



Organización Internacional del Trabajo



Organización Internacional para las Migraciones (OIM)
El Organismo de las Naciones Unidas para la Migración



MINISTERIO DE TRABAJO
Y SEGURIDAD SOCIAL

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

July 13 & 14, 2017 - San José, Costa Rica

SESSION REPORT OF SUB-GROUP 2 (Caribbean)

Participants: Antigua and Barbuda, Barbados, Belize, Jamaica, Saint Kitts and Nevis + OAS SICREMI, Costa Rica and Mexico as observers.

Moderator: Eltonia Anthony-Rojas, Labour Commissioner, Ministry of Labor of Antigua and Barbuda

Supporting rapporteur: Anna Platonova, IOM

BACKGROUND

Those present are mostly migrant receiving countries, though Jamaica is both receiving and sending migrant workers. Belize is part of both the Caribbean and the Central American migration sub-regions.

OAS SICREMI representative presented relevant migration data for countries present.

Various categories of migrant workers present in the labour markets or participating countries with different implications for their access to legal residence and employment:

1. OECS nationals in OECS countries that enjoy freedom of entry, stay and employment.
2. Skilled CARICOM nationals with CSME skills certificates that enjoy freedom of entry, stay and employment in the approved occupation.
3. Other CARICOM nationals that enjoy freedom of entry, stay up to 6 months, but do not have free access to employment.
4. Nationals from non-CARICOM countries whose entry, stay and access to employment are regulated depending on the country of origin.

CHALLENGES

- Limited human and financial resources in Small Island Development States to address migration issues.
- Lack of adequate data on labour migration and limited scope of development of national labour market information systems.
- Challenges of low skilled migration from the Caribbean region, including non-English speaking, as they are more likely to be vulnerable, exploited and abused. Cases of human trafficking, forced labour and child labour have been identified. Many migrants work in an informal sector, which presents additional difficulties in their regularization.
- Language barriers create difficulties in various areas, including facilitating access to social services, education system, protection measures and so on.
- Further efforts are necessary towards strengthening the legislative framework pertaining to labour migration and its enforcement, including post-arrival monitoring of migrant workers, including their working conditions, change in employment, status etc.
- Limited resources for labour inspection. Deficiencies in effective enforcement of labour rights protection measures may result in workers being more accepting of an irregular and/or abusive situation.
- Difficulties in encouraging migrants to come forward during regularization campaigns, though some success has been noted.
- Insufficient support to recruitment facilitation from the countries of origin. In the context of organized labour migration schemes various challenges were mentioned, including a) ensuring that suitable persons are selected; b) preventing abuse of the system; c) cooperation with countries of destination to facilitate admission of selected workers; d) high processing fees covered by applicants.
- Family separation is a major concern in economic and social terms for temporary/seasonal workers and their families that stay behind.
- At the same time, many migrants do not move alone. Language barriers and lack of resources among other factors may result in limited access to and disadvantage in the school system for migrant children.
- Barriers to unionization of migrant workers.
- Many questions remain unanswered in the absence of better data and relevant feasibility assessments. For example, when sending is done through a structure/in an organized way is it easier to monitor? How can protection can be ensured for migrant workers even if they are not

coming forward to formalize their status? How can countries in the region maintain this communication and trust each other enough to engage in a discussion on joint efforts to facilitate legal, safe and fair labour migration?

LESSONS LEARNT

- Labour migration is present in the entire OAS, staggering numbers.
- Domestic work, agriculture, construction, hospitality appear to be key sectors for migrant employment.
- Skills is an important aspect of labour migration governance.
- In some Caribbean destinations migrant worker supply drives demand which may drive down the wages .
- Importance of forging links between migration and other policies, but also coherence between policies of different countries and joint data collection.

RECOMMENDATIONS

- Strengthen the government human resources in SIDS to address migration issues (Ministries of Labour and Immigration). For example, strengthening the capacity of labour inspectorates to protect migrant worker rights.
- Improve data collection on labour migration and invest in the development of national and regional labour market information systems.
- Identify the vulnerabilities and needs of various categories of migrant workers and fine-tune government interventions and assistance accordingly.
- Strengthen legislative framework and enforcement, and post-arrival monitoring, including working conditions, change in employment, status etc.
- Facilitate migrant workers' access to remedy and forge their mutual trust with the authorities. For example, actively support and protect workers who denounce labour rights violations to the authorities.
- Promote cooperation between public and private actors in countries of origin and destination to establish legal, safe and fair worker recruitment mechanisms, to develop additional services related to job-matching, including pre-departure orientation, and to improve data collection and exchange. This is essential to ensure migrant worker protection along all stages of migration cycle.

- Develop support measures to families of migrant workers, both that stay behind and move with them.
- Strengthen the role of consular services in migrant worker protection.
- Reduce formal and informal barriers to unionization of migrant workers.