



TRADE UNIONS IN ACTION FOR THE RIGHTS OF MIGRANT WORKERS

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INTRODUCTION

Trade unions are key actors to ensure the protection and fulfilment of migrant workers' labour rights. In both origin and destination countries, trade unions engage in social dialogue with governments and employers to devise rights-based governance frameworks and organise migrant workers to improve their working conditions through collective bargaining. Trade unions carry out their work through:

- Advocating for freedom of association and protection for migrant workers from exploitation and other work-related abuses.
- Establishing information centres and counselling services that help migrants and would-be migrants navigate complex migration and recruitment procedures.
- Providing legal aid for accessing justice in cases of human and labour rights violations.
- Organising vocational and language training to support migrant workers' inclusion in the labour market and society.

GLOBAL COMPACT FOR MIGRATION

In 2018, the **Global Compact for Safe, Orderly and Regular Migration** (UNGA Resolution 73/195) was endorsed by a majority of United Nations General Assembly members. The Global Compact is a non-binding cooperative framework built around 23 objectives. Through advocacy and activities, trade unions across the world contribute to its implementation.

 GCM OBJECTIVES	 1 DATA	 2 MINIMIZE ADVERSE DRIVERS	 3 INFORMATION PROVISION	 4 LEGAL IDENTITY AND DOCUMENTATION	 5 REGULAR PATHWAYS
 6 RECRUITMENT AND DECENT WORK	 7 REDUCE VULNERABILITIES	 8 SAVE LIVES	 9 COUNTER SMUGGLING	 10 ERADICATE TRAFFICKING	 11 MANAGE BORDERS
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Argentina, CGTRA, Project Lazos

ARGENTINA: SKILLS RECOGNITION AND DEVELOPMENT FOR MIGRANTS AND REFUGEES

The Confederación General del Trabajo de la República Argentina (CGTRA) works to build awareness at vocational training institutions to enable migrants and refugees to access their services.

With **ILO support**¹, the CGTRA and its partners bring together teachers, managers and administrative staff of vocational training centres from Argentina, and from other Latin American and Caribbean countries, to share experiences and learn from one another about working with migrant and refugee populations.

Through training and support, vocational training centre staff are equipped to advise, support and refer migrants and refugees in matters such as regularisation of documents, validation of educational qualifications and recognition of professional skills.

The CGTRA and the UOCRA Foundation, a labour training NGO, jointly set up a permanent vocational training and migration board composed of unions, state institutions and other stakeholders that work with migrants and refugees. The board meets periodically to discuss and resolve specific problems faced by migrants and refugees who attend vocational training centres.



¹ The regional Lazos Project is coordinated by the ILO with the support of the government of Sweden and aims to provide migrants and refugees access to decent work in Latin American and Caribbean countries



Kenya, COTU-K, Migrant Resource Center

KENYA: DIRECT SUPPORT TO MIGRANT WORKERS AND DATA COLLECTION FOR EVIDENCE-BASED ADVOCACY

Since March 2023, migrant workers in Kenya, Kenyans who would like to migrate and relatives of Kenyans working abroad can seek migration and labour-related information at the Migrants Resource Centre of the Central Organization of Trade Unions, Kenya (COTU-K).²

In addition to information provision and counselling, the Centre aims to generate, compile and analyse migration and labour market data to use as a basis for advocacy and awareness-raising activities on migration and migrant workers' rights.

One key aspect of the COTU-K's work concerns the promotion of fair recruitment for migrant workers. To this end, the COTU-K supports the ITUC's Migrant **Recruitment Advisor Platform** for Kenya, through which workers who want to migrate or have

already migrated can share their recruitment experiences, rate recruitment agencies and learn about relevant regulations in their country of destination. In addition, they can seek support from the COTU-K or unions in the destination country should they face a violation of their labour rights.

The COTU-K also collected and analysed a survey of 479 Kenyan workers about their recruitment experience when migrating for jobs abroad, which built the evidence base for their advocacy for fair recruitment practices.



² The Centre is supported by ILO's **Better Regional Migration Management (BRMM)** project



UK, TUC, Campaign against exploitation of migrant care workers

UK: NATIONAL ACTION TO TACKLE EXPLOITATION OF MIGRANT SOCIAL CARE WORKERS

Having failed to address the root causes of the labour market shortages in the social care sector, including low pay and exploitative working conditions, the UK government expanded the Health and Care Worker visa route in February 2022. This led to an increase of over 50,000 more international recruits to caring roles in 2022/2023 than in the previous year.

Migrant workers play a crucial role in ensuring that quality social care services are delivered by a skilled and fully staffed care workforce. But the government is failing in its duty to ensure these workers are treated with respect and dignity at work.

The Trades Union Congress (TUC) and affiliated trade unions work to identify the extent and nature of employment-related abuses experienced by migrant care workers. This includes low pay and poor conditions, demands for payment of illegal fees to recruitment agencies, debt bondage, wage theft, harassment and violence, and abuse of the immigration system by unscrupulous employers to blackmail workers and prevent them from seeking other employment.

Unions use this evidence to advocate for improved government support to workers. Most recently, this has seen the TUC engage with key government bodies, including the Department for Health and Social Care and the Gangmasters and Labour Abuse Authority, around a National Action Plan to tackle exploitation of international recruits in social care.

In addition to this advocacy work, unions also provide extensive direct support to migrant workers in the UK. For example, UNISON, the union representing workers providing public services, has added specialist services for its migrant members to its core work. Recognising that immigration advice can only be provided by those with appropriate qualifications, UNISON works in partnership with the Joint Council for the Welfare of Immigrants (JCWI) to help its migrant worker members and their families access specialist advice.





Tanzania, DISK and Dev Yapı-İş, Migrant workers from Türkiye on strike

TÜRKİYE AND TANZANIA: UNIONS UNITE TO HELP MIGRANT WORKERS RECOVER THEIR UNPAID WAGES

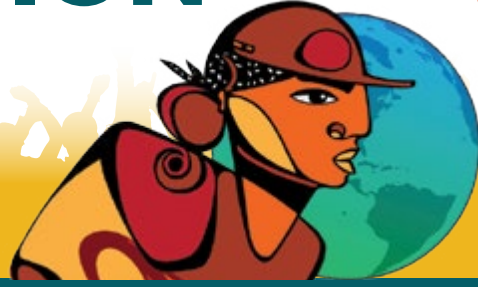
Migrant construction workers from Türkiye (formerly Turkey) working on a Tanzanian railway construction site operated by a Türkiye-based construction company went on strike on 5 August 2023 after not being paid for seven months. The peaceful strike of around 2,000 workers was supported by the Confederation of Progressive Trade Unions of Turkey (DISK) along with its affiliated construction workers' union, Dev Yapı-İş. However, the workers were unsure about their rights in Tanzania and had no contact with government authorities.

In collaboration with the ITUC and the ITUC Africa, DISK was put in contact with the Trade Union Congress of Tanzania (TUCTA) and the Tanzania Mines and Construction Workers' Union (TAMICO). The union organisations visited the workers on strike, informed them about their rights and got in touch with relevant government authorities.

An agreement was reached with the representatives of the company through negotiations attended by officials from the Tanzanian Ministry of Transportation and Tanzanian Railway Company. Having received the first instalment of their unpaid wages on 18 August, the workers ended their strike and went back to work three days later.

The President of DISK Arzu Çerkezoğlu said: *“We thank our Tanzanian comrades. We could only have won this battle with their guidance and support. Turkish workers working for construction projects in Africa and the Middle East North Africa region will enjoy the benefits of this struggle. The strike of Turkish workers in Tanzania is the victory of all migrant workers.”*





DEFERRED ACTION FOR WORKERS

What You Need to Know

Workers who take a stand for justice at work may now be able to get temporary status protections by exercising their rights on the job—protections when you speak up, **BECAUSE** you speak up.

DEFERRED ACTION = WORK PERMIT FOR 2 YEARS + SOCIAL SECURITY NUMBER

USA, AFL-CIO, Injury2All Campaign

USA: PROTECTION FOR MIGRANT WORKERS SEEKING JUSTICE AGAINST LABOUR ABUSES

In late September 2022, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) launched the **Injury2All Campaign** to organise and protect migrant workers by building power in workplaces and communities.

The campaign supplemented the AFL-CIO's long-term advocacy for protection for immigrant workers who speak up against labour rights violations. This advocacy, along with the creative organising work of many AFL-CIO affiliates, led to the decision by the government of President Joe Biden to streamline **a process** that gives migrant workers who act to enforce US labour laws protection from deportation .

With these protections in place, not only is the government more likely to be able to investigate and penalise exploitative employers, but migrant workers can exercise their rights with less fear.

Since the launch of the campaign, the AFL-CIO has conducted 60+ training

sessions for organisers and activists, building capacity in unions around the USA to help migrant workers access temporary status protections when they act to enforce labour laws. As a result, a growing number of migrant workers have secured status protection and work authorisation by organising their coworkers, alongside unions, to help make their workplaces safer.

This process prevents unscrupulous employers from using undocumented workers to drive down wages and conditions for all working people in the USA and results in migrant workers being less vulnerable to abuse, exploitation and harm on the job.





Nigeria, NLC, Migrant workers rights campaign rally

NIGERIA: SUPPORT FOR MIGRANT WORKERS TO ENSURE A DIGNIFIED RETURN AND REINTEGRATION

Having observed that returning migrants find it difficult to reintegrate back into Nigeria, the Nigeria Labour Congress (NLC) decided to assist and support them to ensure a dignified return and reintegration.

As a first step, the NLC prepared “**The Trade Union Information Guide on Return and Reintegration of Migrants & Migrant Workers in Nigeria.**”³ The guide provides general information, and lists government support services and non-governmental organisations, including trade unions, where returnees can find support. Following its publication, the NLC organised capacity-building activities with its affiliated unions and ran street activities, campaigns and direct engagement with returned migrant communities to inform them about how to use the guide.

NLC President, Ayuba Wabba said: “We see that many Nigerians who return from abroad are facing difficulties in reintegrating in Nigeria. While there are some support services already available, there is a lack of information and it does not reach the communities that need it. These difficulties are dissuading Nigerian migrants from voluntarily returning home even when this is what they want to do.”



³ The guide is developed by the NLC within the framework of the ILO's FAIRWAY Programme



Indonesia, KSBSI, Migrant Workers Resource Center

INDONESIA: TRADE UNIONS PARTNER WITH GOVERNMENT AND WOMEN CRISIS CENTRES TO SUPPORT RETURNING OR DEPARTING WOMEN MIGRANT WORKERS

The Konfederasi Serikat Buruh Seluruh Indonesia (KSBSI) confederation of Indonesian labour unions, collaborates with government and civil society organisations to help local governments implement protection laws for Indonesian migrant workers and provide counselling services for migrant workers who depart overseas and those who return.

This collaboration allows the KSBSI to contact migrant workers and their families and provide up-to-date information on government and NGO services both in Indonesia and abroad.

Partnerships with women’s organisations have helped the KSBSI’s counselling and training services to be gender responsive and address issues related to violence, harassment and trafficking.

These partnerships resulted in the development of Migrant Worker

Resource Centers managed by the KSBSI together with the Ministry of Manpower, relevant local governments and women’s organisations, such as the Koalisi Perempuan Indonesia East Java Region (Women Coalition of East Java).

Migrant women who visit these “**gender responsive information and one-roof integrated services**” centres, supported by the ILO and UN Women, can access support from civil society, government bodies and unions under one roof, related to migration and recruitment abroad, and carry out administrative processes with the help of counsellors.

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Korea, KCTU, International Migrants Day 2022

KOREA: IMPROVED ACCOMMODATION FOR MIGRANT WORKERS

In 2020, Nuon Sokkheng, an agricultural worker from Cambodia, was found dead in a plastic greenhouse on a farm in Gyeonggi Province where she had been living.

Although the direct cause of her death was reported as liver disease, advocacy groups said that her poor living conditions and lack of health care aggravated her health and highlighted the dire living conditions many migrant workers face in Korea.

Sokkheng’s death sparked a social movement, joined by the Korean Confederation of Trade Unions (KCTU) and its affiliates, to tackle the issue of poor accommodation offered to migrant workers in Korea.

Following their advocacy and campaigning, the government prohibited the use of certain types of temporary shelters as accommodation for migrant

workers, such as plastic greenhouses and shipping containers.

The government also adopted new measures expanding the circumstances under which a migrant worker can change employer, including if the employer offers inadequate accommodation.

However, the fight for better living conditions continues, as employers continue to use unsuitable temporary structures by registering them as dormitories with the municipal government. The KCTU and its affiliate the Migrants Trade Union is urging government to prohibit employers from using temporary structures as accommodation under any circumstances.





Australia, ACTU, Additional Protections for Migrant Workers

AUSTRALIA: ADVOCACY AND CAMPAIGNING FOR PROTECTION OF TEMPORARY MIGRANT WORKERS

Exploitation of temporary migrant workers is rife in Australia despite them having on paper, the same rights as local workers. This is a result of precarious visa conditions that tie workers to their employers. Under this system, migrant workers have to rely on their employers to access pathways to permanent residency and fear reporting abuse, as they may lose their authorisation to stay in Australia in reprisal.

The Australian union movement has long been advocating for reform of Australia's migration system to protect migrant workers from exploitation and rebalance the system in favour of permanent migration. This means that migrant workers are given security, have their rights respected and can settle in Australia with their families and become a permanent part of workplaces and communities.

This advocacy intensified in 2022 with [the Australian Congress of Trade Unions \(ACTU\)](#) calling on the newly elected Albanese Government to:

- Abolish visa conditions that tie temporary migrant workers to a single employer and enable migrant workers to change employers.
- Provide all temporary migrant workers with accessible and self-nominated pathways to permanent residency.
- Introduce whistleblower protections for workers reporting exploitation.

Since then, the government has introduced a package of legislation to Parliament. [The Migration Amendment \(Strengthening Employer Compliance\) Bill 2023](#) proposes a number of reforms which include increased penalties for employers who exploit migrant workers and enable workers who have breached a work-related visa condition due to exploitation to be protected from the threat of visa cancellation. The reforms are intended to give workers confidence to come forward and report workplace exploitation. The ACTU continues to campaign and advocate for law to be passed before the end of 2023.



TRADE UNION DEMANDS

Trade unions across the globe employ a variety of strategies to ensure that all workers, including migrant workers, are treated with dignity and equality in line with international labour protections.

We affirm that a worker is a worker regardless of migration status and call for **a New Social Contract** to create more inclusive societies and economies, including a rights-based governance of migration that is designed, implemented and monitored through social dialogue. To achieve this, governments must:

- Place labour standards, such as freedom of association and collective bargaining rights, at the centre of systems governing migration and respect the ILO's **Declaration on Fundamental Principles and Rights at Work**.
- Scale up regular migration pathways, with full workers' rights and non-discrimination, and create regularisation schemes for migrants in an irregular situation.
- Ensure effective access to justice.
- Remove barriers to migrants' access to social security and ensure equal treatment by social security systems of nationals and migrants.
- Implement universal minimum living wages to ensure decent jobs for migrant workers.
- Achieve mutual recognition of skills and qualifications in origin and destination countries through social dialogue.

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