

ACTRAV/ITC-ILO Course (A152114)

**Training on Labour Inspection for Trade Union
Leaders of the East Africa Community**

4 – 8 April 2011, Kisumu

*Dealing with Vulnerable Groups of Workers
under Labour Inspection*

ACTRAV-Turin

Objectives of the Session

To try and understand:

- Indicators of vulnerability
- The labour exploitation continuum
- Common characteristics of vulnerable workers
- Vulnerability factors
- What can trade unions do?
- Why should employers be concerned?
- Location of risks for business
- Strategies for curbing vulnerability in the world of work

Indicators of Vulnerabilities

- Precarious and exploitative working conditions
- Hazardous, unsafe and unhealthy working conditions
- Poor wages, unjust wage deductions, withholding or non-payment of wages, manipulation of debts through loan or wage advance
- Deception about type, location or conditions of work
- Discrimination

Indicators of Vulnerabilities

- Involuntary work and compulsory overtime
- Restricted freedom of movement and retention of identity documents and other valuables
- Threats of violence, harassment and intimidation

The Labour Exploitation Continuum

DECENT WORK =

Work in Freedom, Equity, Security and Human Dignity

Precariousness

Hazardous and unsafe work

Poor pay

Forced labour

Child labour

Discrimination



DECENT WORK

Eradication of Decent Work Deficits

Common Characteristics of Vulnerable Workers

- They are mainly women, young workers below the age of 18, or under-age child workers and older workers with health problems.
- They are economically, socially and politically marginalised groups e.g. forced labourers and migrant workers.
- Many are physically disabled, people with HIV/AIDS, victims of discrimination, psychosocial pressures, abuse or harassment.

Common Characteristics of Vulnerable Workers

- Often work in jobs that are dirty, degrading and dangerous (three-D jobs).
- They are often poorly organised and represented by trade unions or other workers organisations, if at all.
- The places where they work are often not covered by labour inspection e.g. the informal economy.

Vulnerability Factors

- **Social and Economic factors:** poverty, disability, discrimination (gender or racial), debt, lack of education, poor health, lack of trade union protection, etc.
- **Isolation:** migrant workers, language barrier, illegal status, remote location, etc.
- **Psychological:** fear of deportation, threats, pressure from family or community members, etc.

Who is most vulnerable?

Sectors at risk

- Agriculture & fisheries
- Construction
- Forestry & logging
- Garment & textiles
- Cleaning & security services
- Transport (including seafarers)
- Domestic work

Groups at risk

- Informal economy workers
- Indigenous and tribal people
- Low caste groups and minorities
- Migrant workers, especially with irregular status
- Women, youth and children
- People Living With HIV/AIDS
- Domestic workers

What can Trade Unions Do?

- Information dissemination and advocacy.
- Awareness raising campaigns.
- Legal assistance and help lines.
- Outreach to organise and support workers in vulnerable groups and sectors.
- Social dialogue: address plight of vulnerable workers in bipartite and tripartite negotiations and Agreements – CBAs, International Framework Agreements, Codes of conduct.
- Identification, documentation and public exposure and reporting of cases of labour exploitation and vulnerability.

Awareness-raising

- **Audience:** trade union members, officials, labour inspectors, the public, parents, youth, children, women, etc.
- **Targeted public awareness campaigns:**
 - Risk of labour exploitation and deceptive recruitment practices
 - Labour rights
 - Decent work
 - Produce advocacy materials

Outreach and Direct Support

- Organise:
 - Informal economy workers
 - Unprotected workers
 - Migrant workers
 - Domestic workers
- Target high risk sectors
 - Sex and entertainment industry
 - Construction
 - Illicit mining
 - Textiles and garments
 - Agriculture – horticulture
 - Ship breaking
 - Fisheries
 - Domestic workers

Why should Employers be Concerned

- Context of globalisation – “race to the bottom”
- Risk management in supply chains
- Commercial impact – marketing/image
- Rapid spread of information – nowhere to hide!
- Advocacy for human rights/ core labour standards:
 - Growing awareness of consumers and buyers
 - Ethical business practices and CSR movement, including investors
 - NGO vigilance

Location of Risks for Business

Risks in employment relations

- Hiring and recruitment practices
- Wages payments and calculations
- Hours of work and overtime
- Training conditions
- Disciplinary practices and sanctions
- Housing arrangements
- Termination of employment

Risks in business relations

- Sub-contractors
- Other service providers
- Recruitment agencies and labour brokers

Strategies for Curbing Vulnerability in the World of Work

- Negotiate a **clear and transparent company policy** (enterprises + supply chains);
- **Demand training of staff** (auditors, HR, buyers, compliance officers) to identify vulnerability in the world of work in practice and seek appropriate remedies;
- Provide regular **information to shareholders** and potential investors, attracting them to ethical business practices;
- Promote agreements and **codes of conduct** by sector and take appropriate **remedial measures**;
- **Treat migrant workers fairly**. Monitor carefully the recruitment agencies, especially across border;

Strategies for Curbing Vulnerability in the World of Work

- Ensure that all workers have **written contracts**, in language that they can easily **understand**, specifying their rights (wages, overtime, identity documents, ...);
- Encourage **dissemination of good practices** and the identification of at-risk sectors;
- Contribute to **prevention and rehabilitation programmes** for victims (e.g. vocational training, job placements) either directly or through NGO partners
- Build bridges between governments, employers, law enforcement agencies and labour inspectorates, promoting **cooperation** against labour exploitation;
- Advocate for incentives and other innovative means to **reward good practice**, in conjunction with the **media**.

Any Questions?

