

The 17th ASEAN Forum on Migrant Labour: Care work and labour migration in ASEAN: Workers' Group Recommendations

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The 17th ASEAN Forum on Migrant Labour (AFML) recognizes the essential role of migrant care workers in Southeast Asia's economy. These workers help address labor shortages and support communities, yet often face significant challenges such as inadequate protection, undervaluation, and systemic barriers. The ASEAN Trade Union Council (ATUC) and its affiliates advocate a rights-based approach to labor migration governance rooted in international labor standards, emphasizing worker and union involvement in policy design, implementation, and monitoring. This approach seeks to create a fairer system for migrant care workers across ASEAN.

Subtheme 1. Meeting care needs through labour migration

1. **Assess and project** the demand for care, including the need for migrant care workers, based on demographic, health, and employment data to inform effective policy. This data-driven approach ensures that policies and resource allocation meet actual labor and care needs in the region.
2. **Integrate** migrant care workers into national and regional care policies to recognize their contributions and address their needs. Inclusion in policy-making fosters responsive policies that reflect the lived experiences of care workers.
3. **Adopt** the ILO definition of care work as a standard to harmonize policies and ensure consistent recognition and protection across member states. Standard definitions provide clarity and promote cohesive policy enforcement.
4. **Promote** transparent MOUs and bilateral labor agreements with union and tripartite plus inputs to facilitate fair recruitment and admission of care workers at all skill levels while protecting labor rights. Union involvement ensures agreements uphold workers' rights and prevent exploitation.
5. **Implement** the employer-pays principle to eliminate worker recruitment fees, prevent debt bondage, and address loopholes allowing agencies to impose excessive charges. Shifting recruitment costs to employers protects workers from financial strain and exploitation.

6. **Ensure access** to skills development through standardized training and certification tailored to the care economy, linking certifications to equitable pay and career progression. Investing in training supports workforce quality and incentivizes skill acquisition.
7. **Launch public campaigns** to highlight the value of care work and migrant contributions, combat stigma, and promote social acceptance. Include cultural adaptation programs, such as language and cultural training, to support migrant care workers' integration. Public awareness fosters respect for care workers and reduces societal bias, aiding their smoother inclusion in communities.

Subtheme 2. Enhancing protection and promotion of the rights of migrant care workers

8. **Formalize and regulate** the care sector, including domestic work, within labor laws to provide fair wages, decent conditions, and comprehensive social protection. This legal recognition helps ensure migrant care workers are treated as nationals and safeguarded under labor regulations.
9. **Improve** wages, working conditions, and social protection benefits, such as health care and the portability of social security, to attract and retain migrant care workers. Adequate compensation and benefits ensure job attractiveness and worker retention.
10. **Adopt standard employment contracts** to set clear, enforceable terms and conditions that consistently protect care workers' rights across ASEAN. Standard contracts help create transparency, reduce exploitation, and provide a reliable framework for employment relationships.
11. **Revise immigration policies** to simplify permit renewals, extend stays, and allow employer changes, ensuring employers fund these processes for greater worker security. Simplified and employer-funded processes reduce administrative and financial burdens on workers, promoting stability. This benefits care recipients, who often prefer longer-term relationships with their care workers for consistency and quality of care.
12. **Ensure the right** for care workers to organize, join trade unions, and engage in collective bargaining for representation in policy-making and social dialogues. Access to unionization empowers care workers to advocate for fair treatment and improved conditions.

13. **Implement protections** against violence, abuse, and discrimination, and promote the ratification and enforcement of ILO Conventions 189 (Domestic Work) and 190 (Violence and Harassment). These measures ensure safe workplaces and uphold workers' dignity.
14. **Strengthen partnerships** with trade unions, civil society, and international bodies like the ILO to ensure workers' voices in policy discussions and apply the ILO 5R Framework for Decent Care Work (Recognize, Reduce, Redistribute, Reward, Representation). Collaboration ensures that care workers' needs are comprehensively addressed and policies remain inclusive.
15. **Provide mental health support** to help migrant care workers manage social isolation and stress. Access to mental health resources improves overall well-being and resilience.
16. **Set common minimum standards** for working conditions, wages, and social protection across ASEAN to ensure consistent treatment of care workers. Harmonized standards help protect care workers' rights uniformly across member states.
17. **Reinforce** care as a public good by promoting policies that prioritize the well-being of workers and recipients. Treating care as a necessity rather than a profit-driven sector emphasizes its important role. It ensures that care workers receive the support they need while guaranteeing equitable access for those who depend on care services.
18. **Expand access to justice** by establishing reliable grievance mechanisms for reporting issues and seeking remedies, fostering cross-border institutional collaboration. Reliable mechanisms enable care workers to address workplace grievances effectively and seek redress.
19. **Develop a rapid response mechanism** for incidents involving rights violations, ensuring:
 - **Timely Support:** Immediate legal aid and emergency services assistance ensure swift relief for affected workers.
 - **Transparent Communication:** Clear updates for workers' families and stakeholders build trust and accountability.

- **Collaborative Approach:** Coordination with migrant worker organizations and local agencies enhances support and resource mobilization.
- **Monitoring and Reporting:** Systematic tracking informs policy improvements and ensures lessons are learned for future cases.

These recommendations provide a strategic roadmap for strengthening the care economy in ASEAN, protecting workers' rights, and fostering a fair and supportive environment for all care workers.