



REGIONAL LAUNCH OF THE FAIR RECRUITMENT INITIATIVE (PHASE II, 2021-2025)

AFRICA REGION

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Presentation of the Fair Recruitment Initiative: Phase II,
2021-2025 report



What is fair recruitment?

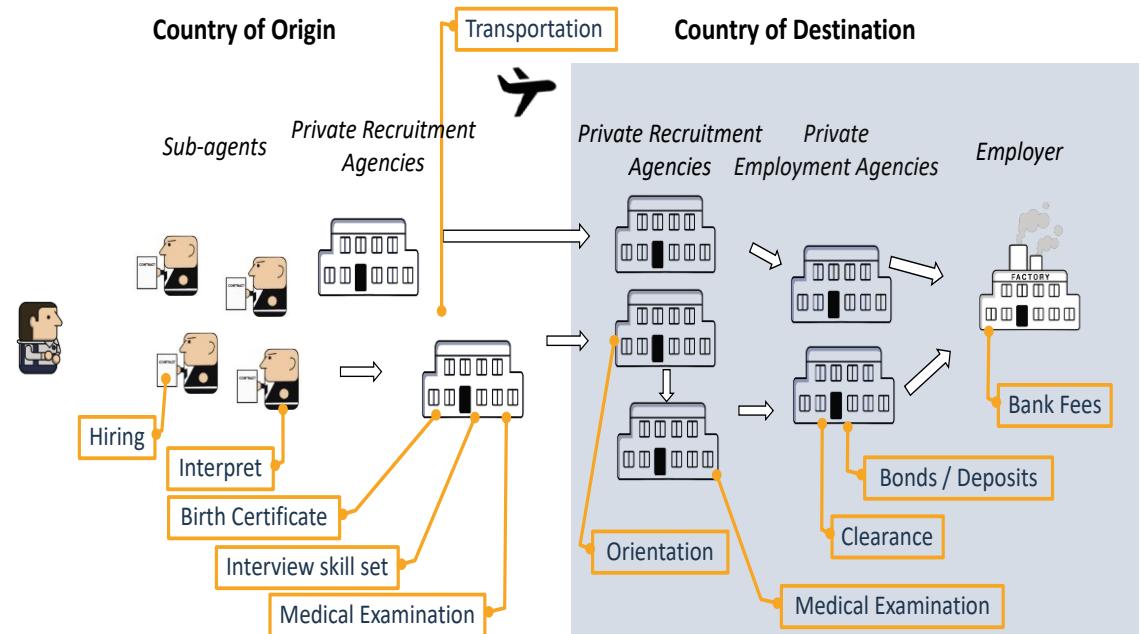
What is fair recruitment?

“Recruitment carried out within the law, in line with international labour standards, and with respect for human rights, without discrimination and protecting workers from abusive situations”.

Scope: Recruitment includes the selection, transport, placement into employment and – for migrant workers – return to the country of origin of workers if needed.

It applies to recruitment both within and across national borders.

Understand the journey of a migrant worker



What does fair recruitment mean for workers?

- ▶ “At the beginning I did not know much, but after two or three discussions I understood better...they told me that it was work in the garment sector, that there would be machines...They told me there is no cost, free medical services, and about the salary, with overtime.”
 - ▶ “Since we applied, from the start until we started working, we haven’t paid a rupee to anyone
- ▶ “I came from Nepal through the FAIR project, Until we got to Jordan, I haven’t spent a single rupee. If others want to come in the future, I want to tell them it is exactly like they told us back in Nepal”

▶ The full video is available online: [Making Fair Recruitment a Reality! - YouTube](#)



What actors are involved in recruitment?

Key definitions

- ▶ **Labour recruiter** refers to public employment services, private employment agencies and all other intermediaries or subagents that offer labour recruitment and placement services. Labour recruiters can take many forms, whether for profit or non-profit, or operating within or outside legal and regulatory frameworks
- ▶ **Employer** refers to a person or an entity that engages employees or workers, either directly or indirectly

How is recruitment regulated?

- ▶ Legislation, registration and licensing
- ▶ Self-regulation/voluntary measures (e.g. industry code of conduct)

How are recruitment regulations monitored and enforced?

- ▶ A range of authorities, including PES, labour inspectorates, police, specialist enforcement units, immigration authorities, tax authorities (in countries of origin and destination)

What are the benefits of Fair Recruitment?

For workers:

- ▶ Access to decent work
- ▶ Transparency
- ▶ No recruitment debt
- ▶ understanding of employment contract, working conditions
- ▶ Access to services
- ▶ Less vulnerable

To employers and recruitment agencies

- ▶ Better job- skill matching Efficiency
- ▶ Productivity gains and staff retention
- ▶ Regulatory and cost transparency
- ▶ Professionalization of the industry

For governments

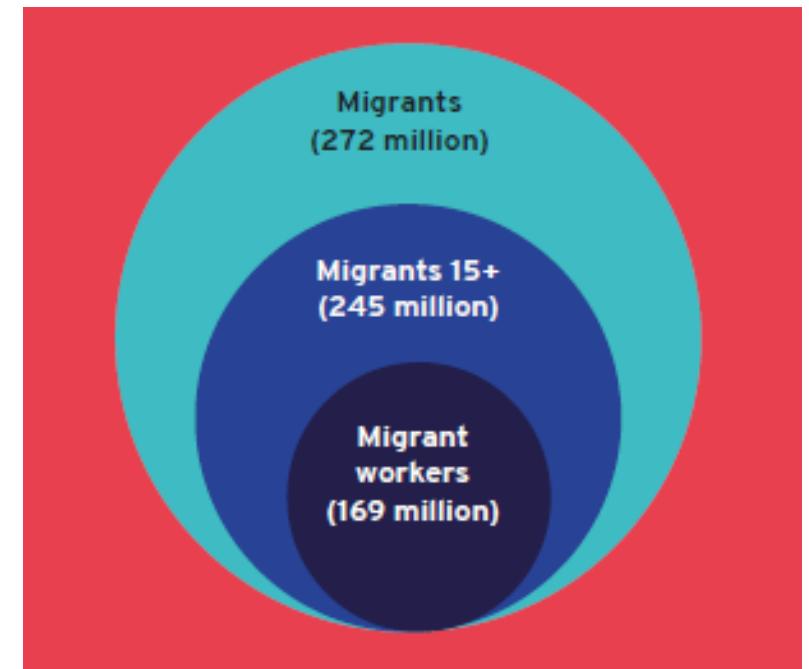
- ▶ Enabling labour market functioning
- ▶ Policy and regulatory clarity
- ▶ Protection of workers
- ▶ development contributions made by migrant workers

► COVID-19 has changed the recruitment landscape in the past 2 years:

- ▶ Delays in recruitment
- ▶ Lack of financial security and indebtedness due to job losses and initial payment of recruitment fees and related costs
- ▶ Further erosion of labour rights and working conditions
- ▶ Enhanced risk of abuse linked to recruitment during the COVID-19 pandemic
- ▶ Impact on the recruitment industry
- ▶ Challenges to effective government oversight and regulation

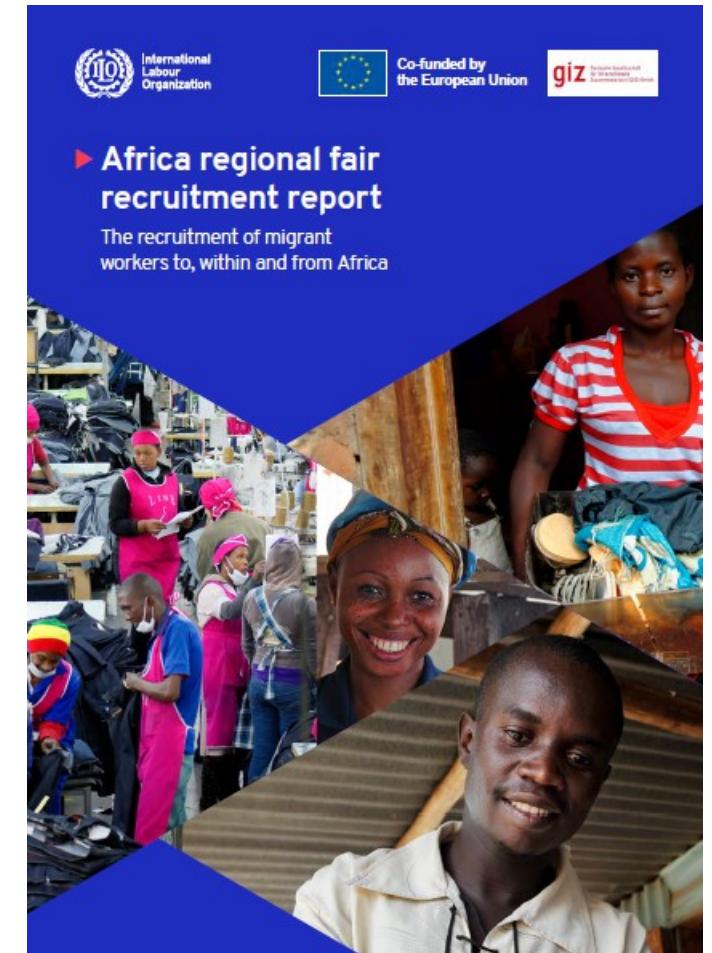
What is the overall context of labour migration and fair recruitment

- ▶ 169 million migrant workers – Constituting nearly 5 per cent of the global labour force
- ▶ Majority of migrant workers (99 million) are men, while 70 million are women
- ▶ Africa hosts approximately 13.7 million migrant workers (of which 4.9 million are women) (ILO, 2021)
- ▶ intra-regional migration dominates: Africa hosts 26.5 million international migrants, 80 per cent of whom are from Africa (UNDESA 2019).
- ▶ Migration towards Arab States growing in importance



Regional context - Fair recruitment in Africa

- ▶ ILO (2021) Africa Regional Fair Recruitment Report: The recruitment of migrant workers to, within and from Africa
- ▶ The report demonstrates that various forms of unfairness in recruitment are widespread across Africa, often associated with the exacerbation of both vulnerability and decent work deficits in employment
- ▶ The prevailing model of labour migration is that workers migrate in search of employment (migration-first pathway)
- ▶ The prevalence of informal employment translates to a broad pattern of informal recruitment across the region
- ▶ Includes case studies on 13 countries who have taken measures to improve recruitment processes through regulation, services and programmatic approaches



Regional context - Fair recruitment in Africa

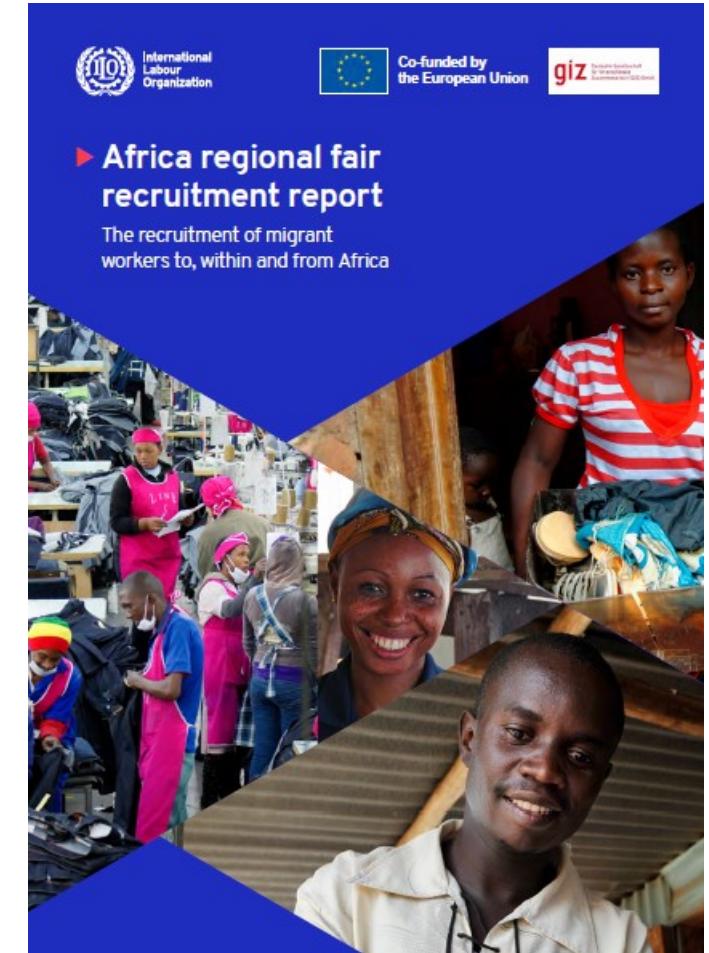
Key Conclusions:

- ▶ Mainstreaming fair recruitment into national policies developed through tripartite consultations

Developing and implementing labour migration policies; Closing the gap between policy and practice; Strengthening institutional capacities, including public employment services; Supporting migrant worker organization and social dialogue

- ▶ Protecting workers recruited and placed through PEAs, including through effective labour inspection

Regulating and monitoring activities of PEAs; regulating informal recruiters or subagents; conducting due diligence; eliminating recruitment fees and costs; combating misleading propaganda/job advertisements



► International Labour Standards (ILS) on fair recruitment

International labour standards apply to all workers, including migrant workers, irrespective of migration status. **Requirements on fair recruitment are contained in the following ILS:**

- ▶ Private Employment Agencies Convention, 1997 (No. 181)
- ▶ Migrant Workers (Supplementary Provisions) Convention, (No. 143) and Recommendation No. 151, 1975
- ▶ Migration for Employment Convention (Revised), (No. 97) and Recommendation No. 86, 1949



International Guidance on fair recruitment

ILO General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Costs

Developed to fill gap in knowledge and guidance on how to promote fair recruitment practices.

- ▶ General Principles – target implementation at all levels
- ▶ Operational Guidelines - outline responsibilities of specific stakeholders, including governments, enterprises and public employment services, labour recruiters and employers.

▶ Definition - based on the findings of the ILO's global comparative research, it recognizes the principle that workers shall not be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment.

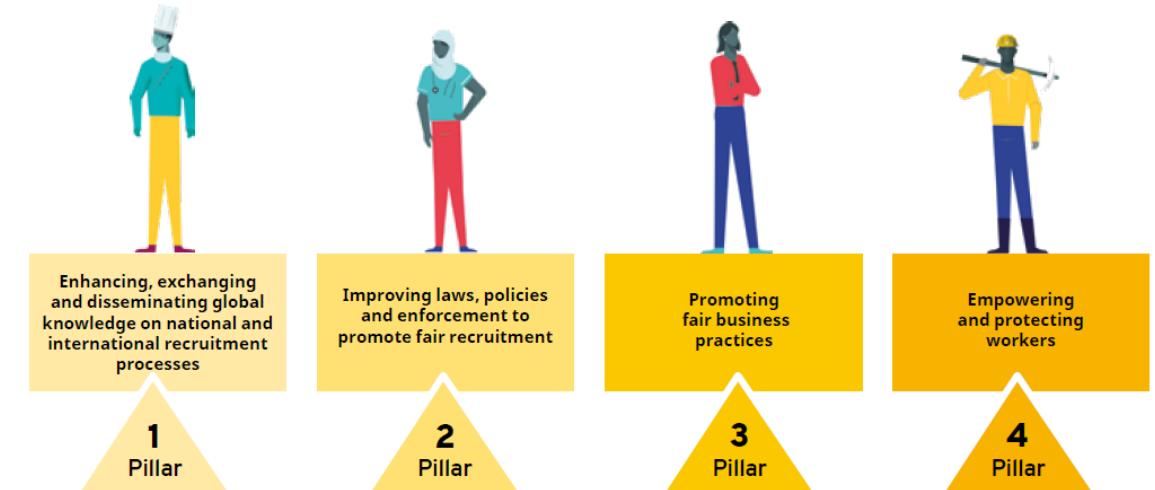
Together these documents provide the most definitive and up-to-date guidance on fair recruitment and form a comprehensive approach to realizing fair recruitment through development, implementation and enforcement of laws and policies.



ILO Fair Recruitment Initiative

The FRI aims to ensure that recruitment practices nationally and across borders are grounded in labour standards, are developed through social dialogue, and ensure gender equality. Specifically, they:

- ▶ Are transparent and effectively regulated, monitored, and enforced;
- ▶ Protect all workers' rights, including fundamental principles and rights at work (FPRW), and prevent human trafficking and forced labour;
- ▶ Efficiently inform and respond to employment policies and labour market needs, including for recovery and resilience.



ILO Fair Recruitment Initiative strategy 2021-25

Pillars and key targets

1

Enhancing, exchanging and disseminating global knowledge on national and international recruitment processes

- ▶ **Target 1.1** Quality data and research in key thematic areas or sectors, including the care economy, agriculture, construction, transport and services, are produced and disseminated.
- ▶ **Target 1.2** Evidence-based and innovative tools and guidance are produced and disseminated.
- ▶ **Target 1.3** ILO fair recruitment standards, principles, including the fundamental principles and rights at work, and guidelines are prominent on the global and regional agendas and pilot innovations are promoted.
- ▶ **Target 1.4** Training and capacity building is effectively delivered in cooperation with ITC-ILO, and materials developed, adapted and updated to address their emerging needs.
- ▶ **Target 1.5** The general public has increased access to information about abusive recruitment practices and their impact in terms of forced and bonded labour and human trafficking, including through improved and accurate reporting by the media on this topic.

2

Improving laws, policies and enforcement to promote fair recruitment

- ▶ **Target 2.1** National laws and policies are adopted, in consultation with social partners, and implemented to support employment creation and protect workers throughout the recruitment process.
- ▶ **Target 2.2** Increased number of countries that have introduced/improved their recruitment enforcement system to monitor recruitment violations and provide effective remedies.
- ▶ **Target 2.3** Increased number of countries that agree or renegotiate bilateral labour agreements in line with ILO standards and principles, and through social dialogue at all stages.
- ▶ **Target 2.4** Workers' and employers' organizations engage effectively in bipartite or tripartite social dialogue in the area of recruitment.
- ▶ **Target 2.5** Increased number of countries that have taken steps towards the ratification of international labour standards relevant to fair recruitment.

ILO Fair Recruitment Initiative strategy 2021-25

Pillars and key targets

3

Promoting fair business practices

- ▶ **Target 3.1** Businesses and employers in IOE's networks as well as ILO networks (e.g. ILO GBNFL & Alliance 8.7, the Child Labour Platform, etc.) and in selected sectors have increased awareness and access to knowledge, guidance and tools to change recruitment practices in a gender-responsive manner and implement ILO guidance.
- ▶ **Target 3.2** Businesses, particularly SMEs, have improved access to country and/or sector specific tools to conduct due diligence for fair recruitment practices.
- ▶ **Target 3.3** Private recruitment agencies (as well as public employment services as relevant) have increased awareness and access to knowledge, guidance and tools to change practices, conduct due diligence, and align with voluntary schemes.

4

Empowering and protecting workers

- ▶ **Target 4.1** Trade unions have increased awareness and access to knowledge, guidance and tools to increase representation of migrant workers among their members.
- ▶ **Target 4.2** Trade unions have increased awareness and access to knowledge, guidance and tools to improve and expand their activities to promote, support and advance fair recruitment, in cooperation when relevant with civil society organizations.
- ▶ **Target 4.3** Workers are provided with independent, relevant, understandable and actionable information about their rights and obligations in recruitment, including on access to justice and remedies.
- ▶ **Target 4.4** Workers can effectively access compensation and other remedies through justice and company-union grievance mechanism and social dialogue.



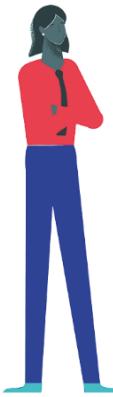
1. ENHANCE GLOBAL KNOWLEDGE

- ✓ [Global comparative study on definition of fees and costs](#) and regional study including for the Americas
- ✓ [Thematic studies:](#) Philippines, Tunisia, Sri Lanka, Madagascar, Mexico and Guatemala
- ✓ [SDG 10.7.1 on reducing recruitment costs](#) (see below)
- ✓ [ITC training course and materials on FR](#)
- ✓ Contribution to [Global Forum on Responsible Recruitment](#)
- ✓ [Promising Practices on Fair recruitment](#)



2. IMPROVE LAWS, POLICIES AND ENFORCEMENT

- ✓ [General Principles & Operational Guidelines for FR & Definition of recruitment fees and related costs,](#)
- ✓ Promotion of relevant ILS, such as C181
- ✓ National level technical support.



3. PROMOTE FAIR BUSINESS PRACTICES:

- ✓ Support and fair recruitment models that undertake human rights due diligence (eg. Nepal-Jordan garment sector corridor ([Video](#))
- ✓ Develop tools and resources to support business
 - ✓ [Support to ILO Global Business Network on Forced Labour](#)
 - ✓ [Interactive Map for Business of Anti-Human Trafficking Organizations](#)
 - ✓ [Alliance 8.7](#)



4. EMPOWER AND PROTECT WORKERS:

- ✓ Support the development of monitoring mechanisms
 - ✓ [Global: ITUC Migrant Recruitment Advisor](#)
- ✓ Improve complaints mechanisms and enhance support services
 - ✓ Hong Kong: [FADWU research report and case management team](#)
- ✓ Assistance to TUs for the organisation of MWs & the protection of their rights (e.g. Phil-Hong-Kong; Madagascar-Lebanon)

Global Launch of the FRI, 2021



► The ILO Fair Recruitment Initiative is a timely call for action. Labour migration and recruitment practices need to adapt to COVID-19 and ensure the rights of migrant workers are respected, while taking into account the legitimate concerns of host communities, employers and recruiters.

Guy Ryder,
ILO Director-General



► Appropriate and effective legal and institutional frameworks that promote and enforce agile and responsible recruitment practices will serve to protect vulnerable migrant workers and job seekers, and create a level playing field for the recruitment industry.

Roberto Suárez Santos
IOE Secretary-General



► In this time of pandemic and the disaster of hundreds of millions of job lost, workers are more vulnerable to abusive recruitment. The ILO Fair Recruitment Initiative plays a crucial role in supporting and protecting workers and in supporting unions to ensure fair recruitment and decent jobs for all workers.

Sharan Burrow
ITUC General Secretary



Resources

[Africa Regional Fair Recruitment Report: The recruitment of migrant workers to, within and from Africa](#)

Promising Practices

[Fair Recruitment Portal \(ILO website\)](#)

Videos: General Principles and Operational Guidelines on Fair Recruitment

- ❖ Short version (English, French, Spanish, Arabic)
- ❖ Long version (English, French, Spanish, Arabic)
- ❖ Role and responsibilities of trade unions (English)

[ILO-ITC Training Toolkit on Establishing Fair Recruitment Processes](#)

[Toolkit: Reporting on Forced Labour and Fair Recruitment: ILO Toolkit for Journalists](#)

[Global study on recruitment fees and related costs](#) and [Global Database: Definition of fees and related costs in national laws and policies](#)

