



Millions of migrant workers leave their homes and families with the promise from a recruitment agency of a job overseas



For many those promises end up broken, with many people being trapped in **Modern Slavery**



The ITUC has developed a new global recruitment review platform which will put the power of information into migrant workers' hands and help **STOP Forced Labour**



**RECRUITMENT ADVISOR**

- Workers' reviews on recruitment agencies
- Rights at work
- Help when rights have been violated

Find out more at [www.recruitmentadvisor.org](http://www.recruitmentadvisor.org)



## RECRUITMENT ADVISOR

Find the best recruitment agency for your job abroad

Per 10-02-2020  
Users: 32,301  
Reviews: 3,954



## Content

1. About Recruitment Advisor
2. About Fair Recruitment
3. Outreach to migrant workers and review collection
4. About the Recruitment Advisor Questionnaire



# 1. About Recruitment Advisor

What is the goal? What is it? For whom? How does it work? Which countries are covered?

## Goal

➤ Promote fair recruitment



➤ Ensure safe migration for migrant workers

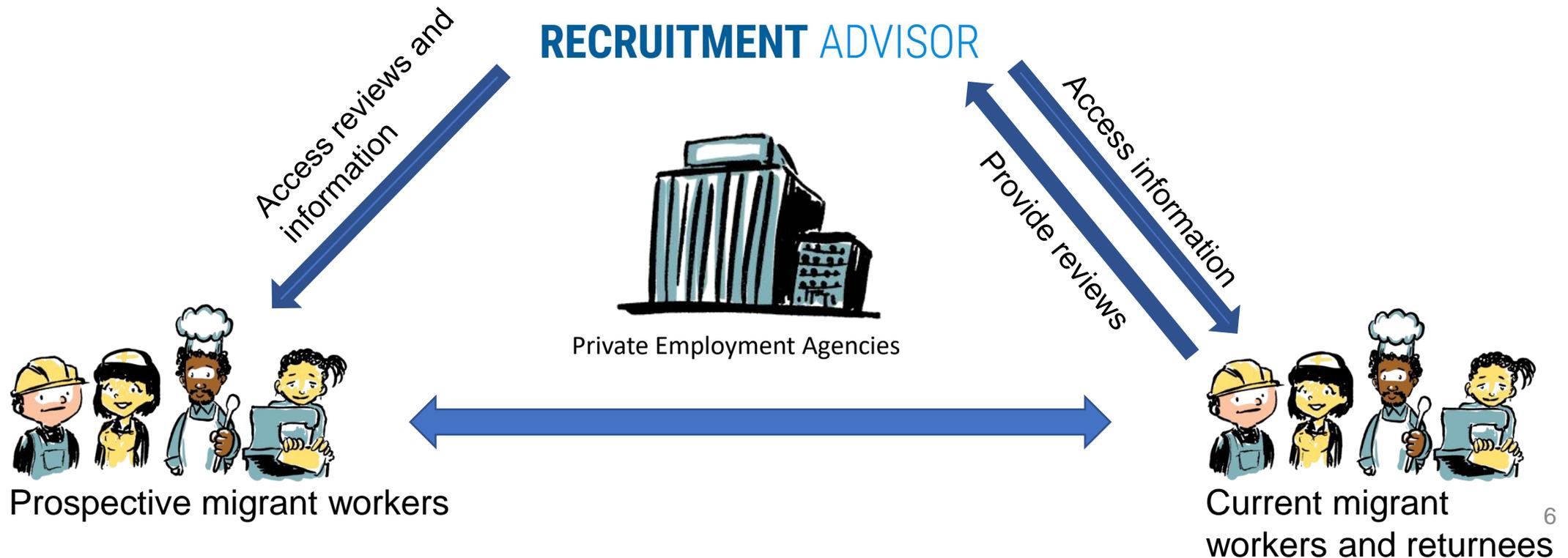


➤ Reduce vulnerability to forced labor



## What is it? (1/2)

- Online website designed as a worker-to-worker platform where migrant workers can seek information about the recruitment experience of other migrant workers and where they can seek help and information



## What is it? (2/2)

It provides:

**1. Accurate information on law & policies**



**2. Reviews by migrant workers on the practices of the agency used**



**3. Link to a complaints mechanism**

**To be added on Version 2: Join Union I**



## Who should use it and for what purpose?

- For prospective migrant workers
  - ✓ to make informed decisions
- For current migrant workers
  - ✓ to receive information about their country of destination
  - ✓ to review their labour recruiters
  - ✓ to report a violation or complaint and/or seek redress
- For returnee migrant workers
  - ✓ to review their labour recruiters
  - ✓ to report a violation or complaint and/or seek redress
- For employers
  - ✓ To know with which agencies to partner and which to avoid
- For governments
  - ✓ To monitor recruitment practice of recruitment agencies
- For unions
  - ✓ To inform about workers' rights and as organising tool
  - ✓ To monitor operation of recruitment agencies and as source of web-based evidence for advocacy

# Countries covered

## 3 countries of origin

- Nepal
- Philippines
- Indonesia

## 2 new countries of origin

- Sri Lanka
- Kenya

## 7 countries of destination

- |                |               |
|----------------|---------------|
| • Hong Kong    | • Singapore   |
| • Malaysia     | • South Korea |
| • Qatar        | • Taiwan      |
| • Saudi Arabia |               |

## 6 new countries of destination

- |           |                        |
|-----------|------------------------|
| • Bahrain | • Jordan               |
| • Oman    | • United Arab Emirates |
| • Lebanon | • Kuwait               |

Countries in Europe ?

Germany - Workshop by DGB & Arbeitundleben hosted by Labor Ministry in Berlin 21st Feb

# How does it work?

- Depends on the situation of the user (-> see «What is it?», p. 6)

## 4 (Four) scenarios:

1. Prospective migrant worker wants to receive information on countries of destination and recruitment agencies
2. Prospective migrant worker who is still in the origin country and has used the services of an agency but failed to work abroad due to different reasons wants to submit a review of her agency and submit a complaint
3. Migrant worker currently in country of destination wants to submit a review of her agency and submit a complaint
4. Return migrant worker wants to submit a review of her agency and submit a complaint

## Scenario 1

Manish is from Nepal and wants to go to Saudi Arabia to work as a construction worker to earn money for his family. But he knows little about Saudi Arabia and how to get there



On RECRUITMENT ADVISOR  
Manish can learn about:

- National legislation in Nepal & Saudi Arabia
- Common Problems with the recruitment of workers to Nepal & Saudi Arabia

And receive tips for his recruitment journey

Also, Manish can find recruitment agencies in Nepal that send workers to Saudi Arabia and see what experiences other Nepalese workers had with those agencies

Based on this information Manish can make an informed decision about what will expect him in Saudi Arabia and what agency to chose in Nepal



## Scenario 2

Nurul from Indonesia wants to go to Malaysia for work and has engaged the services of a recruitment agency. She has paid the agency already a fee amounting to one month of her prospective salary. A few days before she is supposed to leave the agency tells her that her position is no longer available and she can reapply in a few months

On RECRUITMENT ADVISOR Nurul can:

1. Submit a review of the agency that she has used. This will help other workers who want to use this agency to make an informed decision
2. File a complaint about her agency for charging her fees without delivering the promised services

Her complaint will be coordinated by Migrant Forum Asia who will contact unions & local NGOs in Indonesia to assist Nurul

Based on the review submitted by Nurul, other Indonesian workers will scrutinise the services of this agency to ensure that they do not experience a similar situation.

After the intervention by a local union and/or NGO in Indonesia Nurul is paid back the fee she had advanced to the agency.



## Scenario 3

Maria is from the Philippines and has gone to Hong Kong SAR 6 months ago to work as a domestic worker. She is unhappy about her recruitment agency because they charged her 3 months of her salary for their services. She wants to submit a review of the agency to warn other workers against their practice



On RECRUITMENT ADVISOR Maria can

1. Submit a review of the agency that she has used. This will help other workers who want to go to Hong Kong SAR to make an informed decision
2. File a complaint about her agency charging her excessive recruitment fees.

Her complaint will be coordinated by Migrant Forum Asia who will contact unions & local NGOs in Hong Kong to assist Maria

Based on the review submitted by Maria, other workers are deterred from using her agency and being overcharged.

Also, Maria receives a refund of the fees she had paid above the legal limit due to the intervention of a local trade union in Hong Kong



## Scenario 4

Adamu is from Kenya and has recently returned from working in Qatar as a cook. He wants to submit a review of the agency he has used so that other Kenyan workers planning to go to Qatar are better informed about the conditions of work and their rights



On RECRUITMENT ADVISOR Adamu can:

1. Submit a review of the agency that he has used. This will help other workers who want to go to Hong Kong SAR to make an informed decision
2. File a complaint on RECRUITMENT ADVISOR about his agency

His complaint will be coordinated by Migrant Forum Asia who will contact unions and/or local NGOs in Kenya to assist Adamu

Based on the review submitted by Adamu, other workers will know first-hand experience in more details from using his agency.

Also, Adamu receives assistance for his complaints due to the intervention of a local trade union in Kenya. Adamu can also join the union for better protection in his future employment abroad or in the country

Despite some negative experiences in Qatar, Adamu wants to work abroad again the near future. This time, he will however use RECRUITMENT ADVISOR to select an agency that is trustworthy and reliable



## 2. About Fair Recruitment

What is it? What are the ILO Fair Recruitment Principles? What is the role of trade unions in promoting and monitoring Fair Recruitment?

# What is Fair Recruitment?

- There is no agreed definition but the key is «fair» - fair towards workers
  - Generally: recruitment that respects the law and human rights and is in line with international labour standards
- Fair recruitment refers to:
  - all workers, whether migrant workers or national workers
  - all types of recruitment, whether directly by the employer through intermediaries or through temporary work agencies
  - recruitment within or across national borders

# Fair Recruitment Principles

- The International Labour Organisation has agreed in 2016 on the General Principles and Operational Guidelines for Fair Recruitment to inform the work of the ILO, other organisations, national legislatures and social partners on promoting and ensuring fair recruitment
  - 13 General Principles based on International Labour Standards
  - Operational Guidelines addressing responsibilities of specific actors in the recruitment process
- The ILO has also recently agreed on a Definition of Recruitment Fees and Related Costs recognising the principle that workers shall not be charged directly or indirectly, in whole or in part, any fees or related costs for their recruitment

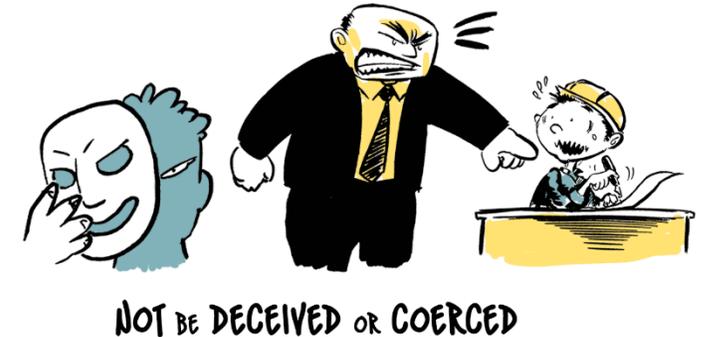
=> Both documents should be read together

## Fair Recruitment Principles (selection)

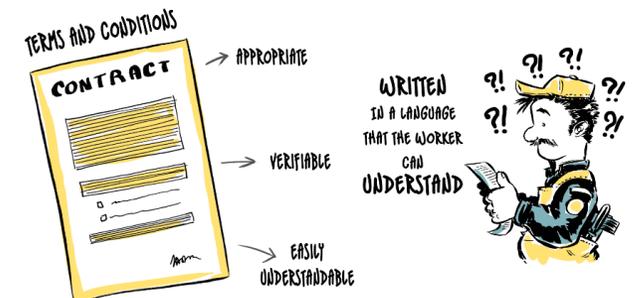
- Workers should not have to pay recruitment fees or related costs



- Workers should not be deceived or coerced to agree to the terms and conditions of employment

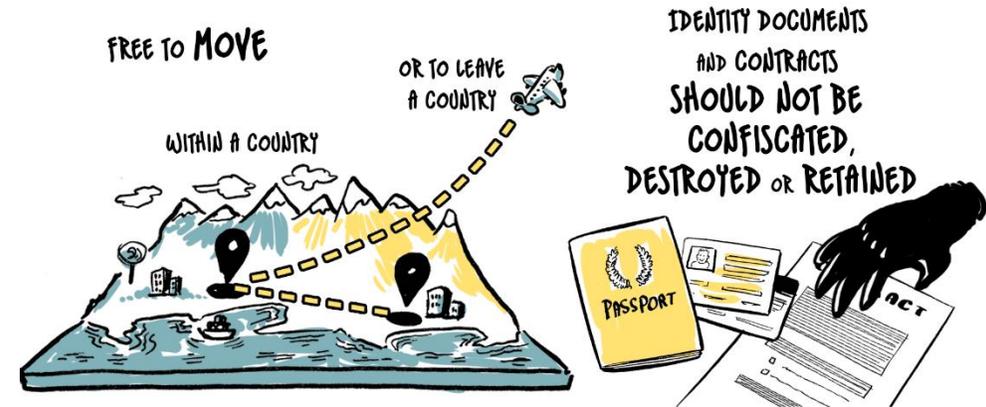


- Workers should be clearly informed about living and work conditions in their new country and the terms and conditions of their employment should be specified in an appropriate, verifiable and easily understandable manner



## Fair Recruitment Principles (selection)

- Workers should be free to move within the country or leave the country and should be free to terminate their employment
- Workers should have access to free or affordable dispute resolution mechanisms and remedies in case of abuse



# Fair Recruitment Principles (complete list)

1. Respect, protect and fulfill internationally recognised human rights
2. Recruitment should respond to labour market needs
3. Laws and policies should apply to all workers, labour recruiters and employers
4. Recruitment should take into account relevant policies and practices
5. Regulation of employment and recruitment activities should be clear, transparent and effectively enforced
6. Cross-border recruitment should respect national laws, employment contracts and collective agreement
7. Workers should not be charged recruitment fees or related costs
8. Terms and conditions of employment should be specified in an appropriate, verifiable and easily understandable manner
9. Workers should not be deceived or coerced to agree to the terms and conditions of employment
10. Workers should have access to free, comprehensive and accurate information about their rights and conditions of recruitment and employment
11. Workers should be free to move within a country or leave a country
12. Workers should be free to terminate their employment
13. Workers should have access to free or affordable dispute resolution mechanisms and remedies in case of abuse

# Role of trade unions

## Awareness raising

- Give power of accurate information to (migrant) workers' hands

## Organising

- Build (migrant) workers' power through collective action.

## Advocacy

- Ensure Fair policy for all.

# Role of trade unions

In order to raise awareness & promote Fair Recruitment incl. Zero recruitment fees as workers' rights, unions can do:

- Socialization to TU's members, their families, and communities
- Using Website as tool: <https://www.recruitmentadvisor.org/>
- Campaign to general public and other stakeholders such as government, employers, and labor recruiters

Unionized worker is better protected ! In order to ensure fair recruitment for all workers, unions can organise & do:

- Welcoming & Organising migrant workers in union family and their rank
- Collaborating with local communities & local governments to reach out to wider area of migrants' origin (villages, district, municipality, provinces, etc)
- Collective action to make workers' voice heard by collecting evidence through questionnaire (migrant) workers on their recruitment experience.

In order to advocate for a better and more inclusive recruitment policies, unions can do:

- Social Dialog with governments, employers and labour recruiters to improve recruitment process policies, implementation & monitoring, using the evidence from questionnaire as tool or leverage to negotiate & lobby
- Ensure no gaps in regulation on recruitment and enforcement of labor law
- Push for ratifications of relevant ILO conventions and protocols and its national transposition

# Best Practices

- **Indonesian** govt has agreed to embed [recruitmentadvisor.org](https://recruitmentadvisor.org) in govt online platforms, <https://safetravel.id/> and Jendela PMI. Unions & CSO's collaboration through Network of Indonesian Migrant Workers (JBM) to push for technical regulations to implement the new adopted law on protection and recruitment of migrant workers.
- **In Nepal**, GEFONT (ITUC's affiliate) is working with govt's Migrant Resource Center (MRC) in district level to provide information regarding fair recruitment to migrant workers as well as to govt officers. GEFONT is also given space to collect reviews from migrant workers about their recruitment agencies.
- **In Kenya**, In 2016, the new regulation on private employment agencies is established. Registered agencies must have a physical office, submit quarterly reports to the government on their overseas migrants, pay a security bond of 500,000 to 1.5 million Kenya shillings (\$4,852 to \$14,556) for the government to repatriate workers in emergencies. COTU has been pushing Kenyan government to establish bilateral labor agreements with governments of main destination countries.
- **In Philippines**, exempts household service workers and seafarers, who in 2015, comprised more than half of deployed OFWs, from paying any placement fees at all. Despite this, the practice of charging placement fees at exorbitant rates remains to be a common practice in the Philippines. Consortium of unions advocate for protection of migrant workers.

# 3. Outreach and review collection

How the union's approach in reaching out to migrant workers? Different model of collaboration at national level and cross national.

# RECRUITMENT ADVISOR



रुकुटमेण्ट एडभाइजर (MRA)

MRA NEPAL

Outreach in Destination Countries:  
Malaysia, UAE, Bahrain, Kuwait,  
Qatar

Integration of MRA in manual of Pre  
departure orientation

Around 5,000 Returnees joined GEFONT  
in Nepal





# LAUNCHING OF MRA AND HAMSA WITH INDONESIA GOVERNMENT

- Integration of MRA to Government online platform:
  - SafeTravel (Foreign Affair Ministry)
  - JendelaPMI (Manpower Ministry)
- Socialization of new law on MWs protection by unions with government to migrant communities is combined with reviews collection



# Philippine National Consortium

- Federation of Free Workers (FFW)
- Public Services Labor Independent Confederation (PSLINK)
- SENTRO
- Trade Union Congress of the Philippines (TUCP)
  
- *PLUS other partner trade unions and civil society partners*

## National Public Launch July 2018







Migrant Recruitment Advisor - Philippines

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Photo/Video Feeling/Activ... Check in

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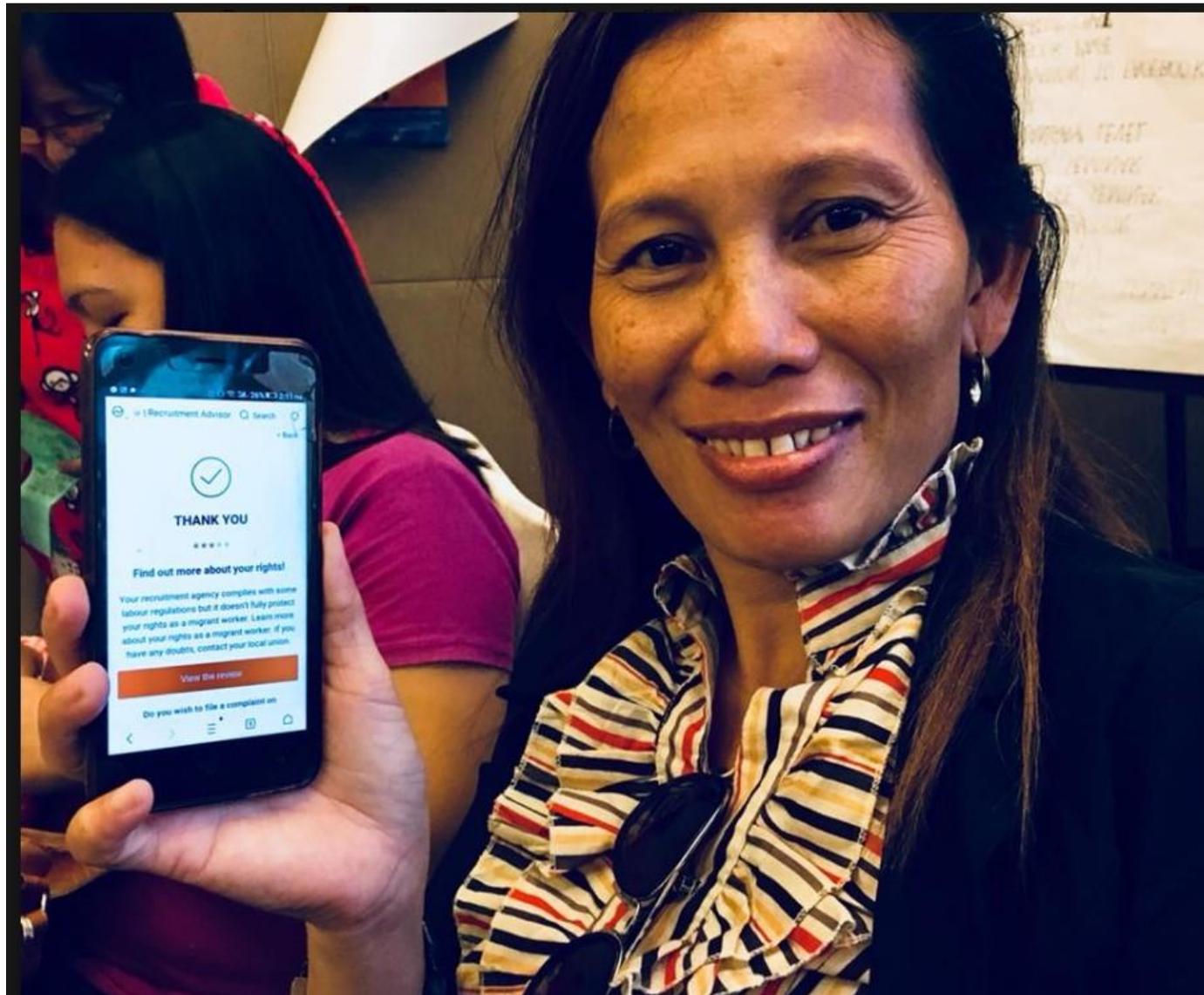


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Invite Friends

# RECRUITMENT ADVISOR



**Migrant Recruitment Advisor - Philippines**  
Like This Page · August 9 ·

OFW ka ba? Nagamit mo na ba ang #recruitmentadvisor? Si ate nakapag-post na ng review ng kanyang recruitment agency! Madali lang daw gamitin mga bes kaya ano pa inaantay niyo?

Alamin ang ratings ng iba't ibang recruitment agencies!

I-review ang ginamit mong recruitment agency para sa kaalaman ng iba pang OFWs!

Go to [www.recruitmentadvisor.org](http://www.recruitmentadvisor.org) na!

#fairrecruitment  
#decentwork  
#migrantworkersrights  
#norecruitmentfees  
#EndTrafficking  
#EndModernSlavery  
#OFW  
#OFWrighs

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## Reaching out to providers of Pre-Departure Orientation Seminar(PDOS)



## Media work





I AM FROM  
**PHILIPPINES** ▾

WHAT YOU NEED TO KNOW  
Law and policies in Philippines  
More ▾

WHERE DO YOU WANT TO WORK?

Saudi Arabia 111 agencies	Qatar 90 agencies	Hong Kong 177 agencies	Taiwan 210 agencies	South Korea 2 agencies

AGENCIES OF PHILIPPINES  
See the list ▾

10TH STORY PLACEMENT AGENCY, INC. PRIVATE EMPLOYMENT AGENCY  
27 & 30 10TH STORY BLDG DEL PILAR ST ERMITA, MANILA  
0 0 0 0 0 0 0 reviews

1ST DYNAMIC PERSONNEL RESOURCES INC. PRIVATE EMPLOYMENT AGENCY

FILAMSTAR.COM

**New on-line site launched to aid OFWs pick recruiters | FilAmstar** ✓



NEWS.ABS-CBN.COM  
**Online portal allows OFWs to share experience, rate recruiters** ✓



DAVAOTODAY.COM  
**New projects for Filipino workers abroad launched** ✓  
As a pilot initiative, International Labor Organization (ILO) works closely wi...



NEWS.MB.COM.PH  
**ITUC, ILO launch new web platform to help protect OFWs** ✓  
A new web platform has been launched to help protect migrant workers fro...

# 4. About the questionnaire

Understanding the questionnaire

# Structure

- 7 section with questions + a comment section at the end
  - Personal Details
  - Recruitment Details
  - Recruitment Fees and Related Costs
  - Pre-Departure Orientation
  - Employment Contract
  - Conditions in the Country of Destination\*
  - On Return\*\*

\*only for those who have migrated already

\*\*only for those who have returned already

# A look into the sections – Personal Details

- Completing this section is optional – this information is purely for statistical purposes and to provide workers with further information is desired

# A look into the sections – Recruitment Details

- Depending on the answer to their recruitment status some sections of the questionnaire should be skipped
  - If worker ticks «I am still in my country of origin» then the sections on «Conditions in country of destination» and «on return» should be skipped
  - If worker ticks «I am in the country of destination» then the section on «on return» should be skipped
  - If worker ticks «I am back in my country of origin» then the full questionnaire should be completed
- It is important that workers write down the correct name of the agency or as many details about the agency as they remember to make it identifiable at a later stage

# A look into the sections – Recruitment Fees

- This section asks about what recruitment fees and related costs workers have paid at any stage of the recruitment process
- The categories of costs are taken from the recently agreed Definition on Recruitment Fees and Related Costs by the ILO
- The examples listed here are non-exhaustive
- If the worker has paid any cost that does not seem to fit within one of the eight categories, she should list it at the bottom of this section

# A look into the sections – Pre-Departure Orientation

- This section asks whether workers have received any type of information or orientation session to tell them about their future employment in a foreign country prior to leaving their country of origin
- Some migrant workers might not be familiar with the terminology of pre-departure orientation
- It should be explained by asking whether they attended any meeting/information session/workshop/orientation organised by their agency, their future employer, or a third party on behalf of their agency or their future employer which was aimed at informing them about their future employment and living conditions in their chosen country of destination

# A look into the sections – Employment Contract

- This section asks about whether workers have received an employment contract before leaving their country of origin and what provisions this contract contained

# A look into the sections – Conditions in CoD

- This section should be only completed by those workers who have left for their CoD (-> not applicable here) or have returned already

# A look into the sections – On Return

- This section asks about intentions to return and make use again of the recruitment services utilised before

# A look into the sections – Comments

- **This is an important section!**
- The comments section is intended to give workers a space to summarise their experience and formulate a recommendation for other workers
- Workers should be encouraged to provide as much detail as possible and helpful in order for other workers to make an informed decision based on this review
- It should be explained to the interviewee that this information will be seen by other workers visiting the website and who intend to pursue the same journey the interviewee has just gone through or is going through (-> What would you tell a family member/friend when asked if you would recommend your recruitment experience?)

# 4. Outreach and review collection

How to approach potential interviewees? How to explain the MRA and questionnaire? What does the enumerator need to bear in mind? What issues to watch out for when filling out the questionnaire

## How to approach an interviewee in One on One contact

1. Introduction: this should include our name, our organisation and why we want to talk with them
  - a) **Say who you are:** “Hello. My Name is \_\_\_\_\_. I am with\_\_\_\_\_union. We are working on collecting questionnaire from (prospective, returnee) migrant worker of their recruitment experience with agencies. Have you ever worked abroad or used recruitment agency service?”
  - b) **Stress the importance of our conversation:** Ask them if you can talk about Recruitment Advisor website designed as a peer-to-peer platform where migrant workers can seek information about the recruitment experience of other migrant workers and where they can seek help and information

## How to approach an interviewee in One on One contact

What do you do if they say No or hesitate? If a worker does not want to talk with you, ask why. Move on to your first question: “Have you ever worked abroad or used recruitment agency service?” Get the conversation going; they will invite you later.

### **Fun Exercise!**

- Ask several of the participants to stand up and practice their introduction using the framework in previous page

# Explaining the MRA

- When you get the worker's attention to listen, you can explain further but remain brief about MRA as mentioned in Page 4-6 of this presentation
- Then immediately after, ask them the main question: **Only five minutes of your time to help change recruitment practices.** "Could you help to complete the quick questionnaire based on your experience in using the service of your recruitment agency?" It will help other workers to find the right recruiter who respects workers' rights. Your review really counts.

# Explaining the questionnaire

- When the worker agrees to fill in questionnaire, guide them accordingly based on the information on P. 20-29 in this presentation.

# Further things to consider

- If you introduce the questionnaire ensure that you highlight that data security is taken very seriously by the ITUC
- Explain to interviewees that the questionnaire will be uploaded and available online at <https://www.recruitmentadvisor.org/> anonymously
- Explain to interviewees that if they share their e-mail address and tick the box at the end of the form «Keep me updated [...]» they can receive news by the ITUC about the development of the MRA

# Follow-up by the enumerator

- Compare the agency named by the interviewee with the list of registered agency
- Place your activity code at the bottom of the questionnaire to enable ITUC to trace back the date and location of the interview

**Date\_City/location name\_Organisation name\_Enumerator name**

*e.g 18072019\_Colombo\_SLNSS\_Thomas*