Annex 2), one could see that there have been several modifications. For instance, the point distribution of “Very highly qualified workers” at the final version (Annex 1 – 1. Very highly qualified workers) is more specified in detail in comparison to the Pillar 2 – highly qualified immigrants (Annex 2) at the discussion paper. Particularly, at the final version, the additional point are given to the graduates of “Mint-subjects (Mint Fächer – field of mathematics, informatics, natural sciences and engineering)” as WKÖ and IV suggested. Additionally, “Bonus points for industry/sector or demand sector in Austria” which was suggested at the discussion paper was not adopted to the final version. However, although there are several modifications and different of point distribution in very detailed way, in general, the final version adopted a big categories suggested at the

discussion paper such as educational qualification, language skills, work experience and age.

Moreover, Donau university Krems – Department of Migration and Globalisation played an essential role to provide knowledge and information regarding the labour market system and trends in Austria (See the Annex 3). The department published several research papers and studies since 2009 directly requested by ministries, social partners and AMS (Arbeitsmarktservice : Labour market Service). Also in collaboration with other research organisations such as WIFO (institute for the economic research), IHS (Institute of higher education) and international or European organisations (e.g. IOM, EMN), the department provided legal, monitoring or prognoses documents. WKÖ for instance, in its official statements to the government draft regarding the change of the law for the employment of foreign workers in 2011, refers the study results of Donau University Krems and IHS “Potential effects of changing Austrian Migration Policy towards qualified immigration” by mentioning that through the criteria-based immigration system, Austria could enhance the proportion of key-workers and qualified workers and also the national gross income could increase to 1.8 per cent until 2050 and reduce the unemployment rate to 0.3 per cent.

Furthermore, together with the publications of several study reports, IV involved experts through diverse channels. For instance, since April 2008 to 2011, IV conducted the opinion measurement (*Stimmungsbarometer*) survey calls “Migration Mirror”.⁴⁴ The project involved several companies and experts (35 companies and 15 experts in April 2008) in order to evaluate actual position regarding the issue of “migration and integration” and to develop IVs work in this field. The survey was conducted every half year through the online-questionnaire with 30 questions, divided in seven categories (active migration politics, activity as the country of immigration, access to the labour market, language as the factor of integration, education as the factor of integration, social perspective, awareness-raising, overall evaluation). Then the responders (experts and companies) gave scores from 1(lowest) to 4 (highest) to each question to evaluate seven categories mentioned above. The result reports are available at IV website and according to the result report 2008-2009, experts evaluated very clearly that Austria needs a clear and transparent immigration system for the immigrants from non EU countries and that

⁴⁴ See more at: <http://www.iv-net.at/blm144> (IV Net – Migration Mirror, accessed on 13th August 2013).

Austria absolutely needs more qualified immigrants for the future economic and social development.

In Austrian newspapers throughout the 2008 and 2012, rarely the opinions or interviews of experts from universities, research institutions or international organisations could be found. Those experts were directly interviewed from the journalists and expressed their opinions. However, a few comments that could be find in media will be showed here.

For instance, Heinz Fassman, Migration Researcher at University of Vienna commented several times in Austrian media by pointing out problems of Austrian migration policy. For example in 2009, he mentioned at article of Der Standard *“Approximately 80 years of tradition of labour migration in Austria shows us that priorities are given to Austrian nationals first in labour market”* and when economic crisis hits Austria, migrants were among the first to loose their jobs. Also in 2010, he emphasised the needs of immigrants for Austrian society and argued that Austria is already too late to recruit highly-qualified foreign workers because those qualified workers are already immigrated to other countries. Furthermore, he emphasised that Austria absolutely needs more immigrants and especially the field of research and science is unimaginable without immigrants. In order to achieve this, he pointed out the importance of qualification-oriented migration policy that attracts highly-qualified workers from all over the world. In 2012, after a year since the implementation of RWR Card, Fassman expressed the idea towards further extension of RWR Card, especially for bachelor graduates and for part-time workers at University. He also emphasised that Austria needs to put more efforts in order to keep foreign graduates in Austrian universities. The problem of the brain-drain was also pointed out by Fassmann, by mentioning that there are 20.000 Austrians emigrating to other countries and many of them are young and highly-qualified.⁴⁵ He also mentioned later to expand RWR Card for the part-time jobs, because for instance most of university assistant positions are 75 percent jobs.⁴⁶

Economic Researcher Gudrun Biffel, at Donau University Krems – department of migration and globalisation also gave similar comments. For instance in 2010, she emphasised that qualified workers are very mobile people and they choose a country

⁴⁵ Kurz: Rot-Weiß-Rot-Card auch für ausländische Bachelorabsolventen (Die Presse 19.08.2012: http://diepresse.com/home/politik/innenpolitik/1280746/Kurz_RotWeissRotCard-auch-fuer-auslaendische-Bachelorabsolventen), accessed on 26.04.2013.

⁴⁶ Wunsch nach mehr Rot-Weiß-Rot (Der Standard 12.12.2012: <http://derstandard.at/1353209011953/Wunsch-nach-mehr-Rot-Weiss-Rot>), accessed on 26.04.2013.

where their degrees and experiences are expected and they can spend a good life with a future perspective. In this perspective according to her Austria has much to catch up and needs to put more efforts to catch those highly-qualified workers.

In 2011, Austrian medias reported the problems, which Austria faced based on the expert interviews and the reference of the studies. For instance, the result of migration report 2011, which was presented in Berlin in July indicates that too less people come to work in Austria in comparison to other countries. Migration expert Liebig from OECD (Organisation for Economic Cooperation and Development) pointed out the share of foreign workers compared to Germany (9 per cent) and Switzerland (2 per cent). In Austria it is only one per cent. Liebig mentioned that RWR Card is the right choice for Austria, however it will take time until it brings a remarkable and positive result and employees should also be prepared to hire foreign workers.⁴⁷ Also the result of the survey conducted by the market-institute with the request from the WKÖ was reported two months later, that 70 per cent of companies in Austria have difficulties to find proper workers because of various reasons such as lack of motivation (61 per cent) and qualification (59 per cent).⁴⁸

Throughout the interviews with IV, WKÖ and AK, it became obvious that these institutions are actively, formally and informally in contact with epistemic communities and they also conduct the research by themselves. The institutions have also their own expertise and are themselves parts of the opinion building within the organisations and they are actively participating on workshops and seminars in order to interact with other expert groups. In case of IV and WKÖ, especially when they were developing the discussion paper “*Zuwanderung Gestalten: Ein zukunftsorientiertes Migrationsmodell* (Designing Immigration – a future oriented migration model)” together with IOM, they actively involved expert communities such as European Employment Service, ICMPD (International Centre for Migration Policy Development), Institute of Geography at the University of Vienna, Austrian Integration Funds and several NGOs in order to put the information together and to discuss in detail (Schöngrundner 2013). According to

⁴⁷ Nur wenige Migranten kommen zum Arbeiten nach Österreich (Der Standard 12.07.2011: <http://derstandard.at/1308681072171/OECD-Bericht-Nur-wenige-Migranten-kommen-zum-Arbeiten-nach-Oesterreich>), accessed on 26.04.2013.

⁴⁸ Bewerber zu wenig motiviert und qualifiziert (Die Presse 06.09.2011: <http://diepresse.com/home/wirtschaft/economist/691239/Bewerber-zu-wenig-motiviert-und-qualifiziert>), accessed on 26.04.2013.

Kreuzhuber from WKÖ, although they invited experts and discussed together to develop the point-distribution model, it was not a formalised process and WKÖ, IV and IOM were pushing the most (Kreuzhuber 2013). In case of Peyrl, expert of migration law from AK, he is personally very often in contact with epistemic communities and scientists through the workshops and meetings since he is part of the opinion building group within the AK. He conducts several research by himself, communicate with researchers and talk to politicians in certain meetings and to the presidents, how the policy according to their opinion based on research should work. However, he considers that although science and knowledge provided from the epistemic communities are important, in his personal opinion, they are not as important as it should be and in reality politics do not always follow the science (Peyrl 2013). Furthermore, as it may as a nature of politics, policy makers and politicians will take the research which fits to their opinion in order to point out their specific points (Peyrl 2013).

Result of desk research and expert interviews show that there are evidences that actors were interacted with epistemic communities for their opinion building and to integrate ideas for the policy development. Especially WKÖ and IV were integrating and referring visually the opinions from expert communities for their study reports, discussion paper and statement to the government. Arguments from epistemic communities which WKÖ and IV mainly used were those, which explicitly emphasises the positive impacts which immigration could bring to solve the problem of demographic development and lack of labours in Austria. Particularly the statistical data, which estimates the ageing society with the decline of working age labour in next decades were often referred in their papers and statements to the government. IV for instance, through their own measurement survey projects actively involved the experts to evaluate the status quo and future direction regarding labour migration policy in Austria.

It is questionable the lack of expert communities opinions and lack of direct reference by actors in media. There could be several reasons. Invisibility of expert communities in media was an interview question with migration legal experts with Mag. Peyrl and he provided the inputs regarding this matter. According to his opinion, labour migration policy is a very delicate field of politics and within those field, the expert opinions, research and science are not always the only source to decide the policy development or change. In other words, within the less sensitive or less delicate political field it could be

easier to be research-based politics because those field less affect media, politicians, positions or populist parties. If the topic is sensitive such as migration topic which media is highly interested it has more conflicts in general.

Interpretation of results and conclusion

This thesis analysed the reform of labour migration policy in 2011 in Austria with the introduction of a point-based migration system, the so-called “Red-White-Red (RWR) Card”. In order to understand “why Austria made this change?” the main question “which rationalities guided this policy reform in Austria and who were the actors involved in this change?” was set. The core value of this change from the quota system which continued almost for 20 years to a point system is that Austria now controls its number of foreign workers not with quotas – number of entrance of foreign workers - but with skills of each individual. The thesis mainly analysed the policy process between the period 2007 and 2012 by dividing it into three phases – issue building & agenda setting (first phase), policy formulation (second phase) and decision-making (third phase). The reason for this specific period setting was firstly, the RWR Card entered into the governmental programme in 2009 and the law entered into force in 2011 and 2012. Although, the debate of RWR card continued until 2013, since the drafting of this article is in 2013, the year 2013 is not included into the analysis.

Although there exists literature focusing on Austrian labour migration policy before the introduction of the RWR Card and several information sheets and documents describe the technical and legal change itself, there is still very less academic literature which purely focuses on the analysis of the policy process with the introduction of RWR Card, since the new law entered into force in 2011, only two years ago.

However, there is academic literature that analysed the change of labour migration policy in other European countries and those literature provided a great tool to analyse the change which Austria made. Therefore the paper aimed to analyse this change in Austria based on the frameworks mainly provided by Balch, Menz and Cavides in order to answer to the main question “which rationalities guided this policy reform in Austria and who were the actors involved in this change?” The paper focused on the relationship among ideas, actors and policy process and three main hypotheses were set based on the theoretical frameworks.

The first hypothesis was regarding the role of experts to introduce ideas for policy formulation and the focus was put on epistemic communities. In Austria's case, there was a clear evidence that epistemic communities interacted through both formal and informal channels with policy makers and interest groups, and expert from those communities provided the knowledge about the phenomena. The ministries especially inner ministry and social partners consistently requested information between the period 2007 and 2012 to educational institutions, research organisations and international/European organisations under the condition of "uncertainty of phenomenon" as Haas puts it. Additionally, there have been several evidences that not only national communities but also policy makers took the knowledge provided by transnational communities and international organisations such as IOM, UNDP and OECD. Within this process of interaction between policy makers and epistemic communities there have been also key-documents which concretely brought the ideas and influenced on policy formulation. For instance, the discussion paper written by WKÖ and IV in cooperation with IOM was a root for the point-based system and it was used to process the discussion with other relevant actors. Additionally, the final version of the point-system for RWR Card adopted several points suggested at the discussion paper. Also politicians and actors referred the study results of the epistemic communities to interpret the trend or to suggest directions through Austrian media and their statements in parliament. As it could be observed from media analysis, quantified information especially statistical data, provided by the epistemic communities are most often referred to justify arguments and to give a reason for their statements. Studies which focus on modelling of future trends with quantitative analysis are especially frequently mentioned as a reference.

The second hypothesis was focused on the role of labour market interest groups for the labour migration policy change. As the Menz and Cavide's model showed, also in case of Austria, especially representative organisations of employees and employers had different leading frameworks by emphasising different core values. Therefore, similar conflict patterns between those two groups have been shown as in other European countries such as Germany or UK. In Austria, the social partners voice was particularly strong in the field of labour migration policy making and as both of those two authors pointed out, employer associations (WKÖ and IV) were actively supporting and pushing towards a more liberal labour migration policy through the introduction of the RWR Card. They

actively identified the problems which Austria faced,— such as lack of labours in certain sectors which requires highly-skilled workers, requested information to epistemic communities and processed policy proposals towards a more liberal labour migration policy for highly-skilled workers. Trade union and worker's association (AK and ÖGB) were rather protectionists at first and second phase, between 2008 until 2010, emphasising different core values such as wage dumping and more vocational training for workers already residing in Austria. They were mainly concerned about the idea of the employer's side to bring cheap labour into Austria and advocated strongly to set a strong law against wage dumping. Although there have been significant conflicts and divisions between different actors regarding the implementation of RWR Card, it could be concluded that those social partners – employers and employee side (WKÖ, IV, AK and ÖGB) were working together to find an agreement, which both side could be satisfied with by adopting wage dumping law and RWR Card, and they together brought the policy proposals to the government.

The third hypothesis was about the discourse itself. In other words, the thesis aimed to observe how politicians and actors sell their ideas to the wider public and which kind of narrative storylines did they use in order to be accepted by wider public. Firstly, the main rationality which guided the policy reform in Austria in 2011 was driven by dominantly neo-liberal economic dimension with the logic of human capital, emphasising the needs of Austrian labour market and the profits of Austria. Secondly, the demographic trend was also an issue. Between 2007 and 2012 the problem of an ageing society was consistently pointed out and mentioned by politicians and relevant actors and emphasised that Austria absolutely needs more qualified immigrants currently and in the future. Especially, during the second phase, especially in 2010, a fierce discussion between two groups – support and protectionist groups have been observed in Austrian media and the support group actively transferred expert knowledge – such as statistical data and demographic models – through narrative storylines into the public. For this group, the leading framework was Austria's needs and profits and these storylines were used by actors in this group very frequently. Thirdly, the strategic rhetoric emphasising the clear dimension of “managed migration” could also be observed. The policy aims to decrease unqualified, low-skilled and low-educated migrants and to increase highly-qualified and educated migrants which Austria could take benefits from for economic development. In order to distinguish highly qualified and low-qualified immigrants,

policy makers used rhetoric terms such as *“illiterate someone from the mountain”* to refer low-qualified immigrants, to make it clear which types of immigrants Austria wants and needs. Although within the RWR Card, discussions such as the debate of security or threat to the Austrian value, have not been observed frequently, however there have been rhetoric strategies to divide different types of immigrants, for instance, mainly describing highly-qualified immigrants as “best-brain”, and low-qualified as “illiterate someone from the mountain”. Within those storylines observed in Austrian media, highly-qualified immigrants were defined as “profit-bringer” and “problem-solver” for the ageing society and labour market structure.

Furthermore, a clear conclusion can be drawn by analysing the reports and studies provided by epistemic communities in request of policy-makers, and by observing expert opinions reflected in Austrian media. The epistemic communities knowledge and consensus were extended to “common ideas” reflected in Austrian media through narrative storylines and there has been a clear consensus between experts from the epistemic communities, labour interest groups and politicians. As several experts pointed out that Austria needs more people, more skilled workers and needs a transparent immigration system to meet those needs - those arguments were clearly transferred by politicians and actors in media. Apparently, two main arguments – demographic change associated with ageing society and lack of labour in Austria – were accepted by most of the actors involved and by public as if immigration could solve all those problems and it seemed that everybody was very convinced about this idea. Although Peyrl from AK pointed out through the interview regarding those two main arguments with a comprehensible logic such as - 1) if there is lack of labour in certain sector in economy, the first thing which companies should try is to raise the related salaries, not to bring cheap labour from outside only, 2) demographic trends which estimate the phenomenon in 2050 cannot be the only source because nobody knows how exactly economy will run in 2050, and 3) migration in Austria is something more than RWR Card, it is about the living and working conditions in Austria - the two main arguments – demographic trends and lack of labour - were dominating Austrian media from 2008 and 2012. The critical aspects pointed out by AK were hardly reflected there. The aim of this paper was to analyse the policy process, therefore the paper did not assess whose idea is more right or wrong. Therefore, regardless of whose idea is more correct within the policy process itself, it can be concluded that employer associations (WKÖ and IK) were more aggressive in terms of quantity in media and also their ideas reached to a wider public. In

addition, due to these main two reasons – demographic trends and lack of labour – migration is described as something like a very positive phenomenon, which could solve the problems that Austria faced.

Therefore, although there have been conflicts and divisions between different political parties and actors regarding the implementation of RWR Card, it could be concluded that there was a consensus among experts, politicians and interest groups that RWR Card is a right choice for Austria's needs. Although two main opposite political parties FPÖ and BZÖ criticised this political decision from the first until the end, after social partners reached an agreement in October 2010, fierce conflicts have not been observed and all actors involved expressed their satisfaction with a change. The discussion in 2012 for instance even went to a further expansion of RWR Card to additional groups, for bachelor graduates in Austrian universities. Therefore, it could be interpreted that there is a clear consensus in Austria that migration policy should lead to the direction of attracting highly-qualified immigrants.

Various actors were involved in this change in Austria in 2011, experts from epistemic communities, labour market interest groups and policy makers. There are evidences that epistemic communities provided information and knowledge to the labour market interest groups and policy makers, and they were transferred through the rhetoric strategies and narrative storylines to the wider public. Although there have been conflicts among different labour market interest groups, especially representative organisations of employees and employers, an agreement has been reached and a clear consensus among various actors has been reflected in Austrian media until the end of third phase - 2012. Experts, labour market interest groups and policy makers all have a similar idea that this reform was the right choice and is what Austria obviously needs. Until 2012, improvements and a further expansion of RWR Card were discussed in public discourse by those different actors. Therefore, it could be concluded that at least to these specific groups of migrants from third-countries – highly-qualified, educated or skilled workers who can provide labour for shortage professions in Austrian labour market, the policy might stay in liberal direction for some period.

This paper did not include the evaluation of RWR Card, since it has been implemented approximately only two years ago. However, it would be meaningful to analyse whether

this RWR Card implementation is an absolute success, and contributed to Austrian labour market significantly as it was expected. Also, the role of epistemic communities and interest groups in other categories of migration policy making – such as asylum laws – would be also a valuable analysis in order to understand the migration policy making of Austria.

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Annex

Annex 1. Red-White-Red Card: Point distribution

Sources from Federal Ministry of Labour, Social Affairs and Consumer Protection (bmask). Data available at: http://www.bmask.gv.at/cms/siteEN/attachments/6/7/6/CH2369/CMS1320222996526/2013-01-01_-_fact_sheet_-_rwr_card.pdf (accessed on 06.08.2013).

1. Very highly qualified workers

Third country citizens with very high qualifications can apply for a six month visa for the purpose of searching for employment in Austria, if they achieve the required minimum of points according to the following list of criteria:

Admission criteria for very highly qualified persons	Points
Special qualifications and abilities	Maximum of allowable points: 40
University graduation in course with four years minimum duration	20
<ul style="list-style-type: none"> • in the field of mathematics, informatics, natural sciences or engineering (the „MINT subjects“ 	30
<ul style="list-style-type: none"> • PhD or higher graduation 	40
Last year's gross salary in a senior management positions with a company listed on the stock exchange or a company for whose activities or field of trade the competent foreign trade office has issued a positive report:	
50 000 to 60 000 Euros	20
60 000 to 70 000 Euros	25
More than 70 000 Euros	30
Research and innovation activity (Patent applications, publications)	20
Awards (approved prize winner)	20
Work experience (matching the qualification or senior management position)	Maximum of allowable points: 20
Work experience (per year)	2
Six months work experience in Austria	10
Language Skills	Maximum of allowable points: 10
German or English language skills: Elementary use of the language on a basic level or	5
German or English language skills:	10

intensified elementary use of the language	
Age	Maximum of allowable points:
	20
Up to 35 years	20
Up to 40 years	15
Up to 45 years	10
Studies in Austria	Maximum of allowable points:
	10
Second part of the course or half of the required total of ECTS points	5
Complete university course (Diplomstudium) or Bachelor's and Master's degree studies in Austria	10
Maximum total of allowable points	100
Minimum of required points	70

2. Skill workers in shortage professions

Shortage occupations are promulgated each year in a regulation issued by the Federal Minister of Labour in consultation with the Federal Minister of Economics. The question as to which occupations are defined as shortage occupations depends on the development of the Austrian labour market.

For the years of 2013, the following professions are deemed as shortage professions.

1. Milling machinists
2. Metal turners
3. Technicians with a higher level of training (engineer) for mechanical engineering
4. Roofers
5. Graduate power engineers
6. Welders, cutting torch operators
7. Construction joiners
8. Electrical installers, electrical fitters
9. Agricultural equipment engineers
10. Technicians with a higher level of training (engineer) for power engineering technology
11. Graduate engineers in mechanical engineering
12. Pipe installers, pipe fitters
13. Carpenters
14. Technicians for mechanical engineering
15. Fitters
16. construction and furniture joiners
17. Technicians with a higher level of training (engineer) for data processing
18. Power engineers
19. Graduate nurses
20. Special technicians with a higher level of training (engineer)
21. Floor layers
22. Die makers, cutter makers and punch makers
23. Wood processing machinery operators
24. Painters

Admission criteria for skilled workers	Points
Qualification	Maximum of allowable points: 30
Completed professional education in a shortage profession	20
General university entrance qualification according to §64	25

Abs.1 University Act 2002, BGBl. I Nr. 120	
Graduation in university course with a minimum duration of three years	30
Work experience according to qualification	Maximum of allowable points: 10
Work experience (per year)	2
Work experience in Austria (per year)	4
Language skills	Maximum of allowable points: 15
German language skills: Elementary use of the language on a basic level or English language skills: Independent use of the language	10
German language skills: intensified elementary use of the language or English language: intensified independent use of the language	15
Age	Maximum of allowable points: 20
Up to 30 years	20
Up to 40 years	15
Maximum total of allowable points	75
Minimum of required points	50

3. Other key workers

Third country citizens who are to take up employment with a company as a key worker due to their qualification can apply for a RWR Card valid for 12 months if they

- Achieve the required minimum amount of points according to the list of criteria below
- Receive the legally binding minimum gross salary by their employer as follow:
 - Under 30 years of age: 50 % of the maximum assessment base under the Austrian General Social Security Act (2013: 2.220 EUR per month, plus special payments)
 - Over 30 years of age: 60 % of the maximum assessment, base under the Austrian General Social Security Act (2013: 2.664 EUR per month, plus special payments)
- No equally qualified unemployed person registered with the Austrian Federal Employment Service (Arbeitsmarktservice, AMS) can be recruited by the potential employer (mandatory labour market test).

The criteria required for skilled workers basically apply for key workers also. Key workers with special knowledge and abilities but without formal qualification are also eligible. In addition to that, professional athletes and professional sports coaches can receive 20 bonus points.

Admission criteria for skilled workers	Points
Qualification	Maximum of allowable points: 30
Completed professional education in a shortage profession	20
General university entrance qualification according to §64 Abs.1 University Act 2002, BGBl. I Nr. 120	25
Graduation in university course with a minimum duration of three years	30
Work experience according to qualification	Maximum of allowable points: 10
Work experience (per year)	2
Work experience in Austria (per year)	4
Language skills	Maximum of allowable points: 15

German language skills: Elementary use of the language on a basic level or English language skills: Independent use of the language	10
German language skills: intensified elementary use of the language or English language: intensified independent use of the language	15
Age	Maximum of allowable points: 20
Up to 30 years	20
Up to 40 years	15
Maximum total of allowable points	75
Additional points for professional athletes and professional sport coaches	20
Minimum of required points	50

4. Graduates of Universities and Colleges of Higher Education in Austria

Third country graduates who have

- Successfully completed (at least) the second part of their course (Diplomstudium) or
- Successfully completed Master's degree studies

at a university, college of higher education or accredited private university in Austria may after the expiry of their residence permit for a further six months in Austria for the purpose of searching for employment, if they hold a confirmation by the competent residence authority (Bezirkshauptmannschaft, Magistrat, in Vienna: MA 35).

They can apply for a RWR Card without labour market test, if within this period they find an employment according to their qualification based on a valid work contract and if they prove a salary equivalent to the locally customary salary of national graduates (junior employees), at least 45 % of the maximum assessment base under the Austrian General Social Security Act (2013: 1998 EUR minimum monthly gross salary plus special payment). The RWR Card entitles them to be employed with this employer only. The regulation does not apply for graduates who have completed only a Bachelor's degree in Austria.

There is no criteria examination according to the point system.

Annex 2. Model of point-distribution recommended at the study report "Zuwanderung gestalten: Ein Zukunftsorientiertes Migrationsmodell" (English title: Designing Immigration – a future oriented migration model) (written by IV, IOM and WKÖ)

Sources from: Zuwanderung gestalten: Ein Zukunftsorientiertes Migrationsmodell (P.15-17). EU Blue Card, low-qualified immigration and other forms of mobility are not included since they are not the criteria for the RWR Card. Translated by author.

Pillar 1 – Skilled migrants with job offer

The pillar 1 is a system for migrants with high or medium qualifications or for migrants with skills not available in Austria who have a job offer. The most important requirement

for Pillar 1 is the training in a professional field or work experience that is in high demand in Austria. This needs must be proved. For this purpose, the shortage occupation list and the labor market test could be accordingly used.

Criteria for the Pillar 1:

Criteria	Proposal for maximum points
Qualification Apprenticeship, High school graduation, Bachelor, Master/PhD Degree	Max. 30
German or English language skill	Max. 20
Work experience Ex. 2 points per year of work experience or professional experience in Austria (at least 6 months)	Max.10
Demands in labour market (labour shortage or labour market test)	30
Others Ex. Age (younger than 35 years: 5 points) Education/Graduation in Austria (5 points)	Max. 10
Bonus points for the education of partners (at least high school graduation)	Max. 3
Maximum total of allowable points	100
Minimum of required points	71

Pillar 2 – Highly qualified immigrants

This pillar aims highly skilled immigration are motivated to come to Austria. Since the Pillar 2 aims at attracting internationally prominent "top level" migrants, particularly attractive conditions needs to be offered.

Criteria for the Pillar 2:

Criteria	Proposal for maximum points
Qualification (formal completion of degree programme – Bologna) Bachelor, Matser/ PhD	Max.50
Work experience (Per year of work experience for example 2 points, or at least 6 months work experience in Austria)	Max.20
Previous salaries	Max.30
Age (ex: until 30 years old – 20 points, until 40 years old – 10 points)	Max.20
Studies in Austria (ex: the number of Semester)	Max.20
Bonus points for industry/sector or demand sector in Austria (ex: Industries)	Max.30
Maximum total of allowable points	140
Minimum of required points	100

3. Pillar 4 – Students

During the study to have a part-time job (20 hours maximum in a year) and during the holidays a full-time job is possible. Studying in Austria is a criteria in pillar 1 and 2. It is evaluated with points and therefore improve the chances of immigration after the completion of the study in Austria in pillar 1 and 2.

Annex 3. The studies published by Doanu University Krems (related to labour migration)

Year	Original Title	Title in English	
2009	Migrantinnen und Migranten auf dem burgenländischen Arbeitsmarkt.	Migrants in labour market in Burgenland.	Study for the AMS (Arbeitsmarktservice: Labour market service) Burgenland.
	Migrantinnen und Migranten auf dem niederösterreichischen Arbeitsmarkt.	Migrants in labour market in lower Austria.	Study for the AMS Lower Austria.
	Migration and Labour Integration in Austria. SOPEMI Report on Labour Migration – Austria 2008-09		
	Zur Niederlassung von Ausländerinnen und Ausländern in Österreich. Expertise zur Niederlassungsverordnung 2010 gemäß § 13 Niederlassungs- und Aufenthaltsgesetz (NAG). Endbericht 2009. gemeinsam mit dem Österreichischen Institut für Wirtschaftsforschung (WIFO)	For the settlement of Foreigners in Austria. Expertise for law of settlement and 2010 and visa policy final report 2009. Study in cooperation with institute for the economic research (WIFO).	Study requested by Inner ministry.
2010	Frauen und die Wirtschaftskrise – Soziale Dienstleistungszentren als Antwort auf Konjunktur- und Strukturkrise in Wien. Endbericht 2010	Women and economic crisis – Social Service Centers as answer to the conjuncture and structural crisis in Vienna. Final Report 2010.	Study requested by AK Vienna.
	Potentielle Auswirkungen einer Änderung der österreichischen Migrationspolitik in Richtung qualifizierte Zuwanderung. Gesamtbericht 2010 in Kooperation mit dem Institut für Höhere Studien (IHS)	Potential effects of changing Austrian Migration Policy towards qualified immigration. Summary report 2010 in cooperation with Institute of higher education (IHS).	Study requested by WKÖ.
	Zur Niederlassung von Ausländerinnen und Ausländern in Österreich. Expertise zur Niederlassungsverordnung 2011 gemäß § 13 Niederlassungs- und Aufenthaltsgesetz (NAG). Endbericht 2010. gemeinsam mit dem Österreichischen Institut für Wirtschaftsforschung (WIFO)	For the settlement of Foreigners in Austria. Expertise for law of settlement and 2011 and visa policy. Final report 2010. Study in cooperation with institute for the economic research (WIFO).	Study requested by Inner ministry.
	Migration and Labour Integration in Austria. SOPEMI Report on Labour		

	Migration, Austria 2009-10		
	Impact of Migration on Employment in Austria and the role of integration policies. Report of the National Expert - IOM Independent Network of Labour Migration & Integration Experts 2010 (LMIE INET)		
2011	Migrant Workers in Austria and Europe. Challenges for Industrial Relations, in particular Trade Unions.		Supported by Funds of the Oesterreichische Nationalbank.
	Migration and Labour Integration in Austria. SOPEMI Report on Labour Migration, Austria 2010-11		
	Women and the economic crisis. Integrating social services to safeguard social wellbeing and to promote economic growth.		Commissioned by the AK Vienna.
	Frauen und die Wirtschaftskrise – Vernetzung sozialer Dienstleistungen als Antwort auf Konjunktur- und Strukturkrise. Gesamtbericht 2011.	Women and Economic Crisis – Connecting Social Services as an answer to conjuncture and structural crisis. Summary Report 2011.	Study requested by ÖGB and AK Vienna.
	Auswirkungen der Arbeitsmarktöffnung am 1. Mai auf den Wirtschafts- und Arbeitsstandort Österreich. Studie in Kooperation mit dem Institut für Höhere Studien (IHS)	Effects of an opening of labour market on Economy and labour in Austria since 1. May. Study in cooperation with Institute for the higher education (IHS).	Study requested by Federal Ministry of Economy, Family and Youth.
	Deckung des Arbeitskräftebedarfs durch Migration in Österreich. Studie des Nationalen Kontaktpunkts Österreich im Europäischen Migrationsnetzwerk	Satisfying labour demands through migration – Study of EMN (European Migration Network) Austria.	
	Schule - Migration - Gender.	School – Migration – Gender.	Study requested by Federal Ministry for Education, the Arts and Culture.
	Zur Niederlassung von Ausländerinnen und Ausländern in Österreich. Expertise zur Niederlassungsverordnung 2012 gemäß § 13 Niederlassungs- und Aufenthaltsgesetz (NAG). Endbericht 2011. Gemeinsam mit dem Österreichischen Institut für Wirtschaftsforschung (WIFO)	For the settlement of Foreigners in Austria. Expertise for law of settlement and 2012 and visa policy. Final report 2011. Study in cooperation with institute for the economic research (WIFO).	Study requested by Inner ministry.
	Monitoring review on		

	migration, employment and labour market integration of migrants and ad hoc module on low and medium skilled migrants (2009-2010) Report of the National Expert - IOM Independent Network of Labour Migration & Integration Experts 2011 (LINET)		
2012	Migration and Labour Integration in Austria. SOPEMI Report on Labour Migration, Austria 2011-12.		
	Annual Monitoring Review on Migration, Employment and Labour Market Integration of Migrants and Research Question on Access to Labour Market Information - 2010-2011. Report of the National Expert IOM Independent Network of Labour Migration & Integration Experts (LINET).		
	Zur Niederlassung von Ausländerinnen und Ausländern in Österreich. Expertise zur Niederlassungsverordnung 2013 gemäß § 13 Niederlassungs- und Aufenthaltsgesetz (NAG). Endbericht 2012. Gemeinsam mit dem Österreichischen Institut für Wirtschaftsforschung (WIFO).		Study requested by Inner ministry.
	Anerkennung ausländischer Qualifikationen und informeller Kompetenzen in Österreich	Acceptance of foreign qualification and informal competences in Austria.	Study requested by Inner ministry.

Source from the Donau University Krems, Department of Migration and Globalisation : <http://www.donau-uni.ac.at/de/departement/migrationglobalisierung/forschung/index.php?URL=/de/departement/migrationglobalisierung/publikationen/berichte>

Annex 4. Interview Transcription

Interview transcript with IV

**** Interview with Dr. Alexandra Schöngrundner*

Q: Thank you very much for your invitation and I will start the interview. I want to start with a very general question. I would like to know the main idea of IV regarding labour migration policy in Austria.

A: I will start to talk about the situation in the past and now. We asked top ranking experts and scientists to develop immigration policy. Because we have to think that in the future we will need more workers and those experts estimated about 30,000 workers more in the next 20 years and the IV understands itself as motivator, as think-tank and somebody who thinks beyond the borders. The next step we think as important issue is to establish the position in the ministry, which will regulate the whole migration policy at one point. There is right now for Austria a state integration secretary (Staatssekretariat), but in the migration policy it does not exist the same thing. That would be the first step. For example, in Sweden there is a migration board and in the UK an immigration commission. Those organisations also work for the immigration policy. Also we have to calculate which people we need from which countries and for which professions. We are collecting information and try to analyse the situation. Who we will recruit in the next years, for instance. But we are not in the right situation. We now have experience with the RWR Card for the last two years and think that we want more.

Q: So do you think there are still several things to improve regarding RWR Card in Austria?

A: Yes, Austria needs to improve several things. I wrote down what Austria needs to change in next years. There are few weak points. Firstly, most of the employees have problems with administrative barriers. Because the process takes too long time and employees have to wait more than 8 weeks to get the RWR Card. Also the role of the fingerprint machine. Everybody needs to give fingerprints to get the RWR Card. And these fingerprints should be scanned and verified and it takes usually 10-14 days. They cannot simply work because of their not processed fingerprints. The applicants have to wait and after all these processes are finished they are allowed to work. They are not allowed to work until the RWR Card is completely issued.

Also graduates from Austrian universities cannot easily get the RWR Card because of the minimum salary – around 2000 EUR.

Q: Do you think the minimum salary is too high for graduates?

A: Yes, I think for some job positions it is too high. Therefore not every student can get the RWR Card.

Q: And you think that Sweden and UK are good examples, right?

A: Yes. Because they do all at one point and all the ministries work together and they support migrants from the beginning. Immigrants arrive and they know what to do from the beginning. Also in Austria, from the beginning they need to get support.

Q: Now I will change to another question. Before I came here to have this interview with you, I did media analysis in order to have an overall idea of IV

regarding RWR card. I realised that IV was from the first very actively involved for the implementation of the RWR Card. Would you agree with this?

A: Yes it was. The other colleague of mine was working before I came, and I also interviewed her. She said that the process started in 2006 and 2007, the discussion about the change of the labour migration system. They firstly visited other countries to get information and to show how it works there, in countries like Australia, US and Canada. They started to visit those countries and informed themselves about the different kinds of immigration policy. In 2007 they (the workers from the IV) went to an educational journey to Canada and after that they published a booklet in cooperation with IOM and WKÖ – (Zuwanderung Gestalten: Ein zukunftsorientiertes Migrationsmodell). After this visit to Canada they tried to involve think tanks and ministries to start a policy discussion about that. We contacted for example to IOM and social partners, we contacted to University of Krems (migration department) and a few migration communities.

Q: Could you please name these experts group you contacted?

A: They were IOM, European Employment Services, ICMPD, Institute of Geography at University of Vienna, Austrian Integrations Fund, several NGOs like Caritas etc– they all put the information together and discussed in detail again and again. After these discussions they reached to the scheme, the model of immigration policy. They created a point- scheme, how points should be distributed – for highly skilled workers, shortage occupations and key-workers. They discussed the categorisation of the labour migrants and how minimum points should be distributed.

Q: Why do you think they chose the Canadian model?

A: I think they thought that was the best to fit to Austrian system. There are different systems in demands and offers.

Q: My additional question is that usually in Austria, the government initially proposes a new policy, for instance in case of RWR Card the coalition government of ÖVP and SPÖ did. Would you say that the discussion regarding change of labour migration policy started within the IV, even before the government proposed?

A: It started more or less in the same time. They put in into the law and after that they established these different pillars for different categories of labour migrants – highly skilled workers, shortage labours and key-workers. The third pillar, for instance, for shortage labour group came into the law after one year. At first there existed only two of these pillars (highly skilled and key-workers). The shortage labours had a list and filled out the 18 professions and there was a log discussion, which profession should be in this list or not. This list is only in law for one year and after that we now have to discuss and debate again.

Q: Could you also please tell me how did IV communicate with other social partner groups such as AK and ÖGB?

A: They were concerned about the inflow of foreign workers and they already were concerned regarding opening of labour market for foreign workers. For example, there was a transition time of law for workers from the Rumania, they also have to ask for the permission to work. They don't need permission from 2014. And AK and ÖGB wanted to avoid salary dumping that migrants could reduce the salary level in Austria and danger the work places for people living in Austria. The only way to convince them was to find a shortage list of workers here in Austria, by telling them that there are not enough workers in Austria to do this job therefore we need foreign workers. On the other hand we told them that we also need highly-skilled immigrant workers because we have too less of them in Austria and these people have high salaries therefore there will not be the salary dumping.

Q: And do you know how long it took to make this consensus approximately?

A: The RWR Card entered into force since July 2011 and the debate took approximately two years. The pillar for the shortage labour, it took one year more to be implemented.

Q: What is the role of political parties and how IV sees their role in labour migration policy process? What is the relationship between IV and those political parties in Austria?

A: IV pointed out the interests of IV to them that IV is looking for foreign workers. I would say that politics and interest of IV, interests of entrepreneurs are almost the same. We tried to change labour migration policy in Austria to the right direction and also politics wanted to. Therefore for the RWR Card implementation IV and political parties had more or less the same idea. Therefore IV played a role as speaker and mentor for them. Of course there were different groups as I mentioned before such as AK and ÖGB. At first they did not want to open the market. They said there are enough unemployed workers in Austria therefore there is no need to change the policy. However, IV supported strongly from the first the policy change because this is an interest of our organisation.

Q: When we talk about highly-skilled workers, what IV considers as highly-skilled workers? For example, are there specific fields of preference within IV?

A: Researchers, scientists, university professors. Regarding the discipline, primarily natural scientists, mathematicians, computer scientists, physics because there is a lack of people who studied these subjects in Austria.

Q: IV mainly worked together with WKÖ. Is there any clear thing to differentiate the exact role which WKÖ and IV played?

A: WKÖ has to represent a certain range of groups – small- and middle-sized companies, self-employed workers, etc. Therefore they had to reach wider groups to bring them together. In this sense for IV it was easier because we could focus only on industries. But I think at the main point we are in the same direction.

Q: Thank you very much for the interview!

Interview transcript with WKÖ (Wirtschaftskammer Österreich)

MMag. Margit Kreuzhuber
Beauftragte für Migration und Integration
Abteilung Sozialpolitik und Gesundheit
Wirtschaftskammer Österreich

AK (Arbeiterkammer – Chamber of labour)
WKÖ (Wirtschaftskammer Österreich – Austrian Federal Economic Chamber)
ÖGB (Österreichischer Gewerkschaftsbund – Austrian Trade Union Federation)
IV (Industriellenvereinigung – Federation of Austrian Industry).

Q: Thank you very much for your invitation and support. I will start my interview with a very general question. What is WKÖ's main idea regarding new labour migration policy in Austria?

A: We would like to foster the attractiveness of Austria for qualified migrants. We have lack of labour in Austria and this lack will increase within the next years. We think that Austria has to open the country itself, this means that we have to increase our attractiveness.

Q: Before I came to this interview with you, firstly I did a media analysis to have a general idea. I have realised that WKÖ, together with IV, very actively supported RWR Card implementation from the beginning. Would you agree with that?

A: Yes, I would agree with that.

Q: Could you differentiate the role which WKÖ and IV played?

A: I would say that WKÖ should cover a broader range than IV. IV covers only industries, however WKÖ represents all Austrian economies (companies!). Every person who owns a company is the member of the WKÖ. Which means we have very big responsibilities because we have to cover all the interest of our members. In one hand we had same interest, however we also had to take into consideration other parts, for example, interest of seasonal workers – e.g. tourism, which is not the field of the RWR card. However, we (WKÖ and IV!) are generally in completely the same direction.

Q: Since when did this idea regarding change of labour migration policy started within WKÖ?

A: We visited Canada in the year 2007 and we learned a lot about the Canadian migration and integration system. When we came back to Austria, we were convinced that we have to change a lot the migration system in Austria. Therefore we invited other organisations, like IV, IOM (International organisation for Migration) and occasionally also other experts to develop together the proposal for a new migration system. We were analysing the models of Canada, Australia, New Zealand and especially, UK, in order to filter out the so called best practices and we created this best practice system which could fit into the Austrian system. And WKÖ contacted to IV and IOM and we developed the paper – Zuwanderung Gestalten (A paper which provides the models for the new point-based migration system with four different categories)– which was the output written in 2008. Furthermore, the RWR Card was a part of the coalition agreement of the government. One of the main points was that social partners were invited to create the criteria and we were invited by ministry of interiors to present the proposals.

Q: You mean within the WKÖ, it started in 2007 the idea of change of labour migration, although the coalition government started in 2008?

A: Yes, because within the coalition agreement, we had to give the proposals. This was the proposal, which created in 2007-2008 and this paper (Zuwanderung Gestalten) was presented.

Q: Would you agree that WKÖ was really an initiator of the process?

A: Yes.

Q: I would like to ask about this paper (Zuwanderung Gestalten) which WKÖ worked out together with IV and IOM. For example, there are these four categories (four pillars) - whose idea was it? Why Austria chose the Canadian model for instance?

A: I would say that it was the ideas within the process. And I think that these categories are more similar to the UK system. In fact it is the mixture of every system. For instance the shortage labour list is from the Australian model. Therefore one cannot say that its only Canadian or UK model. Of course it is also similar to Canadian system because it is a point-based system and in Europe, Canadian system is the most well-known I would say. We built categories based on the mixture of other countries models which could fit to Austrian system.

This paper was the base for the negotiations with other social partners but in process it was also modified. However I would call it a root.

Q: I have detailed questions about the categories. For instance how did you build the shortage labour list?

A: That was a very complicated and difficult process. The vacancies, which are published in Austrian employment service (AMS), they are put to relation to job-seeking persons in this profession. If per one vacancy, maximum 1.5 persons are unemployed, this profession could be considered as shortage labour list. However we also had to negotiate with employers and employee side and make proposals together to the ministry of social and labour affairs, and they made the labour shortage list. And this is the task of the social partners.

Q: What about the other two categories – very highly skilled labour migrants and graduates in Austrian universities? What means highly-skilled exactly? Could you please comment on this?

A: We see a very strong demand in MINT-faculties (natural science and technologies) for example. If you studied these subjects you have very good chance in Austria because Austrian industry and companies are strongly looking for people in this field. This means that if you are graduates or specialists of MINT-faculties, you get additional points.

Q: In case of graduates of Austrian higher educational institutions such as universities, if they finished their master or magister degree programme they are allowed to stay in Austria for additional 6 months to look for a job and if they find a job with a minimum salary approximately 2000 EUR they are eligible to get this RWR Card. My question is do you think that this 2000 EUR is justified or too high?

A: This is a political discussion at the moment. Maybe it could be modified. I think also the reason was that especially for the government, they were afraid that there could be replacements of Austrian graduates. This was not the proposal of the social partners. It was the government decision. For WKÖ, in general, we consider that it could be modified.

Q: I will move to the next question. I would like to know how do you get in touch with expert communities – epistemic communities such as IOM and research institutions. For instance as you showed me before, you wrote together with IOM this paper. Was there any other organisation you worked together and if yes, how did you work with them exactly? E.g. workshop?

A: Yes, we discussed together however this was not the formalized process. We also invited other actors, experts, but indeed we were a small group. I would say these three organisations – WKÖ, IV and IOM were pushing the most.

Q: Could you please name some expert groups you worked together?

A: The problem is that I don't know whether they want to be named therefore I cannot give you these expert groups we worked together. But as you could find from the internet sources, we requested a study to Donau University Krems – department of migration and globalization for the negotiations with the ministries and social partners. For instance the study – Potential effects of changing Austrian Migration Policy towards qualified immigration. Therefore there are directly and indirectly clear cooperations with research communities.

Q: When you work together with other expert communities including research institutions, do you usually accept and take the information provided by them?

A: Yes, of course and we also did a lot of research for our own.

Q: I will go to the next question. When I did my media analysis, I realised that there have been conflicts between social partner groups and IV – especially with AK and ÖGB. What was the main conflict?

A: We have different interests. WKÖ's interest is that we represent Austrian employers. We have to guarantee that Austrian employers get qualified foreign labours, which they really need. We have lack of labour in Austria and this will continue in the future. Therefore this is our task. For sure, the task for the AK and ÖGB is different since they are representing Austrian employees. Sometimes they also consider that there could be replacements of the labour market. If foreign workers come, this could increase unemployment rate of the Austrian population.

Q: In 2008, the ÖGB clearly mentioned their protectionist idea regarding the new labour migration system. However they changed by time. They made consensus with WKÖ and IV. How did you convince them?

A: WKÖ was strongly interested in RWR Card. However, there was another topic which ÖGB was strongly interested in. In 2011, there has been complete opening of Austrian labour market to EU 8 countries (countries which joined to EU in 2004). The employee side, they wanted to make regulations combating against social and wage dumping. This means that they had strong interest in this topic, which was in some way, also the topic of immigration, therefore we had to make very strong negotiation to cover all these topics. And in order to cover all these topics, it took approximately two years. The negotiation took two years and I personally was involved in RWR Card for four years (2007-2011).

Secondly, this is very typical for the Austrian social partnership. When we are negotiating, we don't put this in media, we just say that we are negotiating for this. We were communicating for the solution between 2008 and 2011. And I would say that we found a consensus which was ok for everyone – a very typical negotiation.

Q: For instance, I found in internet a discussion paper of social partners which was discussed in Bad Ischl.

A: Exactly. This was October 2010. In the coalition agreement, as I said before, social partners were invited to set the criteria. Therefore this means that in 2010, we were presenting the criteria in detailed way. We gave it to the government and we started the negotiations with ministries.

Q: I will move to the next question. Do you think that there is a need for further improvement of the RWR Card? If yes, could you please comment it?

A: There are several proposals for example, we consider that RWR Card should be open to bachelor graduates, and the job-seeking period of 6 months is too short because there is 8 weeks of procedure time. We also think that modification is needed for the criteria building, how points should be distributed. At the moment, for example nurses are in labour shortage list. However if nurses are older than 40 years and don't have a high school degree (although normally nurses have high school degree in general) then they have no possibility to pass the point-system. And this was not the social partners proposal. Initially, we had language criteria, which had 5 more points, and if they have German skills of more than A2 level, even if they are over 40 years old they could increase the point and they would have passed. However it was modified in the process and the 5 points were cut, therefore now they cannot pass. This is a big problem. People who do not have high school degree there is no way to come to Austria. And we would like to modify it. We are currently elaborating proposals what could be improved.

The other main improvement necessary is the strategic question that we need a master plan – for the qualified immigration. RWR card is very important tool however we need more. For example, what is the image of Austria abroad? Therefore marketing is also important. And who is really responsible for the RWR card? There are several ministries involved however who is really coordinating it?

For example, we have a national action plan for integration but nothing for the migration. We also need something for the immigration.

Q: I will move to my last question about the role of the political parties. How do you see the role of the political parties in the process? What are the relations with WKÖ and political parties?

A: Our task is to make a proposal by saying that we have to change these conditions and frameworks for employers positively because employers are creating jobs. Our task and role is to suggest modifications as well therefore we are elaborating ideas, proposals and we are presenting to political parties that this could be good solutions so please consider this – kind of lobbying process I would say.

Q: What kind of main sources are you using for example to propose something (e.g. modification) to the political parties?

For instance we came to know from our companies, our members, that there is a problem of procedure. The procedures of the RWR card take too long. This is the source of the information, the critical feedback and we consider how to improve this – to whom we should contact to improve this for example.

Also we are in a lot of committees therefore we get the first hand information directly from the ministries. But if we need additional information we are addressing, we also contact to the other groups – such as expert and epistemic communities.

Q: Thank you very much for your cooperation!

Interview transcript with AK (Mag. Johannes Peyrl)

AK (Arbeiterkammer – Chamber of labour)

WKÖ (Wirtschaftskammer Österreich – Austrian Federal Economic Chamber)

ÖGB (Österreichischer Gewerkschaftsbund – Austrian Trade Union Federation)

IV (Industriellenvereinigung – Federation of Austrian Industry).

Q: Thank you very much for your invitation and support. I will start the interview and I would like to begin with a general question. How would you define the role of AK in general?

A: We regard ourselves as think-tank and expert organisation. Within the AK, there are experts of wide-range of policy and social fields. Regarding to the law we are obviously a political actor because all employees are by law members of the AK they expect us to play a role as an actor. In reality, we also try to work with trade unions, very often we agree and trade union is putting in the medias.

Q: Could you please tell me what is the main idea of AK regarding the new labour migration policy (Red-White-Red Card) in Austria?

A: That is on what social partners worked together. Generally, I would say that it was one success of the social partner in Austria, that we put together the idea for the labour migration policy, our proposal was adopted into the law therefore as social partner we are satisfied with this change. Although there are some parts that we think it could be more improved, and there are parts we are very satisfied – however in general, yes we are very satisfied with this new law.

Q: Before I came to interview with you, I did a media analysis – by using online newspapers, articles of die Presse and der Standard between 2008 and 2012. And I realised that at first, in 2008, AK and ÖGB were rather the protectionist group, in other words, I had the impression that they were partly sceptical about certain

points, in comparison to very actively promoting groups such as WKÖ and IV. I would like to have your comment regarding this.

A: Yes, There are two conditions which were very important for AK and ÖGB – proper payment of salaries and more vocational trainings for the workers who are already in Austria. You might have to look at the detailed reasons as well – why WKÖ and IV were very enthusiastic. Because what they wanted was to get cheap labours – they wanted qualified and cheap labours. And this is the point which AK was very careful about. AK considers it as very important that foreign labours come into Austria and get properly paid for example – and that is the main aim of the AK and ÖGB, because we are the representatives of the workers.

Another thing is that AK also agrees that Austria needs labour migrants. However, there are critical factors which should be considered beforehand as well. For example AK wanted that companies also take care of their own workers as well –by increasing the vocational trainings. And AKs concern was that WKÖ and IV tended to forget this part.

Q: Through the media analysis I realised that ÖGB for instance in 2008 mentioned that Austria already have a good labour migration system therefore there is no need to change. Could you please comment your opinion regarding this?

A: Yes, we can actually argue a lot whether the old system was good or bad in several ways. I would say that the new labour migration system – the Red-white-Red card (RWR Card) system is similar to the old system. You might call it point-system or system of the requirements, however when you look in detail the RWR card system, especially the third-pillar (other key workers – regulated by Quotas), this is not different from the old system. Furthermore, if you look in detail the most people who came through this new system especially through the third-pillar, it is actually quite similar to the old system. Therefore, actually the history showed that ÖGB was right in a certain way.

However I would say that the important and positive change which this new labour migration system (RWR Card) brought is the attitude. Most organisations and political parties except some extreme parties agreed and commented positively regarding this new labour migration system – although there have been some comments how it could be more improved – however in principle, it was very positive. And I have impression that because of the RWR card for the very first time, since 20 years migration is discussed in different ways. Since the beginning of the 90s together with the rising of extreme right-wing parties, in public opinion migration was always considered as a threat. However RWR Card changed this image because it is not treated as a threat anymore. Therefore I think that that is one of the main success of the RWR Card.

Q: That is very interesting comment. As you mentioned, Austria had a long tradition to discuss migration associated with negative impacts. And what do you think the background of RWR Card changed this image?

A: WKÖ and IV, and certain parts of the politics said we really need specialists, we are lack of them which is not entirely true actually. It is little bit a myth that everybody seems to believe.

Q: It was always depicted in medias as well that several organisations and political parties emphasising that Austria lacks the specialists and highly-qualified workers, what you pointed out just before. And what do you think about it? In which source their arguments are based?

A: I would say that these arguments are based on nothing actually. It is clear that in every economy there are some job positions which should be fulfilled and for example, if Austria really needs highly-qualified workers and specialists, try to imagine this way – If a company does not have enough tailors for instance, then this company will go to tailors working in another companies and will suggest them a higher salary to get these workers which they do not have – raising the salaries. However this did not happen in Austria. WKÖ, IV and some parts of politics preferred to bring foreign workers instead of raising salaries for the workers they need, who are already residing inside Austria. Therefore I would say that it is hard to believe these statements. WKÖ and IV conducted the interviews within their members – companies, entrepreneurs and industries, all saying that “Yes, we need million specialists”. However there is no proof that even if companies raise the salaries there would be still lack of workers and specialists.

Q: I realised through the media analysis that although in 2008, AK and ÖGB were rather protectionist position, in 2010, it seemed like at least in media that they were completely agree to IV and WKÖ. And why is that?

A: It was actually a compromise for sure. WKÖ and IV obviously more often appeared in media than AK. The compromise we made was not only regarding RWR card, but also in another area – new laws against social and wage dumping. The compromise was for sure about the labour migration issue, which is more driven by WKÖ and IV, and AK and ÖGB wanted the law against social and wage dumping. Because the Austrian labour market was opened to the “formal” new EC countries in May 2011, and AK wanted the law to prevent wage dumping. That was the whole compromise. After that which I consider as one of the main successes is that now it is really a serious offense not to pay according to the collective agreement. Until then, if workers get paid less than he/she should get, they go to the court and get the salary which they supposed to get beforehand. So the employers had nothing to loose. And now in Austria, the employers not only need to pay properly but also they go to the court – it is a crime. That was considered as a success for the AK and ÖGB because now, it is much harder for companies to betray workers. Therefore it was a deal with other social partner groups. However it does not mean that AK was not in favour of the labour migration.

Q: Do you think the IV and WKÖ played the leading role for the new labour migration policy in Austria? How AK would evaluate it?

A: Actually the government did. When the last coalition government has been built after the last election, they set up a coalition treaty and within this it was already written that they would invite social partners for the new labour migration system.

Q: And when was it?

A: It was in 2008.

Q: But for example, WKÖ said that they started in 2007.

A: If you ask them in five years, they will say that they started in 1993. Well, they could have this idea since 2007, we all have this and that idea, I have ideas everyday. It is a bit astonishing because what WKÖ really likes is that they don't care about the living conditions or working conditions, language test before getting the residence permission. They talk a lot about how to make people come to Austria, however if we look at the policy, I would say that their interest is in cheap labour. If you have an application for family reunification, you have to prove for father, mother, sisters and etc that you need approximately 1600 EUR – just to prove to authority. I know for example a case that an Austrian man wanted to bring his wife to Austria, but she was 19 and she could not enter into Austria, but their child could come. However the WKÖ does not care about such things. Also the ministry of the interior, many of them are actually from the same party as most of the WKÖ people are. So it wouldn't be the great deal for them. Therefore I consider that one cannot conclude that WKÖ and IV took the leading role because they didn't consider enough the welfare of the people. They were interested in cheap labour. Migration in Austria is something much more than RWR Card. It is about the living and working conditions of migrants in Austria. In this sense WKÖ and IV do not play a leading role I would say.

Q: I consider that it is very Austrian specific – that although AK and WKÖ have different ideas because they represent different groups, they try to work together to make the compromise, also in case of the labour migration policy.

A: Some political scientist say that social partnership is one of the main reason why Austrian system is developed for example in economy that we do not have big strike or industrial action because in most things we find a solution together. Although there are conflicts however we try to work together.

Q: I will go to the next question – the role of the epistemic communities, the expert idea. How powerful are they? In other words, the actors and politicians followed the epistemic communities, ideas from researchers and science (social and political science) a lot for the labour migration policy reform? How would AK assess it?

A: They are actually important. To my personal opinion, they are not as important as it should be. Politics do not always follow science actually. That's what I sometimes feel as pity.

I personally am very much in contact with Donau Universität Krems for example. I am personally contacting very often with researchers and experts. As far as I am concerned, I am in contact with scientists through the workshops and meetings. I am part of the opinion building group of the AK and I talk to the president. I am in favour of research and it also affects the opinion of AK as well. We try to listen to expert communities. But well, I personally feel that it could be more.

Q: I barely see the research communities opinions in media or their studies.

A: I work as expert of migration law at AK, I also have to do the research by myself. In our expert levels, talk to researchers and read a lot of their papers, and of course together with our knowledge, we talk to politicians in certain meetings and tell to the presidents, how the policy according to our opinion based on research should work. But often in politics, you never know. Labour migration is of course a very delicate field of politics and I feel that within those delicate political fields, the expert opinions, research and science is not always the only source to decide something. In everyday politics, it is often going to one direction without knowing exactly why. If you are working in the field of politics, which is not every life, not everyday in media, maybe its easier to have research-based politics. Because it doesn't affect media, politicians, positions, populist parties, etc. So it is much easier to work in a field where you can live in the shadow of the media. If you have a topic where the media is interested then you have more conflicts of course. I never met anybody who hasn't got his own opinion regarding the labour migration policy. No matter how much she or he knows regarding this issue. That is same for any politician. Everyone has an opinion and in case of AK, there are elections every 5 years (next March) therefore our politics are driven by our elected politicians. And they are the form of decision makers.

Q: I would like to talk about the ideas which formed the change of labour migration in case of Austria – I would like to know where it comes from? Some theories argue that it comes from the epistemic communities or others say from actors. For instance, in media, I realised that especially politicians often refer to statistical data – such as demographic trends, e.g. how much workers Austria might need in next years.

A: Statistical sources from the Statistik Austria – I would call that it is a bit a popular science. That's what WKÖ says often as well. What we know for sure is that we will not have enough inhabitants in 2050 and that labour migration policy should change. But it does not mean that we know exactly how many workers we might need. It is not about the people in Austria, inhabitants, however it is about the creation of jobs. And we simply do not know how economy will run in 2050. So we do not now how many workers we will need exactly. Of course we have to keep our social system – pension system for instance. However eventually we need to create the jobs. If we create jobs,

either we attract migrants or it is good for next generations in Austria – regardless of their nationalities or background. Furthermore, there are still unemployed people in Austria and there is plenty of room that we put those unemployed people to the jobs. A demographic argument is this kind of an argument with which you can kill any other arguments.

Q: Some other studies – living conditions, e.g., it is hard to find them in media.

A: maybe they are too complicated for newspapers actually. However for example there are several studies done each year by Donau University of Krems – for the quota system of family reunification, number of the quota for foreign workers which includes plenty of statistics, and also integration studies.

Q: So would you agree that when politicians or actors refer the studies in media sources, it is kind of selective?

A: Yes, that is the way it is. Maybe that is the nature of politics. They will take the research which fits to their opinion in order to point out their specific points.

Q: In case of AK, when do they go to scientific communities to request information?

A: Of course it depends on the specific targets, to get the data in one hand. But I would say not only that. It's part of my job and I have my contacts and I can contact them to ask for particular data. But in general we try to have regular contact with scientific communities.

Q: I will move to the next question. I would like to know about the role of political parties – and how do you work with them?

A: Yes, we talk to each other – we talk to nearly all parties, although majority of our elected people are social democratic, also in the case of the trade union it is the same. Therefore, we have the most contact with the social democratic party (SPÖ). I personally also talk a lot to the Green party, I do talk to peoples party (ÖVP) - I have meetings with representatives of all parties. And of course in our committee inside the AK, we have people from all parties – even FPÖ (Freedom party Austria – populist right party). Regarding my general topic of immigration law, we do not talk too much to FPÖ. However we don't exclude FPÖ.

Q: So would you conclude that social partners, politicians and epistemic communities they work all together?

A: For RWR Card, social partners worked together mostly. But as I mentioned earlier we talk to also all political parties – for instance the Green party had some critical points and it was a fruitful discussion, FPÖ said actually that RWR Card would result in a flooding

of Austria with cheap labours, which of course you do not have to be expert to know that this is not true. There have been a lot of discussions among different political parties however AK tries to communicate with politicians and actors who doesn't speak political ideas very far from the realities.

Q: I would like to move to the final question. Are there several points for the further improvement of RWR Card in your opinion?

A: Yes. Firstly lets talk about the foreign graduates at Austrian universities or higher educational institutions. Social partners gave people who finished their study in Austria the chance to stay in Austria. However if we look at the numbers its not the case, it is not working this way. There are too less students who stay in Austria after their graduation. Two reasons for this – it is not open to the bachelor graduates, and the minimum salary which is around 2000 EUR.

Q: What do you think about this minimum salary? Do you think it is too high?

A: As AK, we think that it is not too high because we are talking about graduates with a Magister or Master degree and with this degree you have to get 2000 EUR in Austria. On the other hand we have to be realistic and for some parts of economy it is not the case. The official opinion of AK is that it is justified. In the social partners proposal for the RWR Card, there have been no conditions of minimum salary for graduates. Government decided it. My personal opinion besides from the AK is that one should distinguish some kinds of studies – social and natural science, computer science. That's what I feel because the aim is to keep good qualified students who studied in Austria, Austria financed the study - which is a good thing- but as society we should able to benefit from it.

Q: What do you think about the opening of the RWR Card to bachelor graduates? Do you think Austrian companies are prepared enough for this?

A: As AK we say, we are talking about really qualified people. The economy itself is not prepared enough to hire bachelor graduates. And migrants cannot heal everything when even Austrian bachelors they do have problems to find a job after finishing the study (with bachelor degree). As long as the economy wouldn't hire any bachelors, regardless of their nationalities, it doesn't make sense to open to bachelor graduates from foreign countries (from third countries). And I think if we open to bachelor graduates, it might be a threat to do wage dumping. However I am not sure about this matter very clearly. However, in theory we want to keep those students but in practice it is not working. Therefore, this discussion regarding open to bachelor graduates arose I would say. For foreign students (from third countries) who studied in Austrian higher educational institutions like universities, before the RWR Card was implemented, it was very hard to stay in Austria after finishing their studies. RWR Card changed this situation a little bit, not as much as we wanted. The environment in Austria is not very friendly for migrants – migrants are not regarded as cultural enrichment. It has nothing to do with the law - if

people don't feel welcomed, Austria will not get the people it needs. Furthermore, although the change of the law is important, in order to get a job the network is very important I would say. This should be considered as important factors to keep those students.

The second problem is regarding the language. In Austria the official language is German and it is impossible to change to English. And that's the problem because when people have to choose between English speaking countries and Austria – mostly they will choose English speaking countries like UK, USA or Australia.

There is an improvement which came into force few weeks ago that the employers are also eligible to do the applications. Before, the whole resident permits had to be made in Austrian embassy in their home country (except some countries like who doesn't need the visa – e.g. Korea, Serbia, USA). But if they do not manage your files in three months you have to leave. There have been cases that it took 7-8 months. The same case for the RWR Card applicants. Now employers can do the application and it facilitates many things.

Q: Thank you very much for your cooperation and for the interview.

Abstract

This thesis is about the labour migration policy in Austria – mainly the policy reform in 2011 by introducing the Red-White-Red card. Roughly saying, Austria had three main changes regarding labour migration policy system. From an initial guest worker system to a quota system, which was introduced in early 90s and continued until 2011. Austria introduced a more flexible new immigration scheme for highly-skilled foreign workers and foreign graduates at Austrian universities from non-European countries and related rules entered into force on July 2011. This was a big change which Austria made and the thesis aims to analyse why Austria reformed its labour migration policy. The focus will be put on various actors involved in this change and ideas that influenced on this labour migration policy reform. The thesis will cover the period between 2007 and 2012 divided into three phases – *issue building and agenda setting*, *policy formulation*, and *decision-making*. Within this process, it will show the role of epistemic communities to bring certain ideas to policy makers. Additionally the thesis will introduce the role of labour market interest groups such as employers and workers association and their main conflict especially during the policy formulation phase. Within this process, it also analyses the narrative storylines which different groups use to transfer their message to the wider public mainly based on the media analysis. The conclusion will summarise main-findings in order to answer to the main question “which rationalities guided this policy reform in Austria and who were the actors involved in this change?”

Zusammenfassung

Diese Masterarbeit behandelt die Arbeitsmigrationspolitik in Österreich mit dem Fokus auf die Reform im Jahr 2011 durch die Einführung der Rot-Weiß-Rot-Karte. In den letzten Jahrzehnten vollzog Österreichs politisches System, grob gesprochen, drei wichtige Änderungen im Bezug auf die Arbeitsmigration. Ausgehend von einem anfänglichen Gastarbeitersystem wurde am Anfang der 90er Jahre ein Quotensystem eingeführt und bis 2011 fortgesetzt. Danach führte Österreich eine flexiblere Regelung für neue Zuwanderung hochqualifizierter ausländischer Arbeitskräfte und ausländischer Absolventen an österreichischen Universitäten aus nicht-europäischen Ländern ein und die damit verbundenen Vorschriften traten im Juli 2011 in Kraft. Dies stellte eine große Veränderung der österreichischen Politik in Bezug auf Arbeitsmigration dar und diese Arbeit analysiert, warum und wie Österreich diesen Schritt setzte. Das Hauptaugenmerk liegt dabei auf den verschiedenen Akteuren bei diesem Wandel und auf den Ideen, die diese Reform beeinflusst haben. Diese Diplomarbeit behandelt den Zeitraum zwischen 2007 und 2012 und ist in drei Phasen unterteilt – Problemfeststellung und Festsetzung der Agenda, Politikformulierung und Entscheidungsfindung. In diesem Prozess wird die Rolle der epistemischen Gemeinschaft, bestimmte Ideen an die politischen Entscheidungsträger heranzutragen, aufgezeigt und analysiert. Zusätzlich wird die Rolle von Interessengruppen der Arbeitsmarktpolitik, wie zum Beispiel Arbeitgeber- und Arbeitnehmervertretungen vorgestellt und ihre wichtigsten Konflikte, vor allem während der Phase der Formulierung der Politik, analysiert. Außerdem werden, basierend auf einer Media-Analyse, auch narrative Handlungsstränge, die von den verschiedenen Gruppen verwendet wurden um ihre Botschaft an die breite Öffentlichkeit übertragen, aufgezeigt. In den Schlussfolgerungen werden die Hauptideen zusammengeführt um eine Antwort auf die wichtigste Frage zu geben "welche Rationalitäten haben diese Reform in Österreich begleitet und wer waren die Akteure, die sich an diesem Wandel beteiligten?"

Curriculum Vitae

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Education

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United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA)

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International Organisation for Migration (IOM)

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