



Labor Migration Workshop: Contributions from the Ministries of Labor of the Americas

13th and 14th of July, 2017 – San José, Costa Rica

RESULTS OF THE SESSION WITH SUB-GROUP 1

Participants: Chile, Costa Rica, Guatemala, United States, Panama, SISCA, COSATE/CSA and CEATAL

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IDENTIFIED CHALLENGES:

- There is a lack of reliable information on migration. Information is focused on the formal economy
- Subcontracting, outsourcing and new forms of hiring, often associated with informality, which weaken the rights of workers
- Migratory culture in society. Society in general sees it more as a threat than an asset.
- Low social security coverage - portability of pensions. Uncertainty of what happens with persons that have contributed to social security in different countries.
- Heterogeneity of migration phenomenon - Very different realities for different groups. Example of indigenous communities moving between borders.
- Vulnerable condition of the majority of migrants. Migration of groups in situations of particular vulnerability, such as indigenous people or people with very low levels of education, who are placed in a vulnerable position when migrating.
- This condition of vulnerability and situation of irregularity, as well as the lack of guidance and institutional channels, accentuate and promote the violation of migrants' rights.

- Lack of coordination between sectors
- Permanent updating of new pacts and regulations, to which States adhere. Binding or not, this constant updating implies more tools to act at local level in public policies in favor of migrants. However, there is a need for regional alliances and joint action in multilateral spaces.

LESSONS LEARNED:

- Participation of union organizations makes more effective and reliable the initiatives to raise awareness among migrant workers in irregular condition of their labor rights (which are not conditional on immigration status).
- Union organizations can promote and support the regularization processes in order to have more orderly migration.
- The need for special treatment of migrants with regard to social protection. Expand social protection coverage and design special strategies for certain groups such as domestic workers and others.
- Regulating labor migration is an important concern for the future throughout the region.
- Incorporate migrants into the formal economy.
- Importance of citizen participation in migration governance spaces (institutions alone cannot do it all ... must rely on the authorities that come from the society itself).
- The Ministries of Labor have responsibilities in different phases of the migration process.
- Care for the migrant population must include interventions not only for the migrant workers, but also for their family.

RECOMMENDATIONS:

- To make visible and attend to the phenomenon of migration in the strategies of the formalization of labor. The issue of migration is now absent at the dialogue tables on formalization
- Formalizing the employment of migrant workers must be accompanied by the regularization of migration.
- Strengthen the labor market information systems, especially the capacity of the Ministries of Labor to generate this information, and, in particular, with regard to migration.

- Strengthen inter-institutional coordination to address the migration phenomenon.
- Have comprehensive information systems on labor migration, which are powered by different agencies (foreign ministry, labor, employment service). It should include info on education, and level of qualification of the migrants. Complement these systems with information on what happens in the destination country.
- Increase budgets, state investment in response to migration challenges.
- Improve the institutional capacities of labor inspection institutions. Complement their "punitive" role with support work for employers.
- Strengthen decision-making bodies in immigration matters with the participation of government, workers and employers. Social dialogue in the governance of migration.
- Carry out information and awareness campaigns about what migrants represent for the country, what they contribute (for example, social security contributions), to which sectors, in order to combat xenophobia, discrimination.
- Agreements between education systems, training institutes and certification of competences of different countries to facilitate validation / homologation of degrees.
- Promote the granting of recognitions and distinctions to municipalities and companies where the insertion of migrants and the effective protection of rights are promoted.
- Documenting best practices on migration at the regional level.