



Public Services International Project on Decent Work and Social Protection for Migrant Workers in the Public Services

About PSI

Public Services International (PSI) is a global federation of public sector trade unions, representing 20 million workers involved in the delivery of public services such as health, social services, utilities, municipal and state services. We represent over 7 million workers in the health and social care sectors, which are currently seeing an increasing phenomenon of migration. PSI supports opening legal channels for migration. However, migration should not replace promotion of decent work in home countries; nor to be used as a strategy for development.

Background and Problem Analysis

International migration today is about the search for decent work. Of the estimated 232 million international migrants today, 90 per cent leave their homes in search of work. These migrant workers send home remittances, estimated to have reached to \$414 billion in 2013. Yet, despite their well-documented positive contributions to societies, migrant workers are victims of discrimination, abuses and violations of their rights. Inequality, xenophobia, exploitation, forced labour and human trafficking are on the rise.

Migrant domestic workers, seasonal workers, temporary migrant workers, including those in circular migration schemes, and undocumented migrant workers, are among the most vulnerable groups of workers, whose rights are often overlooked or violated. These workers work and live in precarious conditions, with no access to justice or redress and are deprived of social security and social protection.

Trade and economic agreements that promote aggressive privatisation and neo-liberal policies treat migrant workers as commodities rather than as human beings with inalienable rights. It is in this purely market-driven labour migration that the chain of abuses continues.

Austerity measures continue to grip jobs and public services in the crisis-affected countries. Loss of jobs, decreased wages and reduction in public services and social benefits are the key drivers for migration. Millions of workers have lost their jobs, with a huge proportion of them working in the public services. A new phenomenon of the “public sector working poor” is spreading across Europe. For instance, doctors, nurses, and teachers in Portugal, Spain, Hungary, Czech Republic and Poland are moving in waves of migration to northern countries in search of jobs.

As economic tensions grow, governments are responding with tougher immigration policies, border reinforcement and migrant return programmes. In the last five years, there were massive deportations of undocumented migrants and the passage of anti-immigrant legislations ranging from tougher measures on identity documents, to denial of migrants from access to essential public services. Migrants are being used as scapegoats for the loss of jobs, decreasing public services and limited social protection.

In its 2006 World Health Report, the World Health Organization (WHO) revealed a global shortage of 4.3 million health workers, exacerbated by an unequal distribution of health workers between rich and poor countries. The exodus of health workers from the developing countries that are already facing health crisis further aggravates this shortage. 36 of the 57 countries facing a critical shortage of doctors and nurses are in sub-Saharan Africa, and yet they carry the heaviest burden of diseases. The shortage of health workers is a major reason in the failure to meet the Millennium Development Goals (MDG) on health. In 2013, the alarm bells were raised even higher, as the WHO warns that if mitigating measures are not carried out, the shortage of health workers will triple, reaching a deficit of 12.9 million health workers by 2035.

Demographic shift is an important driver of migration in the next decades. Parallel to demographic ageing is the demographic contrast, characterised by an ageing population in developed countries and an increasing and younger population in developing countries. While developed countries will have to rely on international migration to address their care and workforce shortages, in the medium to long term, developing countries are struggling with unemployment pressures, particularly from among the youth. This equation makes labour migration an attractive policy instrument for development for many countries.

Recruitment conditions are critical in ensuring sound migration and employment outcomes for migrant workers. Labour recruiters, brokers and intermediaries are responsible for a wide range of human rights violations. Too often migrant workers find themselves effectively bonded to recruitment agents, through having to pay back extortionate fees, which are contrary to international labour standards. In the public services, unscrupulous recruiters have not only victimised nurses and health care workers with false promises and workers ending up in dangerous and precarious situation, unethical recruitment practices have also practically decimated health care facilities and public health services in poorer countries by poaching these workers.

Description of Objectives

Development Objective:

Contribute to achieving decent work and social protection for migrant workers in the public services while promoting quality public services for all.

Project Objective:

Promote access to decent work and social protection for migrant workers in the public services.

Description of Activities

The project takes on a global approach, with pilot countries in Ghana, Nigeria, Kenya, South Africa, Philippines, Sri Lanka and Australia, carrying out:

- Mapping and participatory research linked to
- Outreach, information and organising
- Developing the PSI Passport Card to Workers' Rights
- National Research used for Social Dialogue, Lobbying and Advocacy
- Development and distribution of Migrant Information Kits
- Launch of the trade union Migrant Desks
- Mapping of the Recruitment Industry affecting public services
- PSI Ethical Recruitment Campaign through building the "Alliance for Ethical Recruitment"
- Supporting the implementation of the WHO Code of Practice on the International Recruitment of Health Personnel
- Annual December 18 International Migrants Day Events
- Campaign for Ratification of the ILO Migrant Workers' Convention (ILO C97 and ILO C143) and the UN Migrant Workers Convention

- Global advocacy at the UN, ILO, annual Global Forum on Migration and Development (GFMD) and other international and regional processes

Targeted Results

- Migrant workers in the public services have access to decent work and social protection with the support of the unions.
- Workers make informed decisions about whether or not to migrate, work collectively to advocate for their rights and receive support and protection from trade unions.
- Unions embark on innovative ways to reach out to and organise migrant workers.
- Unions contribute to reforming the labour recruitment industry through the promotion of ethical recruitment and strengthening compliance with UN and ILO standards.
- Unions contribute to improving the global governance of labour migration while promoting quality public services for all.

What Makes the Project a “Good Practice”?

The project is an example of how PSI links its work on influencing global policy with union development

activities, and vice-versa. There is strong participation of women, both as leaders and actors, in all project activities. The project contributes to building the recognition of PSI unions as the voice and authority in addressing labour migration and employment issues, including on human resources for health. It has an extensive outreach, information and organising impact. For e.g. in Kenya alone, more than 1,000 nurses joined the PSI unions through the project. The unions are able to use the “argument of migration”, i.e. the loss of their skilled health workers, in collective bargaining and social dialogue, thereby mitigating migration.

Building on the achievements of the previous phase that originally focused on the health and social care sectors, the current project is expanded to cover all the sectors of public services. Stronger emphasis is placed towards access of migrant workers to decent work, social protection and public services, organising, reforming the labour recruitment industry and improving the global governance of labour migration. Implementation of the current phase is in 2014-2016.

What are our strategies?

- A strong participatory approach in the whole project cycle.
- Participatory research and the peer-to-peer approach.
- Putting organising at the core of all activities.
- Innovative ways to organising, e.g. participatory research, migrant information kits, public fora, migrant desk, etc.
- Capacity building through project engagement.
- Evidence-based advocacy and lobbying; basis for social dialogue and collective bargaining.
- Partnership with stakeholders: government, international organisations, civil society, professional associations, etc.
- Increasing leadership of women and migrant workers in the unions.
- Continued engagement in global and regional processes.

What is the PSI Passport Card?

The *PSI Passport Card to Workers’ Rights* is a mechanism to promote portable union membership among affiliates within the PSI family. This portable membership will help migrating workers have access to information and assistance from the PSI unions as they move from one country to another. The idea of the PSI Passport Card came out of the PSI Health Sector Strategy Meeting held in Geneva on 18-19 November 2013, and echoed at the PSI-ILO Decent Work Across Borders Project Meeting on “Social Protection for Migrant Workers” held in Berlin on 28-29 November 2013. In June 2014, the PSI Executive Board endorsed the development of the PSI Passport Card. A feasibility study and survey is now being developed. Roll-out and implementation is scheduled in 2015-2016.

Migrant Information Kits

Many migrant workers have unrealistic expectations and insufficient information about recruitment procedures, employment and living conditions abroad, labour laws, workers' rights in countries of destination and social costs of migration. This lack of information has placed a staggering number of migrant workers in precarious situations. The availability and accessibility of adequate and up-to-date information is crucial for individuals in order to make informed decisions, avoid fraudulent practices and other pitfalls in the migration process.

In view of this, PSI is working with its affiliates in both origin and destination countries to develop the "Migrant Information Kits". The kit is a package of practical information on cost of living situation, recruitment practices, employment rights, contact information of trade unions, support organisations, and many more. The kit seeks to empower workers to make informed decisions through access to information and awareness-building. The kits are being developed by the workers for the workers. As such, they are not only useful sources of information but are also tools for organising. The kits provide information covering the entire migration cycle: from pre-decision, pre-departure, employment, integration and return and reintegration. The migrant information kits can be accessed at:

<http://www.world-psi.org/en/issue/migration>.

Labour migration is here to stay: it is both a challenge and an opportunity for the trade union movement. We must continue to build solidarity across borders and across sectors. Organising remains at the core of our activities. In organising migrant workers to lobbying for policy changes at global, regional and national levels, engagement with governments, civil society and various stakeholders is crucial.

Get involved! For more information, contact: Ms. Genevieve Gencianos, PSI Migration Programme Coordinator, genevieve.gencianos@world-psi.org, www.world-psi.org.



EPSU/PSI statement to leaders of the EU and Western Balkans on the refugee crisis

Make Europe a safe haven for refugees now!

Brussels, 11 September 2015

At the occasion of the Extraordinary EU Justice and Interior affairs Council on 14 September, we, the European Public Service Unions, representing 8 million public service workers across Europe, and our sister global trade union federation, Public Services International, representing 20 million public service workers across the globe, reiterate our call for European solidarity, dignity and coherence on the refugee crisis.

The chaotic and, in some places, inhumane response to the ongoing refugee emergency across Europe threaten the common values on which the EU is founded.

Years of EU-coordinated austerity that led to massive job cuts in much needed public services, including those dealing with asylum requests, have clearly exacerbated a dramatic situation, which could have been anticipated. Today's refugees come from Syria, for the main, Afghanistan, Eritrea or Kosovo; the situation in those countries is not new.

Many of our affiliates from southern, eastern and northern Europe have warned of the lack of administrative capacity to deal with the growing numbers of asylum requests and continuous budget cuts in healthcare (physical and mental) and social housing that prevent decent reception of refugees, let alone their integration in society.

Clearly, the roots of the refugee crisis, for which Europe has its share of responsibility, must be tackled. But for now an emergency common response to a European as well as global issue must be taken on 14 September.

Last April, public service trade union leaders agreed a number of demands in a statement, which remain as urgent and relevant today.

The statement advocated a fair sharing of resettlement of refugees across the EU supported by the necessary sufficiently staffed public services. We were much disappointed by the Council's cynical decision to take in only some 40.000 refugees who first arrived in Greece and Italy. More than 350 000 already arrived in the EU since the start of 2015; it is reminded that Turkey and Lebanon have taken in millions of refugees.

We support the recent call of UN High Commissioner for Refugees António Guterres for the EU to implement a common strategy, based on responsibility, solidarity and trust. Mr Guterres stressed that the situation requires "a massive common effort that is not possible with the current fragmented approach". The High Commissioner indicated a potential need to increase relocation opportunities to as many as 200,000 places. He urged the EU to put in place immediate and adequate emergency reception, assistance and registration capacity and to mobilize the EU asylum and civil protection agencies and mechanisms for this purpose, including the resources of member states and with the support of UNHCR, IOM and civil society.

We also called for an immediate suspension of the Dublin regulation, the logical outcome of a common system of fair sharing of refugees.

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Following the right decision by the German government to suspend the Dublin rules for Syrian nationals, our view is that the suspension must apply to all nationals, without discrimination of any kind, who potentially qualify for refugee status under the 1951 Refugee Convention and its 1967 Protocol as well as the EU Charter of Fundamental Rights. Suspension of the Dublin rules will largely alleviate the current unfair and unpractical situation in border countries.

It is urgent to increase and pool EU resources with the support of Malta-based European Asylum Support Office as well as of the UNHCR to help process asylum claims and provide all the necessary support for asylum seekers in cooperation with civil society in EU border countries such as Greece, Italy, Malta, Spain, Hungary and Bulgaria. It is vital that local and regional governments and frontline agencies be equipped with adequate public resources and sufficient numbers of well-trained staff working in decent conditions.

The 2001 EU directive regarding temporary protection in case of mass arrivals of refugees, must immediately apply. The directive provides for harmonised rights for the beneficiaries of temporary protection, including a residence permit for the entire duration of the protection, appropriate information on temporary protection, access to employment, accommodation or housing, social welfare or means of subsistence, access to medical treatment, education for minors, family reunification and guarantees for access to asylum procedures. Why this mechanism of solidarity and balance between member states has not yet been triggered is beyond belief. It is high time to activate it.

We reiterate our call for a common system of legal channels for migration and of safe passages for asylum-seekers to prevent further deaths and curb the lucrative lethal industry of human trafficking.

Today, Europe, the world's second richest region holds the record of having the highest number of migrant deaths. According to the International Organization for Migration, 2.432 people died trying to reach Europe since the start of the year.

We reiterate our opposition to building of fences and walls or reintroduction of border controls within the Schengen area that will do nothing to solve the situation.

It is ineffective as it only diverts people who flee a desperate situation to other dangerous routes.

It is very costly when public money would be better used to finance decent reception of asylum seekers.

It is criminal as it is yet another measure that feeds into the smuggling industry.

Many individuals, through spontaneous actions or through their trade unions, community groups and sports clubs are showing you the solidarity way.

We urge you to follow suit and agree on a fair and equitable sharing of responsibility based on solidarity and cooperation, taking due account of the needs of refugees and of their preferences as to where they wish to go according to family, community, linguistic links.

In the longer term and in light of the above, we urge you to undertake a deep review of the EU neighbourhood policy, particularly in relation to the Mediterranean and Middle East countries, and of the bilateral economic agreements with authoritarian regimes.

Finally, we need to avoid the rhetoric of referring to refugees as a burden. They are human beings fleeing danger and persecution. We have the human rights and humanitarian obligation to receive them. Make Europe a safe haven for refugees. We cannot delay.

EU Response to the Refugee Crisis Deeply Disappointing – Public Services International

15 September 2015 - Public Services International, a global trade union federation representing 20 million public service workers across the globe, along with its sister federation, the European Federation of Public Service Unions, representing 8 million public service workers across Europe, express deep disappointment at the failure of the European Union to arrive at a humanitarian and durable solution to the refugee crisis in Europe, following the outcome of the Extraordinary EU Justice and Interior Affairs Council Meeting held 14th September in Brussels.

“It is extremely disappointing and disturbing to see EU countries withdrawing from their human rights and humanitarian obligation to provide protection to the refugees,” says Rosa Pavanelli, General Secretary of Public Services International. “Since the beginning of the refugee crisis, we had been calling for the suspension of the Dublin rules in order to allow for safe passage of refugees and to alleviate the current unfair and unpractical situation in border countries. We urged for a fair sharing of resettlement of refugees across the EU countries and the provision of adequate public resources and well-trained staff to deal with asylum and refugee services. Instead, what we saw coming out of the emergency talks is a further reinforcement of “fortress Europe” and the shifting of Europe’s responsibility on to third countries with the introduction of refugee camps in Africa and elsewhere,” stresses Pavanelli.

In the past two days, border controls have been reintroduced in Germany, Slovakia, Austria and Hungary. According to media reports, Hungarian police have arrested and detained almost 10,000 people desperately trying to cross into Hungary from Serbia. Military forces are being deployed and borders are reinforced with razor wire fences in order to prevent people, families with children, from crossing. “What the Hungarian government is doing is criminal. This is outrageous and not acceptable for Europe. These actions threaten European core values and detract from our obligation in international refugee law,” says Pavanelli.

PSI and EPSU sent a statement to leaders of the EU and Western Balkans calling for European solidarity, dignity and coherence on the refugee crisis (<http://www.world-psi.org/en/make-europe-safe-haven-refugees-now>).

“Public service workers are at the frontline receiving asylum seekers and refugees and providing them emergency, health, shelter and social services,” says Pavanelli. “Together with local authorities and civil society, we continue to show our humanity and solidarity with our fellow human beings fleeing danger and persecution,” she adds.

“With each passing day more people are put in danger and hurt,” says Jan Willem Goudriaan, General Secretary of EPSU. “PSI and EPSU expect firm action of the Council of Ministers in the next meeting foreseen for 8-9 October. We demand to make Europe a safe haven for refugees – now!”