

Principle 7

WORKING CONDITIONS ARE SAFE AND DECENT

Migrant workers should enjoy safe and decent conditions of work, free from harassment, any form of intimidation or inhuman treatment. They should receive adequate health and safety provision and training in relevant languages.

Migrant workers often have to endure working conditions that violate their human rights. They may be subjected to physical, psychological, or even sexual abuse, or may face harassment or inhumane disciplinary measures. Migrant workers are frequently targeted to work over-time, or are forced to work excessively long hours under threat of wage deductions or dismissal.

Health and safety provision for migrant workers is often sub-standard. Migrant workers are not always included in standard company health and safety training. Language, culture, and comprehension issues often compound migrant workers' lack of awareness of health and safety issues. Health and safety training, manuals, signage and product/equipment labelling are often not available in languages migrant workers can understand, posing significant health and safety risks. Migrant workers may also be denied access to healthcare, including reproductive health.

IMPLEMENTATION STEPS

- Migrant workers should not be subjected to harassment, harsh or inhumane treatment. The use or threat of physical force or sexual violence, or intimidation of any kind should be strictly prohibited.
- All conditions of work, including regular hours, overtime, days off, permitted breaks (including for religious purposes), and disciplinary procedures where applicable should be clearly defined and communicated to all workers in a language each worker understands.
- Disciplinary procedures should not entail the use of punitive fines. No worker should be forced to sign a letter of resignation in advance or any blank paper.
- Migrant workers should be able to terminate their employment with reasonable notice without penalty or as provided in national law. The employment contract should stipulate a period of reasonable notice for termination initiated either by the employer or the worker.
- Migrant workers should not be forced to work overtime, and disciplinary measures should not include forced overtime work, nor should there be a threat of dismissal, penalty, or involuntary repatriation in cases where migrant workers refuse to work beyond contracted hours.
- Migrant workers should be free to return home during paid leave, without fear of reprisal or sanction.
- Employers should ensure that migrant workers are included in all health and safety training provided at the workplace. This should be in a language each worker understands, and migrant workers should be required to provide feedback on any training or materials received to demonstrate their understanding.
- Migrant workers must have access to adequate health and safety equipment. Labelling of hazardous chemicals, operational instructions for machinery etc. should be translated into relevant languages and provided verbally as well as in writing. Posters and safety notices should also be in a language each worker understands or in pictorial form.
- Migrant recruiters should carry out due diligence to determine if workplaces are safe, and should ensure that any workers they have recruited/placed receive health and safety training.
- Employers should respect migrant workers' religious practices, make appropriate facilities available for religious observance, enable access to places of worship, and ensure their meals conform with any religious requirements.
- Employers should provide or ensure access to healthcare for all workers. Employers should have a policy to cope with illness, accident or pregnancy of migrant workers, and provide them with information on the prevention

and treatment of relevant infectious and communicable diseases, including sexually transmitted diseases.

- Migrant workers should have access to worker compensation in cases of injury. This should not be restricted only to those with regular migration status.