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Severe labour exploitation of migrant workers: FRA report calls for 'zero tolerance' of severe labour exploitation

FRA research published today highlights the urgent need for European governments to do more to tackle severe labour exploitation in firms, factories and farms across the EU. First-hand interviews with hundreds of exploited workers reveal the illegal practices in sectors including agriculture, construction, domestic work, hospitality, manufacturing and transport.

Many exploited workers are often invisible. But the workers' perspectives in FRA's report <u>Protecting migrant workers from exploitation in the EU</u>' show how their exploitation contributes to the supply chains of the everyday goods and services we take for granted – from the food on our plates, to the shirts on our backs.

Powerful accounts* from 237 workers reveal challenges in eight EU Member States. Researchers found victims in Belgium who were made to live in homeless shelters and work up to 92-hours-a-week for as little as €5-a-day.

One-in-four victims in Belgium were recruited by agencies. And FRA was told of the complex web of outsourcing and sub-contracting designed to hide the identity of those responsible. Workers detail the techniques used to evade labour inspectors: from fake contracts to being forced to hide in toilets during site visits.

The report reveals that over half of the workers found their jobs by word of mouth but ended up in 'concentration camp conditions' where 'they keep us like dogs, like slaves'.

FRA researchers found that some of the EU's exploited migrant workers are:

- forced to pay debts to traffickers before earning a cent;
- working 92-hour, seven-day weeks, with no holiday or time off;
- sleeping in shipping containers, with no water or electricity;
- monitored on CCTV 24/7 by bosses;
- subjected to beatings, verbal abuse and threats of further violence;
- given no protective clothing to work with hazardous chemicals;
- face sexual and gender-based violence or forced into moving drugs;
- threatened of dismissal and deportation when they ask for their wages.

The report outlines 13 actions for EU institutions and Member States to end exploitation:

- 1. End fraudulent or deceptive recruitment practices.
- 2. Work with Europol, internet service providers and social media to tackle recruitment websites used by traffickers and exploitative employers.
- 3. Enforce labour laws to protect migrant workers' rights on pay, conditions and hours.
- 4. All EU Member States, which have not yet done so, should ratify the International Labour Organization's decent work for domestic workers Convention and include domestic workers in national laws resulting from the EU's Working Time Directive.
- 5. Ensure all workers, including seasonal and posted workers, have adequate living standards and fair rental agreements and that the rent is not automatically deducted from the wage, when accommodation is provided by the employer.
- 6. Build labour exploitation into the EU's Occupational Safety and Health Strategic Framework by 2020.



- 7. Include domestic workers in the EU's Safety and Health at Work Directive.
- 8. Enable law, inspection and monitoring bodies to identify and tackle labour exploitation through training and sufficient resources.
- 9. Develop regulated and targeted labour migration programmes to fill labour market shortages.
- 10. Reduce workers' dependency on employers, by issuing residence permits or visas not tied to a single employer, for example.
- 11. Enable seasonal workers to freely change employers more than once, under the EU's Seasonal Workers Directive.
- 12. Inform workers of their rights in a language they understand.
- 13. Make specialised support services available to all victims of crime, including victims of severe labour exploitation. This includes ensuring organisations supporting trafficking victims also cover victims of labour exploitation.

FRA Director <u>Michael O'Flaherty</u> says: "This report shows how exploitation often starts with false promises and fraud, describes the extreme conditions the exploited workers endure, and identifies what facilitate exploitation. But it also outlines what can be done to help exploited workers access justice.

"We hope that our focus on this issue encourages the responsible national authorities, as well as social partners, to recognise the reality of severe labour exploitation, and to take the steps necessary to create a climate of 'zero tolerance'."

Editor's notes

The report draws on face-to-face and focus group interviews with 237 adult workers who have been victims of severe labour exploitation between 2013 and 2017. It focuses on Belgium, France, Germany, Italy, Netherlands, Poland, Portugal, and the UK.

* Verbatim quotes from interviews carried out in Belgium below.

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Belgium interviewee quotes...

"If I would have continued to look for work at the pick-up location for workers without residence documents, I would have lost my dignity. It is like women who sell their body. The bosses, they pass by there to ask for services in painting, electricity, etc."

(Belgium, male interviewee from Northern Africa, construction, migrant in an irregular situation at the time of exploitation)

The same worker mentioned that often illegal jobs are offered: "with the promise to regularise you, they ask you to sell drugs for example. Or for EUR 10.000, to put boxes from one car into another without knowing what is inside of it."

"The main problem was the salary. We haven't been paid, we have been swindled. The boss did not respect us as human beings. [...] We were not only badly paid, we have not been paid at all."

(Belgium, male interviewee from Northern Africa, construction, posted worker)

"I was working like 92 hours per week, without any holiday, even on Sundays. Eleven months and not a single day I have some kind of leave" (Belgium, male interviewee from Southern Asia, retail, migrant in an irregular situation)

"There were fields of potatoes around the camping. There were days when we ate potatoes and potatoes, or corn."

(Belgium, male interviewee from Northern Africa, construction, posted worker, legal residence in Spain)

"The hours were not calculated. Sometimes, he [the boss] left me at the construction site. I thought he had forgotten me. I did not even have anything to eat." (Belgium, male interviewee from Northern Africa, construction, migrant in an irregular situation)

"They do not even pay attention to you. I, for example, later learned that by law my room needed to have a key. I did not have a key. So, the child entered whenever he wanted to. So, it was very strange, because in my room, the bed was always wet, and I did not understand why. Later, about three months later, I learned that the child came and sit on my bed and peed in the bed."

(Belgium, female focus group participant from Central America, domestic work, regular migrant).

"[The employer] started to say that he will pay each week. When the weeks arrived, he paid only half of it. He said 'ok, next week'. The following week, when I worked, he said 'ok, the people I work with, my boss as well, he is not paying me..." (Belgium, male interviewee from Sub-Saharan Africa, transport logistics and warehouses, asylum applicant)

"When you work without papers, the employer will take advantage, he will pay four or five euros. When you are not legally in the country, you don't have the choice" (Belgium, male interviewee from Northern Africa, retail, migrant in an irregular situation)

"The salary really is lower than the minimum, but I cannot complain, I do not have papers, it is difficult to ask, so I just keep quiet about it."



(Belgium, female interviewee from South-eastern Asia, domestic worker, migrant in an irregular situation)

"When people first come here, they should do [the] inburgering [integration course]. After that, you understand everything. [...] Because we, at inburgering, learned everything. [About] health insurance ... social security ... all those. We went to the police, to ACV [General Christian Trade Union]. So you can learn and ask everything. So to live in Belgium and to be able to stay in Belgium, it is really necessary." (Belgium, female interviewee from Eastern Europe, manufacturing, EU national)

"Each time at the end of the [French language] class, he [a staff member of a support organisation] explained to us the rules, he explained the laws, he told us to 'gather proof for everything', and it was when I was listening to this that I realised everything that was going wrong. But at that moment, I said: 'Well, what do I do now? I already accepted, I already signed my contract. What can I do?'" (Belgium, female focus group participant from Central America, domestic worker, regular migrant)

"The police came to have a drink at the restaurant. The boss offered beers to the people in the bar. So, you wonder. It is like an implicit agreement. Besides, if you talk to the police, they can give you fines. If you do not pay taxes, it is still tax evasion. And I would be afraid in the streets, if I denounce him [the boss]." (Belgium, female worker from Southern Europe, hospitality, EU national)

"The police, above all, is the only thing I do not dare, naturally. Even if I did nothing. When I think, at home, the police are synonymous with the culpable becoming the innocent and vice versa."

(Belgium, male interviewee from Sub-Saharan Africa, building maintenance, migrant in an irregular situation)

"My case will be solved if I will receive the [lacking] money. I continue to work more, because before it was informal, now it is declared. I have the right to work, even if my residence documents are temporary. [...] My salary is better than before" (Belgium, male interviewee from Sub-Saharan Africa, transport logistics and warehouses, asylum applicant at the time of exploitation)

"So, I was the victim, and they [the authorities] said 'you are the culprit' and nothing was done to the bosses, they take money and they sleep at night." (Belgium, male interviewee from Southern Asia, retail, regular migrant)