

## Some Useful Sources

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Networks and projects around the theme of migrants in the labour market can be discussed under the following headings:

1. Trade union-based initiatives
2. Migrant community-based initiatives
3. Issues of acknowledged concern that generate national responses (forced labour, trafficked workers, undocumented migrant workers, etc.).

These are not exclusive categories. A trades union organising migrants in the hotel industry might, for example, be especially alert to the presence of forced labour or undocumented workers in the workforce and therefore be closely aligned with networks which draw on resources under the second and third categories. However, in order to provide a systematic account of the range of activities undertaken in the area of migrant workers in the labour market we will follow these headings.

### 1. Trade union-based initiatives

#### *Trades Union Congress*

The Trade Union Congress (TUC) has an interest in policy issues around the management of migration. Commentary on developments around these issues is led by the European Union and International Relations Department. These are broadly supportive of free movement rights for EU national workers on conditions of equality with citizen workers and are also alert to circumstances when restrictive immigration policies increase the risk of exploitation for migrant workers from non-EU ‘third’ countries. The TUC’s Touchstone Blog periodically expounds on this viewpoint.

The International Department also maintains a web-page called *Working in the UK – A Guide to your Rights*. This is an interactive page which assists its visitors in identifying the type of migrant they are (EU national, Points-Based Scheme migrant, international student, etc.), and from that point what their rights are in respect of pay, maternity/paternity leave, hours of work, health and safety issues, workplace problems, agency work and joining a union. In addition, the TUC Equalities Department deals with immigration from the practical perspective of the potential risks migrants face in workplace situations. The theme of ‘equalities’ means that the issues are usually considered from the perspective of groups such as ethnic minority workers, women workers, workers with disabilities etc., with immigration status being an additional component which creates more dimensions of difficulty. A strand of this work has included the role that trade unions can play in challenging the upsurge of racism and xenophobia directed against migrants in the period immediately after the referendum on membership of the European Union in June 2016. In August 2016, the TUC published

*Challenging Racism after the EU Referendum: An Action Plan for Challenging Racism and Xenophobia* (<https://www.tuc.org.uk/sites/default/files/ChallengingracismaftertheEUREferendum2.pdf>).

Areas which have been marked out for trade union action from the equalities perspective are support for English language learning, understanding health and safety issues and dealing with employer checks on the immigration status of members of their staff. Two guides have been published on these latter two issues and are available on-line:

*Safety and Migrant Workers: A TUC Guide for Trade Union Activists*, June 2015,  
<https://www.tuc.org.uk/sites/default/files/Migrant%20workers%202015.pdf>.

*Immigration Document Checks and Workplace Raids: A Negotiators' Guide*, April 2010,  
<http://www.migrantsrights.org.uk/files/publications/MRN-trade-union-guide.pdf>.

### *Individual trade unions*

There are fifty individual unions affiliated to the TUC and each makes its own policies on matters concerning migrant workers in the industrial areas where they are actively organising. Immigration affects some migrant workers more than others (see for example the article by Fitzgerald and Smoczyński in this issue) and in this section we will list some of the most prominent work programmes in this area.

**Unite the Union.** Unite organises workers across multiple sectors of industry and services. This includes such sectors as agriculture and food processing, hospitality, construction and transport services, all of which have high densities of migrant workers.

It runs the United Migrant Workers Education Project (UMWEP). The main focus of the project's work is assisting migrant members of the union to improve their English language skills. In addition to this function, it is also the point at which these members can learn more about their workplace rights as well as entitlements to other public benefits and services, such as accessing the National Health Service.

The Union also works to draw out the experiences of migrant workers employed in sectors where they are most numerous. Examples of this include the hospitality sector. The London Hotel Workers branch of the union has carried out research on the employment conditions of migrant workers in the region of the capital city where they make up around 70 per cent of the workforce. A report, *Unethical London* ([http://www.uniteetheunion.org/uploaded/documents/\(JN7544\)%20A4%20Unethical%20London%20Brochure%20\(2\)11-27954.pdf](http://www.uniteetheunion.org/uploaded/documents/(JN7544)%20A4%20Unethical%20London%20Brochure%20(2)11-27954.pdf)) published in August 2016, sets out these findings and also advocates the actions needed to provide remedies to areas where the workers are most vulnerable.

The union also supports a 'Justice for Cleaners' campaign, which addresses issues which concern workers in contract cleaning firms, which are predominantly made up of migrant employees. Justice for Cleaners has played a leading role in campaigning for a higher living wage. It has done this by highlighting evidence of the wage levels and excessive work hours that are common in the industry, and 'naming and shaming' those businesses which provide the least favourable conditions.

Unite also provided support for the 'Justice for Domestic Workers' campaign, which supports migrant workers employed as household domestic workers. Often isolated in private homes, this group of workers frequently provides reports of work conditions that amount to forced labour and modern day slavery. The risk to domestic workers is increased by the regulations that govern their immigrant residence status, which makes them excessively dependent on the need to comply with the wishes and demands of the employers with whom they have been contracted to work. The campaign advocates for the restoration of a secure domestic workers visa, which would allow employees to move more easily from exploitative

employers. (See also the website of the organisation which supports them directly and advocates for change – [www.kalayaan.org.uk](http://www.kalayaan.org.uk).)

**UNISON.** This is a large union that has its traditional strength in the public services sector, which includes local government and the National Health Service. It also organises in sectors which have been out-sourced from the public to the private sector in recent years, such as residential care homes, where modern slavery is also thought to be an issue. These are all services which employ large numbers of migrant workers.

It supports migrant members through a ‘migrant advice helpline’ phone service. This primarily assists UNISON members with problems that arise from immigration status rather than workplace issues.

The union is also noted for the influence its National Black Members Conference plays in planning its strategic work. This has produced campaigning work in recent years on the themes of defending migrant workers in the National Health Service and against government measures withholding the right to settle in the UK to migrants on the Points-Based Scheme who are earning less than £35,000 a year after five years residence in the UK.

**GMB.** The GMB is another multi-sector trade union with a large membership in industries and services where migrants are strongly represented as workers. The union has fewer examples of projects specifically aimed at addressing issues concerning migrants but aims at ensuring its organisers in regions and workplaces are properly sensitive to the needs of migrants. Examples of this approach have included training courses on the background to Polish migrants to the UK and issues that confront them in the labour force. For example, a few years ago GMB in Scarborough helped Polish workers at the McCains chip factory to achieve the same conditions and wages as their UK counterparts in the face of attempts to divide the workforce.

The GMB has also drafted a ‘model policy’ on the employment of ‘migrants and vulnerable workers’, which it uses as a guide to its negotiators when dealing with employers in sectors in which these groups are concentrated. Amongst other things, it commits employers to acknowledge their ‘legal and moral duty to reduce incidences of exploitation towards vulnerable workers and to protect the human rights of all our employees’. To achieve these ends, it lists eighteen actions which employers are urged to undertake to put into practice the commitment to the ethical employment of migrants and vulnerable workers.

**Other unions.** USDAW, the Union of Shop, Distributive and Allied Workers, organises workers in retail and distribution centres. It has published a detailed policy statement on organising migrant workers (<https://www.usdaw.org.uk/CMSPages/GetFile.aspx?guid=dd67070e-c5ac-4629-8aba-77c3c26faab4>), which draws particular attention to the growth of agency work in the retail sector and the dangers that this presents to the pay and conditions of all workers.

The Royal College of Nurses (RCN) has an on-line advice guide on immigration issues as they affect migrant nurses in the UK (<https://www.rcn.org.uk/get-help/rcn-advice/mss-ias-immigration>). It also runs a helpline which provides advice on these matters.

The University and College Union (UCU) has published a guide to its branches and members ([https://www.ucu.org.uk/media/8418/Brexit-and-post-school-education-guide-Dec-16/pdf/ucu\\_brexitbriefing\\_dec16\\_.pdf](https://www.ucu.org.uk/media/8418/Brexit-and-post-school-education-guide-Dec-16/pdf/ucu_brexitbriefing_dec16_.pdf)) on issues that will arise for the education sector as a result of the referendum vote in favour of Brexit. This includes sections on the threat to the status of the large number of EU nationals working in the higher education sector in the UK.

## **2. Migrant community-based initiatives**

Between the categories of ‘unions’ and ‘community-based initiatives’, there is the recent phenomenon of ‘community-based unions’. Because their origin usually lies in the frustration on the part of some migrant communities with the ways in which traditional unions operate, they are dealt with in this article as community-based initiatives.

The two best-known examples of this approach are United Voices of the World (UVW) and Industrial Workers of the World (IWW).

### *United Voices of the World*

UVW has its roots in London’s Latin American and Spanish speaking migrant communities. Its website (<https://www.uvwunion.org.uk/>) states that ‘anyone can join’. Its main areas of activity are described as being ‘London’s low waged, outsourced economy including: cleaning, portering, customer service, security, childcare, construction, and administration’. It is organised with the intention of restricting the space for the emergence of a large layer of professional officials, which is one of its main criticisms of the mainstream trade union movement.

Its notable areas of action have been in disputes involving restaurant staff in Harrods over the company’s retention of tips; a campaign to bring cleaning staff contracts back in-house at the London School of Economics; the campaign to have cleaning staff at John Lewis stores recognised as company partners; for a ‘real living wage’ to be paid to cleaners at Top Shop stores; and for a reduction of the excessive workloads of cleaning staff employed on the Mitie contract at the Prudential Insurance Company. The weight of a membership consisting largely of Spanish-speaking migrants is clear in all these disputes.

### *Industrial Workers of the World*

The IWW differs from UVW in its more conscious pursuit of a syndicalist theory of trade union action, which aims to build a comprehensive movement for social change. However, like the other community-based union, the IWW works to recruit a membership amongst workers in outsourced services and the ‘gig’ economy, requiring the individual to undertake tasks as and when they arise with each task constituting a ‘gig’. With this focus, it is building up a membership network that includes many of the migrants who make up a large part of the workforce in these areas of work.

The IWW has campaigns on the status of cleaners in companies (‘More Respect for Cleaners’) and couriers (‘Join the Couriers Roovelution!’). It also played a notable role – alongside UVW, Unite the Union and other migrant support groups – in the campaign against the action of the management of the Byron Hamburger restaurant chain to bring Home Office enforcement officials into its workplaces to facilitate the deportation of staff who were claimed to be working without the permission of the immigration authorities.

### *Immigrant advice and advocacy networks*

At the national level, there are a number of advice and advocacy networks that have an interest in workplace and labour market issues.

The Migrants’ Rights Network (MRN) has been working with migrant support groups and other bodies across the UK on projects that aim to strengthen contacts between regional-based groups and provide more comprehensive reporting of issues in the workplace that affect the rights of migrants. Its central concern has been in the ways in which restrictive immigration regulation

tends to increase the dangers of exploitation and other forms of abusive employment conditions for migrant workers. The Network's website (<http://www.migrantsrights.org.uk/>) contains reports on the risks presented by workplace checks on immigration status (*Papers Please: The Impact of the Civil Penalty Regime on the Employment Rights of Migrants in the UK*, November 2008, [http://www.migrantsrights.org.uk/files/publications/papers\\_please.pdf](http://www.migrantsrights.org.uk/files/publications/papers_please.pdf)) and the particularly vulnerable position of undocumented migrants (*Irregular Migration: The Urgent Need for a New Approach*, June 2009, [http://www.migrantsrights.org.uk/files/publications/irregularmigrants\\_fullbooklet.pdf](http://www.migrantsrights.org.uk/files/publications/irregularmigrants_fullbooklet.pdf)).

MRN is currently working on a two-year project which looks at the risks that new migrants confront during the early period of their settlement in the UK, and particularly at the ways in which housing and accommodation issues combine to produce disadvantage for this group of workers. A report on the first phase of this 'Routes to Your Rights' project is available online ([http://www.migrantsrights.org.uk/wp-content/uploads/publications/RTYRPhaseOne\\_Final.pdf](http://www.migrantsrights.org.uk/wp-content/uploads/publications/RTYRPhaseOne_Final.pdf)).

Praxis Community Projects (<http://www.praxis.org.uk/index.php>) is one of the longest established support organisations in the UK. It runs a drop-in and advice centre in East London and coordinates a range of project activities across the country, several of which deal with migrant worker issues. Its work-related projects include English language courses and support for trafficked women.

Outside of London, work around migrants and labour market issues tends to be more limited in size and is generally concentrated on employability issues, with refugees being the main but not exclusive focus. These activities cover the acquisition of information technology skills, English language training and regrading foreign professional and academic qualifications to UK standards. Various organisations work around these issues and include some of the networks supported by the Home Office-funded Regional Strategic Migration Partnerships. Regional groups associated with the local authority networks, such as Migration Yorkshire (<http://www.migrationyorkshire.org.uk/?page=aboutus>), the Refugee Council (<http://www.refugeecouncil.org.uk/?gclid=CPSH4pbfstlCFRONGwodsmQCTA>) and Refugee Action (<http://www.refugee-action.org.uk/?gclid=CLymgbjfslCFSwz0wodR4IHVA>) are involved in this work. In Northern Ireland, a province-wide coalition of migrant support groups, trade unions and local authorities works under the title of 'Stronger Together' (<http://www.strongertogtherni.org/>) and undertakes several employment-related projects. (Not to be confused with the same network which works around severe labour exploitation within England and Wales.)

In many instances, work on employment issues will be undertaken by nationality-specific organisations, with groups such as the Polish, Italian, Pakistani, Indian, Latin American and African nationalities being the beneficiaries of services. When undertaken on this basis, the activities will be based on the collective knowledge and experience of members of the community, and advice will usually have an *ad hoc* character. Whilst access to the labour market and the risk of exploitation are widely acknowledged as being the dangers that people from these migrant groups regularly face, there is as yet little evidence of projects being undertaken on a systematic basis and for the purpose of supporting advocacy for better treatment and change.

### **3. Issues of acknowledged concern that generate national responses**

Greater awareness of the forms that exploitation is now taking in British society, combined with knowledge of the vulnerability of particular groups, has brought long-established anti-slavery and human rights-orientated organisations back into a central role, and has also facilitated the emergence of new projects working around these issues.

The theme of support for the victims of human trafficking is the dominant issue in this category of work. Projects are underway across the whole of the UK that aim to identify trafficked people and

support their rescue. Many of these reflect the priority that regional police services have now given to this issue and are tied to the objective of fighting organised crime but others have roots in charities and campaigning organisations that work for the protection of groups, such as women and children. A list of organisations most prominent in this area can be found on the website of Anti-Slavery Day (<http://www.antislaveryday.com/organisations/>).

There is some tension within these networks over the degree of prominence that ought to be given to the issue of trafficking *per se*, as against the labour exploitation component. Anti-Slavery International (<https://www.antislavery.org>) has argued for recognition of a ‘continuum of exploitation’ that extends from regular employment at one pole, moving to forms of abuse such as payment below minimal wage levels, compulsory overtime and unsafe working conditions, through to the gross exploitation associated with forced labour and modern-day slavery. Whilst trafficking – the control of the physical movement of the victim – figures within this process of the production of forced labour, it is not the only element. Supporters of this approach argue that it is as important to track events, other than the incidence of trafficking, along the continuum which leads to slavery – such as payment below minimum wage levels, withholding of an element of wages, employees incurring debts held by their employer, confiscation of passports and other identity documents, compulsory overtime, charges levied on workers by employment agencies, etc. – as significant moments in the loss of control of the work situation by the worker and the increased risk of exploitation. (See also [www.forcedlabour.org](http://www.forcedlabour.org) for news and research reports about the incidence of forced labour and human trafficking across the UK.)

The Stronger Together partnership (<http://stronger2gether.org>) – as noted: not the same organisation mentioned above) consists of organisations committed to monitoring the supply chains which businesses use to subcontract parts of the production process to third party suppliers for evidence of exploitation. It signals the issues that are likely to indicate exploitation with the following questions to would-be informants:

1. Are you forced to do work when you don't want to?
2. Do you have to pay someone money to give you work?
3. Are you forced to live in accommodation against your will?
4. Is someone controlling your identity documents or bank account?
5. Is someone threatening or intimidating you or your family?

Anyone responding positively to these questions can obtain advice and support from the organisation in the network.

An industry-specific project that also follows this approach is the Staff Wanted Initiative (<http://www.staff-wanted.org>), which monitors the risks of exploitation in the hospitality industry. The website directs workers in the sector to sources of advice and support if they believe that they are being exploited.

An important resource, reviewing employment and ancillary practices that give rise to exploitation, is to be found at the website of Focus on Labour Exploitation (FLEX – <http://www.labourexploitation.org>). FLEX works across the issues of both trafficking and labour exploitation. It calls for companies to accept accountability for exploitation when it is found to exist in their mainstream operations and/or their supply chains. It runs a Pro-active Identification and Support of Victims of Trafficking for Labour Exploitation in the EU (Pro-Act) Project, which sets out recommendations for the improvement of labour inspection powers and procedures.

Nearly all of the websites and organisations listed above are part of regional or national networks, which can refer enquiries onto other organisations. A central focus for human trafficking organisations is the Human Trafficking Foundation ([www.humantraffickingfoundation.org](http://www.humantraffickingfoundation.org)).