

Fact-sheet – What is a migrant worker and how to manage?



What is the objective?

The main objective is to understand how to manage migrant workers in the supply chain in order:

- To **understand** the specific risks that migrant workers face and how these are related to social compliance;
- To **familiarize** management with the social policies and procedures related to migrant workers.

Definition: A migrant worker is a person who works in a place in which he or she is not a native. The term refers to people who change locations specifically for the purpose of employment. Migrants may be domestic (from one province to another) or international.



How to achieve the objective?

Understand the risks: what are the risks associated with migrant workers when it comes to maintaining social compliance?

- 1- Authorization to work** - all workers employed in the facility must have the authorization from the relevant government(s) to work in that location. Migrant workers may live, work, travel to a different province or country without authorization. The facility should help migrant workers to obtain necessary documents from local authorities.
- 2- Recruitment fees** – particularly when labor or recruitment agencies are involved, migrant workers may be asked to pay a fee to obtain/secure a job at the factory or to cover passport or visa preparation, transportation insurance or any other recruitment related fee. **To avoid this the company should:**
 - a. Create a company policy stating that workers cannot be charged recruitment fees in order to get and /or keep their job. No work agency should be able to sign any work contract/ agreement ;
 - b. Require workers to report to the factory management upon arrival if they have paid a recruitment fee and reimburse all costs/fees.
- 3- Migrant workers are a vulnerable population** – migrant workers, both domestic and international, live far away from their support systems and may speak a different dialect or language. Therefore, they are less likely to feel comfortable raising an issue at work. They also may not have been clearly informed about the terms of employment before joining the factory. **To avoid this:**
 - a. Ensure any work or recruitment agency your facility is using, conducts a meeting with the migrant workers to explain the employment terms in their local language. The meeting should take place before the workers depart their hometown for the factory. The agency should also ensure that the workers have understood their terms of employment ;
 - b. Ensure all instructions and trainings are provided to workers in their native language. A separate training for migrants workers (depending on the country of origin) may be held ;
 - c. Migrant workers should have access to an anonymous grievance mechanism ;
 - d. Ensure labor contracts and pay slips are in workers' native language or a language they understand ;
 - e. Train mid management to ensure that there is an appropriate communication and prevent any misunderstanding (use of translator, language course, etc.) ;



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- 4- **Equal treatment & anti-discrimination** – migrant workers may face discrimination due to racial prejudice. **To avoid this:**
 - a. Ensure the company’s policies include anti-discrimination measures which cover migrant workers. Migrant workers must be paid equally for equal work, benefit from equal working conditions, and have equal access to opportunities like promotions, trade unions and training.

- 5- **Forced labor** – migrant workers may be at a higher risk of forced labor. **To avoid this:**
 - a. Have a written policy ensuring that no recruitment related fees are used and if they were in the past, they cannot be deducted from the workers’ salary ;

 - b. Never hold workers’ personal documents, especially their identification card or passport. The facility may provide lockers to workers to store their personal documents, but workers must have access to them at all times.

**** Just because there are risks associated with migrant workers does not mean that it is a poor practice to be avoided.**



Common non-compliances

- **Unauthorized migrant workers;**

- **Migrant workers have paid recruitment fees;**

- **Discrimination against migrant workers in the form of pay, opportunities for promotion, benefits;**

- **Forced labor.**



Good practices

- **Conduct specific trainings for migrant workers:** conduct specific trainings for migrant workers to help them adjust to their new workplace. Trainings about how to use the anonymous grievance mechanism can also be conducted. However the factory must make sure all trainings are provided in a language that workers understand.