

Promoting the Rights of Migrant Workers



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A major all-Ireland conference on *Promoting the Rights of Migrant Workers* took place on 23rd May in Lough Neagh Discovery Centre near Lurgan. The event was attended by over 200 delegates made up of persons, both migrant and non-migrant, who have been working on racial equality issues in Trade Unions, Community and Voluntary sector NGOs, the public sector and beyond.

The conference highlighted areas of concern for the migrant worker population in Ireland north and south. Key issues emerging from the conference were:

- The need to take an employment-rights approach to labour migration both in addressing weaknesses, gaps and loopholes in employment rights legislation and also establishing effective enforcement mechanisms of the same. As long as all persons have effective equal access to employment rights exploitation and a two tier workforce will not emerge.

- The perception and representation of migration as a 'male' experience and the specific needs of women as part of the migrant labour force or as dependents of/care providers for the new labour force being overlooked or denied.

- Serious human rights concerns regarding the way migrants and (perceived migrants) are treated particularly in relation to the nature of, powers around and enforcement of immigration legislation and practices of racial profiling in the same.

- Concerns in both jurisdictions regarding the unequal civil rights to social assistance groups of migrants have along with the impact measured in human misery this has caused. The need to plan public services in relation to a changing and changed population was also raised.

Other key messages raised included:

- Issues being discussed and dealt with, far from being new, were part and par-

cel of broader rights work, including in the employment sphere. The issues of migrant worker rights are issues of broader worker rights. Those working on migrant rights issues should not separate them from broader worker rights issues. Those working on worker rights need to see migrant rights as an integral part of this work.

- A lack of consideration of the rights and interests of migrant workers within migration policy in both jurisdictions with prevailing models focusing more on the broader economic benefits migration brings.

- The migrant worker experience being part, not all of the immigration experience and being a transitory phase which shares common needs with wider immigration but has group specific needs as well.

The opening speaker was **Professor Nigel Harris** (University College London) who looked at broad context of current immigration policy and the problems it can cause for migrant workers. He outlined the wholesale benefits of migration to societies and questioned the rationale behind current immigration controls and highlighted problems they caused.

Siobhán O'Donoghue from the Dublin-based Migrant Rights Centre Ireland (MRCI) outlined research conducted by the centre into exploitation. The research documented 89 cases the Centre has dealt with and she outlined difficulties faced by migrant workers in addressing exploitation including: migrants being in a different situation due to their status (including a high number of persons who fall into undocumented status as a result of workplace exploitation); difficulties in persons feeling comfortable in taking cases (particularly without the intervention of a support organisation); racism and discrimination being a direct or underlying feature of most cases; migrant workers often being concentrated in sectors of the economy which have general poor employment practice records and other factors.

Bernadette McAliskey, Programme Coordinator of STEP, outlined the support services needed by migrant workers and the broader issues of social responsibility stating: *"Strategic planning and policy development requires appropriate resources and it is not unreasonable to suggest that the recruitment agencies, gangmasters, employers and landlords making significant profit from the new dispensation should have an enforceable social responsibility to contribute from those profits towards meeting the new needs created, particularly for a work force paying taxes, and denied social welfare benefits that accrue to the rest of us from doing so"*.

Tayra McKee, an Organiser for the TGWU, said: *"it is important not just to organise migrant workers into the Union but also incorporate migrant worker issues into the Trade Union agenda"*. McKee and other speakers also emphasised the importance of challenging racism. This includes challenging the occasions where migrant workers themselves are blamed for exploitation they suffer rather than rogue employers or agents. Or when workplace conditions are undermined through general phenomena or practices in the economy such as that of subcontracting. McKee highlighted worrying developments in the case of Dungannon Meats where 46 workers (migrant and non-migrant) may lose their jobs for agency labour that may well be exploitative.

The importance of unity among migrant and other workers was also stressed by **Mike Jennings**, Regional Organiser of SIPTU who discussed the importance of maintaining hard won terms and conditions for all in the workplace and the primacy of these issues to this debate. A number of good practice initiatives that SIPTU has been involved in were highlighted. He said: *"This is a key issue for Trade Unions. Migrant Workers are one of a number of groups of people who are more vulnerable to exploitation in the workplace. Defending the rights of migrant workers is key to maintaining pay and conditions for both migrant and other workers"*. He also highlighted the absence of political will and resourcing to address workplace exploitation - Ireland currently has more dog wardens than labour inspectors. □