Labour Immigration Policy Dataset:

Code book

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1 Introduction

This note provides a brief description of the Labour Immigration Policy Dataset I created and analysed in the following two publications:


I strongly recommend reading Ruhs 2013 (especially chapter 4 and Appendixes 1-3) and Ruhs 2017 (especially section 3.1) before using the data. For any questions about the data, please do not hesitate to get in touch with me: martin.ruhs@conted.ox.ac.uk The data should be cited as Ruhs 2013.

2 Data Coverage

This database includes two separate indexes that measure: (i) the openness of labour immigration programs in high- and middle-income countries to admitting migrant workers; and (ii) the legal rights (civil and political, economic, social, residency, and family reunion rights) granted to migrant workers admitted under these programs. Ruhs (2013) provides a detailed account of the methodology underlying these policy indexes.

Countries

The database includes all high-income countries (i.e., those with gross national incomes [GNI] per capita that exceed US$11,905 in 2008, as defined by the World Bank) with a population exceeding two million, and, to ensure broad geographic coverage, a selection of upper- and lower-middle-income countries. In total, the sample comprises 46 countries including 34 high-income countries. The complete list of countries is shown in Table A1 in Appendix 1 of Ruhs (2013).

Labour immigration programs

The data focus on labour immigration programs, defined as policies for regulating the number, skills, and rights of migrants who are admitted for the primary purpose of work. The focus on labour immigration programs for admitting migrant workers (such as the “H-1B program” in the US and the
“Tier 2 program” in the UK) means that the data exclude various other groups including: migrants admitted for the purpose of study, family union or reunion, or humanitarian protection; migrants admitted under various channels that include an employment component but not as the primary purpose of immigration, such as au pair programs and “working holidaymakers”; migrants admitted under specific work-related immigration programs that are internationally negotiated (such as “intracompany transfers,” which are regulated by GATS Mode 4) and/or that do not treat migrants as employees (e.g., programs that admit self-employed migrant entrepreneurs); and migrants who entered and/or are working illegally in the host country. The data also exclude migrants admitted under free movement agreements such as that operating among EU member states (i.e. for countries in the European Union, the data focus on policies for admitting non-EEA1 workers only). In total, the data include 104 labour immigration programmes in 46 countries.

Unit of analysis

Most countries operate different labour immigration policies for admitting migrants for employment in low-, medium- and high-skilled jobs. Policies for different skill groups of workers are typically associated with different degrees of policy openness and rights for migrants. This is why “labour immigration programs” rather than “countries” are used as the unit of analysis. The data refer to policies in 2009 only.

Targeted skill level

Each of the programmes included in the database was assigned one or more ‘targeted skill level’. The targeted skill level of a labour immigration programme reflects the skills required in the (specific or range of) jobs that migrants are admitted to fill. The data distinguish between programmes that target: low-skilled workers (LS) with less than high-school and no vocational skills; medium skilled workers (MS) with high school, vocational training or trades qualifications; high skilled workers (HS1) with first degrees from university or equivalent; and very high skilled workers (HS2) with second or third degrees from university or equivalent. Many programmes cover more than one skill group. Given the relatively small sample size, I sometimes group programmes into those that target “low and/or medium skills” (LSMS), and “high skills and/or very high skills” (HS12). Given that there is no universal definition of skill, all these classifications inevitably require a degree of judgment.

Policy Openness Indicators

Openness is defined as “policy openness” measured by the scale and strength of policy restrictions on the admission and employment of migrant workers. The policy openness index includes three types of restrictions: (i) quotas; (ii) criteria that employers in the host country need to meet to legally employ migrant workers (“demand restrictions”); and (iii) criteria that potential migrant workers need to meet to be admitted to the host country (“supply restrictions”). The openness index comprises a total of twelve indicators: existence, types and strength of quota; demand restrictions including the requirement of job offer; strength of labour market tests; restrictions of wages and conditions; occupational/sectoral restrictions; economic fees for employing migrants; and the

1 The European Economic Area (EEA) includes all countries of the EU, plus Norway, Liechtenstein and Iceland.
degree of trade union involvement; supply restrictions including nationality and age restrictions; gender and marital status restrictions; specific skills requirements; language requirement; and self-sufficiency requirements. For a detailed explanation and discussion of these restrictions, see chapter 5 of Ruhs 2013.

**Migrant Rights Indicators**

The indicators of migrant rights include a mix of different types of rights including: five civil and political rights (vote, stand for election, associate, keep identity documents, protection of criminal courts); five economic rights (free choice of employment, equal pay, equal conditions other than pay, join trade unions, redress in case of contract violation); five social rights (access to unemployment benefits, public pension schemes, public education and training, social housing, public health services); five “residency rights” (time limit on residence, security of residence dependent on employment and criminal convictions, direct access to citizenship, redress in case of withdrawal of residence permit); and three rights related to family reunion (family reunion, spouse’s right to work, redress). For a detailed explanation and discussion of these restrictions, see chapter 5 of Ruhs 2013.

**Focus on policies and rights ‘de jure’**

In this dataset, ‘migrant rights’ refer to the legal rights (defined here as the rights granted by national laws and policies) granted to migrant workers on admission under a particular labour immigration program. So the indicators measure rights “in laws and regulations” rather than “in practice”. Similarly, the openness indicators measure “policy openness” rather than the actual numbers of migrants admitted.

**Normalization and aggregation**

In the dataset, all labour immigration policy indicators are scored from 0 to 1. For openness indicators, ‘0’ indicates a high level of restriction and 1 indicates a high level of ‘openness’. For migrant rights, ‘0’ suggests a high degree of restriction and 1 indicates the absence of restrictions. While some indicators are binary, others are scored based on three or four levels of restrictiveness. The overall openness and migrant rights indicators are based on aggregation of individual indicators using equal weights.

**3 Variables**

This section lists the variables and their labels in the dataset. The coding of the labour immigration policy variables is described in the next section.

**Programmes, countries, region:**

programme ... name of labour immigration programme
year ... year of score
country ... country
countryprogramme ... country-programme
region ... region

**Openness Indicators:**

Np1_quota4 ... quota
Np2_joboffer ... job offer
Np3_lmttest4 ... labour market test
Np4_seccocc ... sector/occupation restrictions
Np5_fees ... fees
Np6_1conditions ... wages and conditions
Np7_tradeunion ... trade union involvement
Np8_natage ... nationality and age restrictions
Np9_1genms ... gender and marital status restrictions
Np10_1skills ... specific skills restrictions
Np11_lang ... language requirements
Np12_suff ... self-sufficiency
NNopendemand ... “demand-side” restrictions
NNopensupply ... “supply-side” restrictions
NNopenindex12 ... aggregate openness index

**Migrant Rights Indicators:**

Nr1_1votelocaltime ... vote (local/regional elections)
Nr2_1electtime ... stand for elections (local/regional)
Nr3_1associate ... right to associate
Nr4_1identity ... identity documents
Nr5_protect ... protection of criminal courts
Nr6_freeemp ... free choice of employment
Nr7_equalpay ... equal pay
Nr8_conditions ... equal conditions
Nr9_unions ... join unions

Nr10_redresemp ... redress employment

Nr11_unempb_equ ... unemployment benefits (equ); [“equal rights” – see Ruhs 2013]

Nr12_retire_equ ... public retirement pensions schemes (equ)

Nr13_educate_equ ... public education and training (equ)

Nr14_housing_equ ... public including social housing (equ)

Nr15_health_equ ... public health services (equ)

Nr11_1unempb_abs ... unemployment benefits (abs); [“absolute measure” – see Ruhs 2013]

Nr12_1retire_abs ... public retirement pensions schemes (abs)

Nr13_1educate_abs ... public education and training (abs)

Nr14_1housing_abs ... public including social housing (abs)

Nr15_1health_abs ... public health services (abs)

Nr16_resid ... time limit on residence

Nr17_empres ... security of residence: employment

Nr18_convres ... security of residence: criminal convictions

Nr19_citizen ... direct access to citizenship

Nr20_redressres2 ... redress residence

Nr21_reunion ... family reunion

Nr22_spousework ... spouse’s right to work

Nr23_remreunion2 ... redress family reunion

Npoliticalrights ... political rights

Neconomicrights ... economic rights

Nsocialrightsequ ... social rights (equ)

Nsocialrightsabs ... social rights (abs)

Nresrights ... residence rights

Nfamilyrights ... family rights

Nresandsocialrightsequ ... residence and social rights (equ)
... aggregate rights index (equ)

RightsAbs ... aggregate rights index (abs)

Targeted skills:

onlylowskill ... targets low-skilled migrants only (d)
lowskill ... targets low-skilled migrants without high school (d)
medskill ... targets medium-skilled migrants with high school or equivalent (d)
highskill1 ... targets high-skilled migrants with Bachelor degrees (d)
highskill2 ... targets high-skilled migrants with second- or third-level higher degrees (d)
onlyhighskill2 ... targets highskill2 migrants only (d)
lowmedskilled ... targets low- and/or medskilled (d)
onlylowmedskill ... targets lowmedskilled only (d)
highskilled12 ... targets highskill1 and/or highskill2 (d)
onlyhighskill12 ... targets only highskilled12 (d)

Country income classifications:

hic ... high-income country (d)
hic1 ... upper high-income country (d)
hic2 ... lower high-income country (d)
GNIclassification ... GNI classification in 2008 (World Bank data)
GNIpc2008 ... gross national income per capita in 2008 (US$, World Bank data)

Varieties of capitalism:

typology_VoC ... typology of varieties of capitalism
liberal_VoC ... liberal market economy (d)
coordinated_VoC ... coordinated market economy (d)
mixed_VoC ... “mixed” market economy (D)

Welfare regimes:

typology_welfare ... typology of welfare states
conservative_welfare ... conservative welfare state (d)
socialdemocratic_welfare ... social-democratic welfare state (d)

Political regimes:

polityscore ... polity score (taken from “Polity IV” project – see Ruhs 2017)

polityhigh ... high polity score (>+5) (d)

politymedium ... medium polity score [-5, +5] (d)

politylow ... low polity score (<-5) (d)

politytype ... typology_polity

Other variables:

tmp ... temporary migration programme (d) – for detailed definition, see Ruhs 2013

gcc ... GCC (“Gulf Cooperation Council”) country (d)

4 Coding of Labour Immigration Policy Variables

The raw labour immigration policy data were collected using the questions and scores below. These scores were then normalised to ensure that all individual scores fall between 0 and 1. The procedure used for normalization is as follows:

Normalised score = (actual value – minimum value) / (maximum value – minimum value).

Openness indicators

P1 [Quota] Is there a numerical quota or other limit on the annual number of migrant workers admitted under this program, or on the stock of migrant workers?

0 = hard quota that is relatively small
1 = hard quota that is relatively large
2 = soft quota/limit
3 = no quota or any other numerical limit

P2 [Job offer] Does admission under the program require migrants to have a job offer in the host country?

0 = yes, migrants without a job offer are not admitted
1 = job offer not strictly required, but it is one of the criteria influencing admission
2= no, job offer does not influence admission
P3 [Labour market test] Do the regulations for admitting migrant workers under this program include a labour market test?

0 = very strong labour market test in all sectors/occupations covered by the program

1 = strong labour market test, but some occupations/sectors exempted

2 = weak labour market test

3 = No labour market test

P4 [Sector/occupation] Is the labour immigration program restricted to specific sectors or a defined list of occupations?

0 = yes

1 = no

P5 [Fees] Does the program require employers to pay a fee/levy for employing migrant workers (other than administrative fees to do with the work permit application process)?

0 = yes

1 = no

P6 [Conditions] Does the program require employers to pay a certain wage and/or meet employment conditions that exceed the minimum standards required by the country’s labour laws and regulations?

0 = yes, strong wage restrictions (e.g., collectively agreed wage)

1 = yes, weak wage restrictions (e.g., prevailing wages in absence of collective wage agreements)

2 = no

P7 [Trade union] Do trade unions have a role in individual work permit application processes?

0 = yes, trade unions play a strong role

1 = yes, trade unions play some/weak role

2 = no, no role for trade unions

P8 [Nationality/age] To what extent, if at all, is the admission of migrant workers restricted to or influenced by the applicant’s nationality and/or age (range)?

0 = admission restricted to migrants with specified nationality and age

1 = admission restricted to migrants with specified nationality or age
2 = admission influenced by nationality and/or age (e.g., through points systems)

3 = nationality and age do not matter for admission

P9 [Gender/marital status] To what extent, if at all, is the admission of migrant workers restricted to or influenced by the applicant’s gender and/or marital status?

0 = admission restricted to migrants with specified gender and marital status

1 = admission restricted to migrants with specified gender or marital status

2 = admission influenced by gender and/or marital status (e.g., through points systems)

3 = gender and marital status do not matter for admission

P10 [Skills] Is the admission of migrant workers restricted to or influenced by (migrants with) specified professional skills and/or qualifications?

0 = yes, very specific skills and/or qualifications required

1 = yes, specific skills required

2 = yes, generic minimum skills/qualifications threshold

3 = no, specified skills and/or qualifications are not among criteria/factors for admission

P11 [Language] To what extent, if at all, is the admission of migrant workers influenced by the applicant’s host country language skills?

0 = host country language skills required

1 = language skills not absolutely required, but they influence admission

2 = language skills are not a criterion for admission

P12 [Self-sufficient] Is admission limited to migrant workers who can prove that they can be self-sufficient (i.e., that they will not require public funds/assistance) in the host country?

0 = yes

1 = no
Migrant Rights Indicators

Civil and Political Rights

R1 [Vote] Does admission under this program create a legal right for migrants to vote in local and/or regional elections?

0 = no right to vote in any elections
1 = right to vote in local/regional elections after some time
2 = immediate right to vote in local/regional elections

R2 [Stand for election] Does admission under this program create a legal right for migrants to stand for election?

0 = no right to stand for elections
1 = right to stand for election after some time
2 = immediate right to stand for election

R3 [Associate] Do migrant workers have the right to form trade unions and other associations?

0 = no right to form any associations
1 = right to form some associations
2 = same rights to form associations as citizens

R4 [Identity documents] Do migrant workers have the right not to have identity documents confiscated by anyone, other than a public official duly authorized by the law?

0 = no, no such rights specified or implied in any law
1 = yes, right implied by existing laws (e.g., constitutional laws)
2 = yes, right for migrants explicitly specified

R5 [Protection of criminal courts] Do migrant workers have the right to equal treatment and protections (with citizens) before criminal courts and tribunals?

0 = no, migrants enjoy significantly fewer protections than citizens
1 = no, migrants enjoy some protection but fewer than citizens
2 = yes, equality of treatment with citizens

Economic Rights (Focus on Selected Rights at Work)

R6 [Free choice of employment] What restrictions, if any, are there on migrant workers’ right to free choice of employment?
0 = employment tied to specific employer and no change of employer possible
1 = employment tied to specific employer; change of employer possible, but requires new work permit application
2 = workers can freely change employers within a specific sector/occupation/region
3 = migrant workers have completely free choice of employment

R7 [Equal pay] Do migrant workers have the right to equal pay to that received by local workers doing the same work?
0 = no
1 = yes

R8 [Equal conditions] Do migrant workers have the same right to equal employment conditions and protections (e.g., overtime, hours of work, weekly rest, paid holidays, sick pay, health and safety at work, protection against dismissal) as local workers?
0 = no, migrant workers have significantly fewer legal rights
1 = migrants have right to most of the employment conditions and protections for citizens
2 = yes, right to same employment conditions and protections

R9 [Join unions] Do migrant workers have the right to join trade unions?
0 = no
1 = yes

R10 [Redress employment] Do migrant workers have the right to redress if the terms of their employment contract have been violated by their employer?
0 = no
1 = yes, but limited
2 = yes, same as citizens

Social Rights (Focus on Equal Access to Selected Social Security Benefits and Public Services)

R11 [Unemployment benefits] Do migrant workers have the right to equal access to unemployment benefits?
0 = no access to any unemployment benefits
1 = access to some, but not all types of unemployment benefit; no equal access under this program
2 = equal access to all types of unemployment benefits *after some time*

3 = yes, immediate equal access to all types of unemployment benefits

**R12 [Public retirement pension schemes]** Do migrants have the right to equal access to public retirement pension schemes?

0 = no access to any public retirement pension schemes

1 = access to *some, but not all* types of public retirement pension schemes; no equal access under this program

2 = equal access to all types of public retirement pension schemes *after some time*

3 = yes, immediate equal access to all types of public retirement pension schemes

**R13 [Public education and training]** Do adult migrant workers have the right to equal access to public educational institutions and services (degree-level courses and vocational training)?

0 = no access to any public educational institutions and services

1 = access to *some, but not all* public educational institutions and services; no equal access under this program

2 = equal access to all types of public educational institutions and services *after some time*

3 = yes, immediate equal access to all public educational institutions and services

**R14 [Public including social housing]** Do migrant workers have the right to equal access to public housing including social housing schemes?

0 = no access to any public/social housing schemes

1 = access to *some, but not all* public/social housing schemes; no equal access under this program

2 = equal access to all types of public/social housing schemes *after some time*

3 = yes, immediate equal access to all public/social housing schemes

**R15 [Public health services]** Do migrant workers have the right to equal access to public health services?

0 = no access to any public health services

1 = access to *some, but not all* public health services; no equal access under this program

2 = equal access to all types of public health services *after some time*

3 = yes, immediate equal access to all public health services
Residency Rights and Access to Citizenship

R16 [Time limit on residence] Do migrant workers have temporary or permanent residence status?

0 = strictly temporary residence permit, with no opportunity to acquire permanent residence status

1 = temporary status, but with opportunity to switch to permanent status after five years or more

2 = temporary status, but with opportunity to switch to permanent status in fewer than five years

3 = permanent residence status

R17 [Security of employment: residence] How, if at all, does loss of employment affect residence status?

0 = loss of employment automatically implies loss of residence permit

1 = loss of employment implies loss of residence status unless new job found within specified time period

2 = loss of employment does not affect residence status

R18 [Security of residence: criminal convictions] How, if at all, do criminal and other convictions affect residence status?

0 = minor convictions (administrative offenses) can lead to loss of residence status

1 = only major convictions (criminal offenses) can lead to loss of residence status

2 = convictions do not affect residence status

R19 [Direct access to citizenship] Do migrant workers have direct access to citizenship?

0 = no direct access to citizenship

1 = Can naturalize after five years or more

2 = Can naturalize in fewer than five years

R20 [Redress residence] Do migrant workers admitted under this program have the right to legal remedies/redress in case of withdrawal or nonrenewal of residence permit, or in case of a deportation order?

0 = no

1 = yes, but relatively limited

2 = yes
Family Reunion for Migrant Workers and Employment Rights of Family Members/Dependants

R21 [Family reunion] Do migrant workers have the right to family reunion?

0 = no right for family reunion with any family members or dependents
1 = family reunion limited to migrants’ spouse/partner and minor children
2 = family reunion for migrants’ spouse/partner, minor children, and adult children
3 = family reunion for migrants’ spouse, partner, children, and other family members

R22 [Spouse’s right to work] Does the spouse/partner of the principal migrant have the right to work (without having to apply for permission)?

0 = no
1 = yes, but limited (e.g., by sector or occupation)
2 = yes, unrestricted right to work

R23 [Redress family reunion] Is there a judicial remedy to challenge the refusal by the authorities to allow family formation/reunification?

0 = no
1 = yes, but relatively limited
2 = yes