

FRAMMENTAZIONE DELLO *STATUS* GIURIDICO DI LAVORATORE E PARITÀ DI TRATTAMENTO NEGLI ACCORDI DI ASSOCIAZIONE UE-PAESI TERZI

Abstract: The thesis deals with the discipline of non-EU work within the European Union. It aims to analyze the legal protection of foreign workers in the EU and national law.

After a careful historical reconstruction of the EU policies on economic migration, aimed at highlighting their fragmentary and excessively sectorial nature, we move on to an analysis of the different types of Third Countries national workers as outlined by the European Directives, focusing in particular on the rules on equal treatment in access to work, working conditions and social security.

The same equality clauses are then examined with regard to a source little explored by the doctrine, yet particularly rich in important implications for the subject under investigation: the EU-Third Countries Association Agreements.

These agreements, in fact, are characterized by a lack of homogeneity in the level of protection such as to further exacerbate that sense of perennial fragmentation that pervades the sector. While, on the one hand, they guarantee rather extensive protection to (highly qualified) workers from economically more advanced countries, the situation of low-cost labor in less industrialized nations is quite different. A utilitarian approach unfortunately largely found in European labor law.

The final part is dedicated to the Italian legislation on the work of non-EU foreigners and its compatibility or otherwise with the European Union law examined above, especially with reference to the Testo Unico Immigrazione, the rules on access to public employment and social Security.