

WHY SPECIFIC GUIDANCE FOR MIGRANT WORKERS?

- > Migrant workers are a crucial part of the work force in many sectors, including those ensuring essential services during the pandemic and industries hit especially hard by the crisis.
- > Many micro-, small- and medium-sized enterprises (MSMEs) in particular rely on the migrant workforce to operate.
- > Migrant workers have specific concerns—as they are generally far from their families and communities—including facing language and/or cultural barriers, as well as potential discrimination, and often do not benefit from social protections and safety nets enjoyed by local workers.
- > The economic impact on migrant workers affects not only the workers themselves but also those who depend on their [remittances](#) for survival in their communities of origin.
- > Supply chain leaders can play an important role in helping mitigate the impact of COVID-19 on workers in their supply chains, including those that are migrant workers.

This guidance is adapted from the [International Organization for Migration's \(IOM\) COVID-19 guidance for employers and business to enhance migrant worker protection during the current health crisis](#) and should be read in conjunction with recommendations by the [International Chamber of Commerce \(ICC\)](#) and [World Health Organization \(WHO\)](#) on general health and safety measures for employees.

GENERAL PRINCIPLES

- > All workers should be treated with equality, dignity and respect, irrespective of their gender and migration status.
- > Businesses must exercise their duty of care to respect human rights and meet the basic needs of all employees.
- > The health, well-being and safety of all employees, including migrant workers, should always be a priority for employers, in particular during the COVID-19 health crisis.

PHYSICAL AND MENTAL HEALTH



1. Implement health-related measures and ensure access to health care

Migrant workers, and particularly those in irregular situations, are likely to face barriers to accessing social protection and health care. They may also be reluctant to seek medical attention because of the expense of medical care, or fear of deportation, stigmatization or discrimination. Protective measures, such as the following, should be introduced to safeguard the health of migrant workers, as for all workers. Employers can:

- > Monitor and comply with all public health requirements, and ensure that critical information is communicated to all employees.
- > Implement measures to reinforce social distancing, as well as other protective measures, to reduce the risk of contamination among employees. (See [WHO guidance](#) and [ICC guidance](#)).

- > Reduce risks of contagion during workers' travel to the workplace through information and compliance with health requirements.
- > Provide flexible work arrangements.
- > Provide access to translators for medical or hospital visits, or other communications with medical professionals.

2. Mitigate stress and anxiety related to COVID-19

Migrant workers may face elevated levels of stress and anxiety related to COVID-19. They are isolated and far from their homes, families and support networks, and may also fear deportation if they lose their jobs and work permits, or contract the virus. Employers can:

- > Refer workers to psycho-social support, counselling services and hotlines.
- > Facilitate contact to consular services, civil society organisations and diaspora groups.
- > Combat rumours and the spread of disinformation or false information that contribute to increased anxiety by communicating only verified news and information.
- > Provide unhindered access to Internet services, including in dormitories, to allow regular contact with family members and loved ones at home.

This [WHO guidance](#) is also a useful tool for dealing with stress related to COVID-19.

3. Provide access to social protection, including social security

Migrant workers may not have access to social security safety nets, especially if their situation is irregular. Employers can:

- > Identify ways to support any government social protection measures, including by facilitating access by workers to health and unemployment insurance.
- > Regularise workers where steps can be taken to do so .
- > Guarantee (and extend) paid sick leave, especially for women who are often primary caregivers, to ensure income security for the sick and caregivers, in case of worker or family illness related to COVID-19.

4. Communicate with migrant workers

During times of crisis, open channels of communication and dialogue between all relevant parties, including workers and recruiters, are vital. Employers can:

- > Transmit targeted COVID-19 related information to workers, including migrants, and collect regular feedback from all migrant workers to understand and take into account their needs and concerns.
- > Ensure that all employees, including migrants and employees of third-party contractors in the workplace, understand that anyone displaying [symptoms of COVID-19](#), should self-isolate at home and seek appropriate medical attention .
- > Communicate to migrant workers:
 - clear guidance on when, where and how to seek medical assistance;
 - up-to-date legal and administrative advice, assistance and information in cases where their jobs are impacted; and
 - the necessary documentation required should they have to leave the workplace.
- > Use educational leaflets, posters, and other visual media with text translated into all represented languages.
- > Ensure that workers living in employer accommodation and all support staff are informed of, and comply with, all new hygiene requirements.



5. Adapt the living conditions of migrant workers

Migrant workers may live on-site or in employer-owned or -operated accommodation. Actions should be taken to verify that conditions are safe, hygienic and reflect the current requirements of social distancing. Employers can:

- > Reorganise living arrangements to ensure social distancing in sleeping, eating and washing arrangements.
- > Ensure access to essential needs, such as potable water, food, and electricity, as well as emergency and health services.
- > Ensure follow-up and implementation of cleaning and hygiene measures.
- > Effectively isolate and provide medical assistance for employees with symptoms of, or who have tested positively to, COVID-19.
- > Engage third party landlords to prevent evictions from third party housing, or consider temporary coverage of accommodation and food costs, in the event of reduced salaries resulting from workplace closures or slowdowns.

6. Combat xenophobia and social exclusion during the crisis

The risk of heightened xenophobia and discrimination against migrants has increased during the pandemic. Employers should:

- > Take steps to prevent and address discrimination, xenophobia and/or exclusion related to migrant workers and COVID-19 (e.g. through additional training and awareness-raising for all workers).
- > Establish a mechanism through which workers can report, in confidence, incidents of harassment, discriminatory or other inappropriate behaviour to their supervisor, human resources representative or management, and act upon and remedy all confirmed cases.

7. Safeguard the rights of migrant workers in times of crisis

It is essential that employers observe and comply with all relevant laws, regulations, and collective agreements related to employment and working conditions during this exceptional situation. Employers can:

- > Ensure that workers do not face excessive or forced overtime and continue to enjoy necessary daily and weekly rest periods.
- > Meet legal obligations in the case of worker redundancies and layoffs, including requirements pertaining to notice periods and compensation, and responsibilities related to return assistance.
- > Ensure access by migrant workers to their identity and travel documents at any time.
- > Restrict migrant workers' freedom of movement only to the extent necessary to prevent the spread of the virus, while clearly communicating.



8. Ensure payment of wages and economic well-being of migrant workers

Migrant workers often incur financial debt to pay for their recruitment and depend on regular and timely income during employment abroad. Non-payment of wages due to production stoppage or lay-offs can have severe negative impacts on the livelihood of migrants and their families. Changes to wages or hours worked may also be constrained by visa or immigration requirements. Employers should:

- > Make all efforts, to the extent possible, to support migrant workers financially through continued wage payments during the COVID-19 pandemic.
- > Uphold responsibilities to ensure the reimbursement of any recruitment-related fees and costs when it is discovered that these have been paid by migrant workers, whether laid-off, on furlough or in active employment.

9. Assist with the return of migrant workers during the pandemic

Migrant workers may be obliged to return to their communities of origin because of the pandemic but will often not have the funds to do so. Employers can:

- > In cases involving the return of migrant workers:
 - Organise and pay for migrants' return to countries of origin in coordination with labour recruiters under existing contractual obligations, and civil society organisations, as appropriate.
 - Explain the safety rules that apply during and after travel (e.g. mandatory quarantine).
- > Coordinate with labour recruiters to organise and pay for return travel to communities of origin when jobseekers were recruited but could not travel due to the pandemic.
- > Explore with government, recruiters, and other relevant institutions, where other options are not available, the possibility of unlocking funds (e.g. bonds placed as guarantees during migrant worker recruitment, migrant welfare funds, etc.).



10. Ensure ethical recruitment in periods of crisis

It is imperative to ensure the ethical recruitment of migrant workers during the crisis, taking into account the higher risks of unethical practices due to current travel restrictions. Employers can:

- > Use remote interview technologies to reduce travel and in-person meetings.
- > Ensure that additional costs related to health checks, official documentation, and due diligence are not borne by migrant workers.
- > Ensure, in coordination with recruiters, measures to observe social distancing; protect migrant health during all stages of travel; respect local quarantine regulations; and provide provisions for appropriate accommodation and services in the country of destination.
- > Ensure that any recruitment “on-hold” because of the crisis does not result in jobseekers being held by recruiters for indefinite periods of time.
- > Develop action plans ahead of time to guarantee ethical recruitment when full production and service resumes to prepare for pressures to return to “business as usual” as quickly as possible.



11. Enhance migrant protection through compliance monitoring and supply chain due diligence

Supply chain leaders may help mitigate the impact of COVID-19 on the workers, including migrants, in their supply chains through temporary policy measures. Employers can:

- > Enhance protections during the pandemic for all workers, including migrants, in supply chains, (e.g. new commitments on enhanced occupational safety and health information; access to health care, wage and livelihood guarantees, as well as social protection; and other special measures related to work arrangements, including hours of work and living conditions).
- > Reinforce any new policy commitments with additional monitoring and due diligence to ensure supplier adherence and implementation, including those through new communication tools to enhance due diligence and worker protections.

This [ICC Corporate Call to Action](#) is also a useful tool for supply chain leadership during COVID-19.

ADDITIONAL RESOURCES

- > [IOM's COVID-19 guidance for employers and business to enhance migrant worker protection during the current health crisis](#) (Available in different languages)
- > [ICC's Save Our SMEs Web Portal](#)
- > [ICC's COVID-19 Response Web Portal](#)
- > [WHO's "asks" to the private sector in the response to COVID-19](#)
- > [ILO, UNICEF, and UN Women's family-friendly policies and other good workplace practices in the context of COVID-19: Key steps employers can take](#)
- > [IOM's information about COVID-19 and how to protect yourself](#) (Available in different languages)
- > [ICC's call to action on remittances and how to keep them flowing during COVID-19](#)
- > [IOM-CREST's guidance on how COVID-19 places migrant workers in highly vulnerable situations](#)
- > [IOM-CREST's COVID-19 Response Website](#)
- > [Ethical Trade Initiative's COVID-19 Migrant Workers Briefing](#)



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ABOUT THE INTERNATIONAL CHAMBER OF COMMERCE (ICC)

The International Chamber of Commerce (ICC) is the institutional representative of more than 45 million companies in over 100 countries. ICC's core mission is to make business work for everyone, every day, everywhere. Through a unique mix of advocacy, solutions and standard setting, we promote international trade, responsible business conduct and a global approach to regulation, in addition to providing market-leading dispute resolution services. Our members include many of the world's leading companies, SMEs, business associations and local chambers of commerce.



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ABOUT THE INTERNATIONAL ORGANIZATION FOR MIGRATION'S (IOM)

Established in 1951, IOM is the leading intergovernmental organization in the field of migration and works closely with governmental, intergovernmental, non-governmental and private sector partners. IOM is dedicated to promoting humane and orderly migration for the benefit of all, promotes international cooperation on migration issues and assists in the search for practical solutions to migration challenges.