



International
Labour
Office

Combating Forced Labour

6

Tips for Taking Action

A Handbook for Employers & Business
Special Action Programme to Combat Forced Labour

**Combating Forced Labour
A Handbook for Employers & Business**

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First published 2008

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Combating forced labour: a handbook for employers and business / International Labour Office. - Geneva: ILO, 2008
ca. 180 p.

ISBN 978-92-2-121712-1 (print)
ISBN 978-92-2-121713-8 (web pdf)

International Labour Office
Photo copyright: ILO photo gallery

management development guide / forced labour / trafficking in persons / employers role

13.01.2

ILO Cataloguing in Publication Data

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Note

This booklet presents a series of action guides which indicate some of the concrete and practical measures that business and employers' organisations can take in their efforts to combat forced labour and human trafficking. It complements **Booklet 5** of this handbook by providing specific tips for taking action in an accessible and easy-to-use format.

It is not expected that companies and employers' organisations will do everything that is suggested here. Every company is different and every organisation will develop its own approach to addressing the needs of its members. However, these tips are straightforward, and in most cases don't require substantial financial investment. What they do require is time, energy and a commitment to effective and sustainable engagement. It is to this end that the booklet provides a broad list of practical steps to action.

These guides address the following key topics: forced labour, prison labour, debt bondage and bonded labour, coercion in employment, forced overtime, and human trafficking. They can be used as reference material for human resources and CSR staff, or as promotional material, for example in the form of posters that can be displayed in an office or at the workplace. They can also be used to great effect by employers' organisations, for instance in training programmes or as reference guides for workshops and conferences.

Taking action against forced labour

Tips for taking action

- Establish a clear and transparent company policy that sets out the measures to prevent forced labour. Clarify that this policy applies to all enterprises in the company's product and supply chains, and report on the implementation of this policy.
- Adopt recruitment and human resource practices (e.g. concerning wages, working hours and employment contracts) that minimise the risk of forced labour.
- Monitor your suppliers and sub-contractors, and provide training on forced labour for social auditors, compliance personnel, human resource managers and other supervisors.
- Work in partnership with other companies, sectoral associations and employers' organisations to develop an industry-wide approach to forced labour.
- Build bridges with stakeholders, including workers' organisations, law enforcement authorities, labour inspectorates and non-governmental organisations.
- Take preventive measures against human trafficking and raise awareness about the vulnerabilities and hazards that can face irregular migrants.
- Initiate or participate in programmes that re-integrate former victims of forced labour and/or human trafficking by providing skills development and job training opportunities.

Benefits of action

- Clear policies and implementation programmes send a positive signal to buyers, investors, workers and other stakeholders. Reporting on how the policy is implemented raises brand image and company reputation.
- Industry-wide and multi-stakeholder action can be an effective way to pool collective resources, skills and knowledge to address forced labour in a broad and systemic way.
- Taking measures to prevent conditions that may lead to human trafficking and helping to re-integrate former victims of forced labour can have a positive effect on local and national labour markets.

Practical steps to action

- Convene a working group to develop a company policy against forced labour, and include provisions on implementation and reporting. Establish a bi-partite enterprise-level committee that has responsibility for the issue.
- Establish an enterprise and/or workplace level complaints mechanism that is anonymous, confidential and easily accessible to workers.
- Consult with your employers' organisation and members of your industry on good practice in monitoring suppliers and sub-contractors. Convene a working group to develop effective policies and procedures.
- Establish and participate in a task force or committee on forced labour in your representative employers' organisation at local, state or national level.
- Support the development of an employers' National Action Plan against forced labour as part of key policy and institutional mechanisms to combat forced labour at national level.

Taking action against abusive prison labour

Tips for taking action

- If you directly employ prison workers or sub-contract to a prison, make sure that work is carried out voluntarily. Prisoners should not be forced to work.
- Ensure that prisoners have provided their formal, preferably written, consent to work.
- Provide prison workers with wages, social security and occupational health and safety standards that are comparable to those enjoyed by regular workers.
- Make only legal deductions from prisoners' wages, for example for food and lodging.

Benefits of action

- Some governments may restrict the importing of goods produced using prison labour. Avoiding the use of prison labour and adopting good practice when using it may reduce the risk of facing import bans.
- Taking actions like these will minimize the risk of legal action and help you avoid damages to your company reputation that can result from association with abusive prison labour.

Practical steps to action

- Create a standardised written consent form for prison workers to sign when they agree to work. On this form, provide information about wages and working conditions so that workers can give their free and informed consent to work.
- Provide workers with a clear and detailed wage slip that shows the hours worked, wages earned and any legal deductions made for food and lodging.
- Determine what wage levels are for free workers in the relevant industry or occupational group, and provide comparable wages to prison workers.
- Meet with prison authorities, including prison inspectors, to discuss employment policies and practices. If possible, speak with prison workers about working conditions in order to determine whether they have freely given their consent to work.

Taking action against debt bondage & bonded labour

Tips for taking action

- Adopt human resource policies that prevent the risk of debt bondage for workers.
- Do not require new employees to lodge a deposit when they begin employment.
- Be cautious about providing wage advances and loans to employees. If you do, make sure they do not put workers in a situation where they feel forced to work to repay the loan.
- Know national law and practice. If you make deductions from workers' wages, make sure they stay within legal limits.
- Make sure that your contracts give clear information about the terms and conditions of employment, and that they are in language that workers can understand.
- If you recruit workers internationally and use a private employment agency to do so, make sure that workers are not charged excessive recruitment fees to get a job.

Benefits of action

- Adopting good practices like these will help prevent the risk of your company being associated with abuses such as debt bondage.
- Taking measures to carefully select and monitor the private employment agencies you use will reduce the risk that workers in your company will face unethical recruitment practices and suffer conditions akin to forced labour.

Practical steps to action

- To prevent the risk that employees become indebted and feel forced to work, pay them at regular intervals, on time and directly, or agree with them to pay their wages into a bank account in their name.
- Create a standardised wage slip and payment system that provides clear information about hours worked, wage rates, and legal deductions (if applicable) to prevent a miscalculation of wages that may put workers and your business at risk.
- Make sure that deductions from wages do not push workers' take-home pay below the minimum wage.
- Interview new employees, particularly migrant workers, and ask them whether they paid a recruitment fee to get the job. Where relevant, check directly with the recruitment agency as well.
- If you provide wage advances or loans to employees, make sure they can pay them back in a reasonable amount of time. (e.g. provide smaller loans, charge lower interest rates or use shorter instalment periods).
- Make sure your contracts of employment include provisions on wages, wage deductions, conditions for terminating employment and other issues related to preventing debt bondage.

Taking action against coercion in employment*

Tips for taking action

- Establish a strict policy on preventing coercion and train all relevant personnel on their respective roles and responsibilities under the policy.
- Adopt recruitment and human resource practices that prevent conditions that may result in coercion.
- Take appropriate measures to minimise the risk of coercion associated with wage payments. Avoid non-payment or delayed payment of wages that may have the effect of binding workers to employment.
- Make sure that all employees are free to terminate employment at any time given a reasonable period of notice, in accordance with national law or collective agreement.
- Do not confiscate or force workers to hand over personal documents. However, if asked, take measures to provide them with a safe and secure place to deposit their valuables.
- Do not use abusive practices or threats to coerce migrant workers to work, for example threats of denunciation to authorities.
- Take a "zero tolerance" approach to physical violence; imprisonment or confinement at the workplace or in dormitories; sexual violence; deprivation of food, shelter or other necessities; and verbal abuse and threats.

* Coercion in employment refers to forms of deception or compulsion in the workplace that can result in forced labour under specific circumstances, for example withholding or not paying wages or confiscating identity documents with the aim of binding the worker to employment.

Benefits of action

- These measures will help to ensure that employees work in freedom. This is a fundamental human right protected under international law and the national law of most countries.
- Having a clear and effective policy on preventing coercion, and training managers, supervisors and other relevant personnel sends a positive signal to buyers, investors, workers and other stakeholders.
- Allegations of forced labour or coercion in the production of goods or services may result in some countries preventing them from being imported. Taking preventive measures as a company or industry can help ensure that your goods or services have access to international markets.

Practical steps to action

- Establish a committee to draft a company policy on preventing coercion and consult with representatives of your employer organisation for advice and technical assistance.
- Hold periodic training for managers, supervisors and workers on good and bad practices relating to coercion.
- If requested by employees (e.g. for security or other reasons), provide a safe place to lodge personal documents, for example a safe or a secure cabinet. Make sure your employees know where this is and that they can access it freely at any time upon request. Provide workers with photocopies of their documents, and nominate a "contact" person in your management or supervisory team.
- If you provide loans or advances to employees, make sure that these do not place workers in an "at risk" situation: provide smaller loans, use shorter instalment periods and lower your interest rates.
- Do not ask employees to lodge deposits when they take up employment.
- Prepare written contracts of employment for all employees, in language that they can understand, specifying their rights with regard to wage payments, overtime and other issues related to preventing forced labour.

Taking action to prevent forced overtime

Tips for taking action

- Know and respect national law and its provisions on working hours and overtime, and if applicable abide by the provisions of collective bargaining agreements in your company or industry.
- Establish a company policy on overtime that clearly states it will only be undertaken voluntarily. Train human resource personnel and supervisors on this policy.
- Negotiate overtime with your employees and do not make it compulsory. Get their consent to work overtime hours, and stay within the limits and conditions of the law.
- Do not threaten employees who choose not to work overtime.
- If periodic use of overtime is required to meet production deadlines, plan ahead and speak with workers beforehand.
- Address the root causes that can lead to persistent use of overtime; for example, consult with buyers on questions related to production requirements and deadlines.

Benefits of action

- Negotiating overtime and making sure that you have the consent of employees helps to guarantee that overtime is always undertaken voluntarily.
- Having a company-wide policy on working hours and overtime, and training the relevant supervisory and managerial staff, reduces the potential for abuse.
- Consulting with buyers can help raise awareness, strengthen buyer-supplier relationships, and encourage sustainable trading relationships that, in turn, can help prevent conditions that can lead to abuse in the workplace.
- Good practices like these help to prevent reputational risk for your company and industry.

Practical steps to action

- Establish a joint labour-management committee (including trade union representatives in workplaces where unions exist) and speak with employees about overtime. Notify and agree with them beforehand that overtime may be necessary during peak periods of production.
- Address the issue of overtime with new employees and make sure they understand the law and relevant company policies.
- Make information about overtime available to human resource personnel, supervisory staff and workers clarifying what is and is not allowed under the law. Distribute copies of company policies and make sure everyone concerned understands the relevant provisions. Identify and reward good practice.
- Hold periodic consultations with buyers to discuss lead times and other production requirements that may have consequences for working hours and lead to abusive situations involving forced overtime.

Taking action to address human trafficking

Tips for taking action

- Take measures to protect migrant workers against the conditions that make them more vulnerable to situations of forced labour and trafficking.
- Do not confiscate or force workers to hand over personal documents. However, if requested by workers (e.g. for security reasons), develop policies and procedures for holding such documents that prevent the possibility of abuse.
- If you use a private employment agency to recruit workers, make sure this agency operates to a high standard of ethics. Use the services of agencies that do not charge fees to workers.
- Do not threaten to report irregular migrant workers to the authorities.
- If you provide accommodation to your employees, make sure that their movement is not restricted outside working hours.
- If your company contracts work to a recruitment agency, agree with the agency that it is responsible for complying with the law and relevant collective agreements.
- Within your sphere of influence, participate in prevention and re-integration programmes for former victims of trafficking by providing skills development and job training opportunities.
- Where possible, participate in national and international anti-trafficking programmes, including media campaigns, and co-ordinate with local and national authorities, workers' organisations and other stakeholders.

Benefits of action

- Monitoring the recruitment practices of employment agencies can help identify the most reputable and ethical organisations. This in turn can minimise the risk posed to your company of association with abuses of human trafficking.
- Establishing good policy and practice with regard to document retention and recruitment fees helps to ensure that workers are not placed in vulnerable situations that can amount to abuse and coercion.
- Working in partnership with government, law enforcement and other stakeholders can ensure that anti-trafficking measures are more effective and sustainable.

Practical steps to action

- Talk with new employees who were recruited through employment agencies to determine under what conditions they were recruited and whether they were required to pay a recruitment fee.
- If requested (e.g. for security reasons), provide your employees with a safe place to lodge personal documents, for example a locked safe or secure cabinet. Make sure they can access these documents at any time upon request, and nominate a "contact" person in your supervisory team.
- Provide workers with photocopies of their documents, and communicate all such measures to workers.
- Train managers, human resource personnel, supervisory staff, compliance officers, and workers on how to identify and prevent human trafficking. Discuss good and bad practices related to identity documents, migrant workers, payment of wages and other issues.
- Before contracting a private employment agency, learn more about it and meet with representatives to discuss policies concerning recruitment fees and other employment practices. ▶

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- Talk to other companies in your industry, create networks, and use those networks to exchange information and ideas for action. Take advantage of the services provided by your employer organisation and the **International Organisation of Employers**.
 - Provide clear and concise contracts of employment that are written in languages that workers understand and clearly state conditions of employment regarding wage payments, overtime and retention of identity documents.

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Special Action Programme to Combat Forced Labour
Programme on the Promotion of the Declaration on Fundamental Principles and Rights at Work

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ISBN 978-92-2-121712-1



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