



# COVID-19: Guidance for employers and business to enhance migrant worker protection during the current health crisis

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*Employers and business play a vital role in protecting migrant workers and their communities during the COVID-19 pandemic. Many provide essential care, services and goods and, in doing so, rely heavily on their migrant workforce. This includes nurses, doctors and other frontline care workers as well as the agricultural, transport and retail workers that keep our cities and towns supplied with food and other essential items. This resource is designed to help employers more effectively respond to the impact of COVID-19 and to enhance protections for migrant workers in their operations and supply chains. We hope that the guidance it provides will prove valuable.*

IOM Director General Antonio Vitorino

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***This document is designed to offer preliminary guidance to employers to enhance their response to the current health crisis brought on by COVID-19 and, in particular, to offer advice to establish effective protections for migrant workers in employer operations and supply chains. It is a “living document” and will be updated regularly for the duration of the pandemic.***

## **1. General considerations to enhance migrant worker protection**

- a. All workers should be treated with equality, dignity and respect, irrespective of their gender and migration status.
- b. The health, wellbeing and safety of all employees, including migrant workers, shall be a priority for employers during the COVID-19 health crisis. Businesses must exercise their duty of care to respect human rights and meet the basic needs of all employees, especially those related to health.
- c. Employers must monitor and comply with all requirements established by national and sub-national authorities regarding public health measures and ensure that critical information is communicated to their employees.
- d. Employers are encouraged to liaise with and seek the support of relevant trade, employer and business associations to share information, learnings and recommended steps to address the crisis through cooperative action.
- e. Conduct a rapid assessment of existing health, safety, labour and social protection measures at the workplace and in worker accommodation (if relevant) and identify the most pressing needs of employees. Focus on gender sensitive measures and tailor your response to the needs of potentially vulnerable groups within your workforce, including migrants.

## **2. Enhancing safety and health in the workplace**

- a. Identify, prevent and mitigate risks of exposure to workers in terms of person-to-person infection as well as contact with infected surfaces or objects by cleaning surfaces (e.g. desks and tables) and objects (e.g. door handles, telephones and keyboards) with disinfectants on a regular basis. Follow relevant [guidance](#) provided by the World Health Organisation (WHO).
- b. Adopt new or adapt existing occupational safety and health measures in the workplace and strictly follow health authority guidelines to limit risk of infection. This can include new cleaning protocols, hand-washing stations and/or other sanitation measures such as providing hand sanitizer.
- c. Hand washing or sanitizer stations should be located near all toilets, health clinic facilities, building entrances, meeting areas and canteens and all employees and contractors must be encouraged to practice regular and thorough handwashing. Other measures may include the distribution of face masks or other personal protective equipment (PPE) as appropriate, which should then be accompanied by instruction for proper use and disposal. Promote [good respiratory hygiene](#) in the workplace by displaying posters combined with other communication measures and guidance. Review [guidance](#) by WHO pertaining to proper use and disposal of face masks.
- d. Ensure that you have sufficient supply of hand sanitizer, masks, gloves and other PPE in your workplace and worker accommodation (if relevant). If supply is limited or interrupted, identify alternative sources and contact relevant authorities and industry associations for support.
- e. Consider implementing temperature screening for workers at all entrances to the workplace. Anyone with a fever should be isolated, and public health protocols should be implemented regarding diagnosis and how and where to seek medical treatment.
- f. Disseminate information about COVID-19, the health situation of migrant workers and relevant company instructions to all units and individuals responsible for coordinating protection responses.
- g. Ensure that workplace infirmaries and medical staff are well-equipped to respond to the crisis and aware of all national or sub-national measures adopted to contain the spread of the virus. Ensure

that such staff are responsive not only to the physical health needs of employees but their mental health as well, in order to mitigate feelings of stress and anxiety (see below).

- h. Ensure special health and safety measures for frontline workers, including health workers and those working in the care economy, for example in retirement or elderly care communities.

### 3. Mitigating stress and anxiety related to COVID-19

- a. Migrant workers may face elevated levels of stress and anxiety related to COVID-19 as a result of being isolated and far from their homes, families and support networks. They may also fear deportation if they lose their jobs and work permits or if they contract the virus. Employers are strongly encouraged to account for these unique vulnerabilities of migrant workers and to take steps to address related stress and anxiety. This may include referrals to psycho-social support, counselling services and hotlines. Employers can also facilitate contact to consular services, civil society organisations and diaspora groups.
- b. Mitigating stress may also entail combating rumors and the spread of disinformation or false information that contributes to increased anxiety. Wherever possible, ensure that only verified news and information is shared with employees via notice boards, intranet and other means of communication. Consider implementing regular workforce briefings (daily or weekly) as a good practice.
- c. Employers should also ensure that migrant workers have unhindered access to internet services in dormitories in order to maintain regular contact with family members and loved ones at home.
- d. Review general [guidance](#) on dealing with stress related to COVID-19 provided by WHO.

### 4. Promoting universal access to health care and insurance

- a. Migrant workers in general, and particularly those in irregular situations, are likely to face [barriers to accessing social protection and health care](#) during the current crisis. They may not have health insurance and as a result may be reluctant to seek medical attention because of the expense, particularly in cases of costly hospitalization. As noted above, fear of deportation may also prevent them from accessing medical care, as may the fear of stigmatization or discrimination in case they test positive.
- b. Together, these barriers will exacerbate the spread of COVID-19, particularly in migrant communities. In the short- to medium-term, this poses an enhanced risk to public health and should be addressed accordingly.
- c. To mitigate common language barriers, employers should ensure that migrant workers have access to translators who can accompany them on medical or hospital visits. In jurisdictions where public health authorities recommend calling a toll-free number rather than visiting a hospital or clinic, ensure that migrant workers can communicate with and understand medical professionals using such means.

### 5. Adapting work arrangements

- a. If your business continues to operate during the pandemic, consider implementing flexible work arrangements. Take measures to identify essential and non-essential staff. In cases where off-site work is possible, allow employees to work from home (e.g. telecommuting) or adopt flexible working hours. The latter will be important for all workers, including migrants, who in the face of school and nursery closures may have to provide additional care and instruction to their children. Flexible working hours may also serve to support employees with care responsibilities for other family

members, such as grandparents, elderly parents or siblings, whose independence and ability to care for themselves may be restricted by measures that limit mobility, including quarantine.

- b. For workers who continue to work on-site, flexible work arrangements may include reduced workloads, job sharing and adjusting shift work to accommodate temporary scheduling changes. Using paid leave entitlements (for example, sick, personal or emergency care leave) can also be considered as short-term solutions, though for many migrant workers – particularly those in low skills categories – these entitlements may be limited.
- c. Implement measures in the workplace to reinforce social distancing to limit person-to-person transmission. This may include rearranging workstations to ensure adequate space between employees and prohibiting in-person meetings. Employers may also want to consider if work arrangements can be adjusted to have fewer employees in the workplace at the same time (e.g. through shift work or other arrangements).
- d. Additionally, if employees are currently commuting to and from work by public transportation, employers should clearly explain all government-introduced rules concerning the use of public transport during the crisis; consider (if feasible) flexible arrival and departure times to reduce travel during particularly busy periods; and/or arrange alternative means of transportation (e.g. private buses) that limit exposure to others during daily commutes. If private transportation is provided, ensure that it complies with all relevant health-related requirements and protocols.

## 6. Adapting the living conditions of migrant workers

- a. For workers, including migrants, living in on-site, employer-owned or -operated accommodation, employers should ensure that conditions are safe, hygienic and reflect the current requirements of social distancing.
- b. This can include reorganizing living arrangements to reduce the number of employees sharing the same room and/or adjusting eating schedules to limit or stagger the use of dormitory kitchens or canteens (which may, in turn, necessitate provision of other means for cooking). Likewise, similar restrictions may be needed to regulate the use of shower or other personal hygiene facilities, where these are limited in number.
- c. In cases where living arrangements in dormitories cannot easily be adjusted, employers should consider renting additional temporary housing (for example, hotels, guesthouses or hostels) to adhere to new social distancing protocols.
- d. It is imperative that workers living in employer-owned or -operated accommodation continue to have access to potable water, food, electricity and other essential needs during conditions of quarantine, isolation or restricted mobility. Likewise, their access to emergency and health services should be guaranteed by the employer. All staff involved in dormitory management, including security guards, should be made aware of all such requirements.
- e. In cases where authorities have restricted mobility and placed numeric limits on public and private gatherings, employers may be required to restrict visitor access to worker accommodation.
- f. If not already in place, logbooks should be used to keep record of actions such as the date and time a disinfectant was applied or a space cleaned, and by whom. This will provide management with a straightforward method to ensure follow-up and implementation. Additional cleaning equipment and disinfectants (such as chlorine) may also be needed, and cleaning staff may need training on new measures and proper application of disinfectants.
- g. Employers should also arrange to effectively isolate employees who have symptoms of COVID-19 from others in worker accommodation (including separate rooms and washroom facilities) and to establish measures to ensure that they receive medical assistance.
- h. Additional measures should be taken by employers whose workplaces and operations are located in remote or isolated locations and where access to health facilities and infrastructure is limited.

This includes industrial and small-scale mines, farms and agricultural plantations as well as fishing vessels and transport workers. For measures related to domestic workers, see below.

- i. Employers are also responsible for migrant workers living in third party housing or residences. They may require support particularly in cases where they face threats of eviction because they are unable to pay rent due to production slowdowns or workplace closures and the resulting loss of income. Where possible, employers are encouraged to engage third party owners, landlords or appropriate property management firms to implement mitigating measures to prevent evictions.
- j. In the event that workers experience reduced salaries resulting from workplace closures or slowdowns, employers may wish to consider exceptional measures, including temporary coverage of accommodation costs and the provision of free food in a workplace or dormitory canteen.

## 7. Safeguarding the rights of migrant workers in times of crisis

- a. It is essential that employers observe and comply with all relevant laws, regulations and collective agreements related to employment and working conditions.
- b. This includes measures that address working hours and place specific conditions (including restrictions) on the use of overtime. Under current circumstances, it may be necessary, particularly in essential services, to monitor working hours more closely than usual to ensure that workers do not face excessive overtime and continue to enjoy necessary daily and weekly rest periods.
- c. Employers are reminded that involuntary and compulsory overtime is strictly prohibited. Existing gaps or shortages of workers, temporary restrictions on new recruitment or other measures that prevent employers from hiring new employees do not justify forced overtime. This includes migrant workers who may be more vulnerable to threats to work longer hours and reluctant to refuse.
- d. In the case of worker redundancies and layoffs, it is essential that employers meet their obligations under relevant laws and regulations, including legal requirements pertaining to notice periods and compensation. With regard to migrant workers, this may also include employer responsibilities related to return assistance.
- e. Only restrict migrant workers' freedom of movement where necessary for the purpose of preventing the spread of the virus. It is critical that this is clearly communicated to migrant workers. Ensure that migrant workers have direct access to their identity and travel documents at any time.

## 8. Payment of wages and economic well-being of migrant workers

- a. Migrant workers often incur financial debt to pay for their recruitment and therefore depend on regular and timely income during employment abroad. Non-payment of wages due to production stoppage or lay-offs can have severe negative impacts on the livelihood of migrants and their families. Migrant workers who do not work, or work less due to reduced demand, might seek alternative opportunities to generate income.
- b. Make all efforts to support migrant workers financially through continued wage payments during the COVID-19 pandemic. Where situations of financial hardship occur, consult with labour departments and relevant authorities to take measures that consider the best interests of all employees. This may include furloughing workers as a retention and mitigation measure. Where possible, prioritize retention of workers in need, including migrant workers who cannot return home or are in a situation of financial or social hardship.
- c. Where it is discovered that migrant workers have paid recruitment-related fees and costs, it is the responsibility of the employer to ensure that these have been reimbursed, whether or not the worker concerned is laid-off, placed on furlough or remains in active employment.

## 9. Migrant worker access to social protection, including social security

- a. Identify ways to support government social protection measures (where available), including subsidies for workers to access health and unemployment insurance. Employers are encouraged to consider the unique conditions facing temporary or casual workers as well as those in the informal economy, in particular migrant workers who may be in an irregular situation. Where steps can be taken to regularize such workers, this should be done, though visa-related services may be restricted or temporarily suspended due to the crisis.
- b. In case of worker or family illness related to COVID-19, consider guaranteeing (and extending) paid sick leave, especially for women who are often primary caregivers. This will ensure income security not only for those who are sick but for those who care for children, elderly or other family members.

## 10. Measures to address the unique vulnerability of domestic workers

- a. Private employers should give strong consideration to the unique vulnerabilities faced by migrant domestic workers who may experience heightened levels of isolation and lack access to services and protections because they work in private households.
- b. During the health crisis, domestic workers may face additional pressures resulting from measures adopted by public authorities to restrict mobility. On the one hand, with many individuals and families facing long periods at home under quarantine or self-isolation, domestic workers may be vulnerable to dismissal and job loss. On the other hand, caregivers who are retained may experience extended hours of work, additional care responsibilities as well as unauthorized suspension of rest time or leave entitlements.
- c. Employers of domestic workers are encouraged to adopt new safety and health measures in the home. This includes communicating about preventative, hygiene and sanitary measures aligned with WHO recommendations and providing domestic workers with masks and gloves, soap, water and alcohol-based hand sanitizer. Social distancing measures should also be discussed, for example as they relate to duties such as buying groceries.
- d. If someone in the household is sick, ensure that all members of the household including domestic workers are informed and take immediate steps to protect their health and safety.
- e. If migrant domestic workers do not live in your home, discuss their commute to and from work. Encourage them to avoid crowded places and means of transportation. Consider covering the cost of taxis. If mobility is restricted due to measures adopted by public authorities, consider options for domestic workers to “live-in” to continue providing care and services.
- f. It is vital that domestic workers continue to enjoy weekly rest days, annual leave entitlements and sick leave in accordance with relevant laws. Communicate this to domestic workers. In case of illness, caregivers should be encouraged to stay at home and seek medical assistance. Time off work for health-related reasons should not be deducted from their salaries.
- g. Employers are also encouraged to ensure that migrant domestic workers have valid health insurance in case they need medical attention or require hospitalization. In some jurisdictions, this may mean supporting workers to enroll in social security, while in other cases employers are encouraged to provide financial support to access private health insurance.
- h. Employers of domestic workers should also ensure that they have an up-to-date visa, stay permit and other identification documents. In cases where these expire during the current crisis, employers are strongly encouraged to start the renewal process early as processing may take longer than usual.
- i. Migrant domestic workers should always be in possession of their passport and other identity documents. Likewise, employers should not confiscate or restrict access to mobile phones or Wi-Fi to ensure that migrant workers can stay in contact with family members at home.

## 11. Combating xenophobia and social exclusion during the crisis

- a. Take steps to prevent and address discrimination, xenophobia and/or exclusion related to migrant workers and COVID-19. This can include providing additional training and awareness raising for workers to reduce stigmatization associated with the virus.
- b. Establish a mechanism through which workers can report incidents of harassment, discriminatory or other inappropriate behavior to their supervisor, human resources representative or management, and ensure that these reports are treated confidentially. Act upon and remedy all confirmed cases.

## 12. Ensuring ethical recruitment in periods of crisis

- a. For businesses that continue to operate during the crisis, it is imperative that measures are in place to ensure the ethical recruitment of migrant workers. This is particularly important in the context of current travel restrictions, which may result in unscrupulous recruiters attempting to circumvent these measures, placing jobseekers and migrants at greater risk.
- b. For recruitment taking place during the pandemic, make use of remote, online or video interview technologies to reduce travel and in-person meetings.
- c. Ensure that any additional costs related to health checks, official documentation and due diligence are not borne by migrant workers.
- d. For migrant workers recruited and deployed during the crisis, ensure that measures are in place to observe social distancing and protect migrant health during all stages of travel. This includes provision and information on the proper use of face masks, gloves and other PPE. Upon arrival in the country of destination, ensure that all local regulations related to quarantine are observed and that appropriate accommodation and services are provided.
- e. Employers are encouraged to ensure that any recruitment started before the crisis and now “on-hold” does not result in jobseekers being held by recruiters for indefinite periods of time.
- f. For businesses that have closed or implemented reduced operations, consider developing action plans now to guarantee ethical recruitment in the immediate aftermath of the crisis when full production and service resumes. This will be vital in the face of predicted pressures to return to “business as usual” as quickly as possible. Consider projecting recruitment needs based on the impact of COVID-19 and likely local labour market conditions following the crisis.

## 13. Return of migrant workers during the pandemic

- a. In cases involving the return of migrant workers, organize and pay for all related travel costs to countries of origin.
  - o Coordinate with labour recruiters under existing contractual obligations and seek support from civil society organisations, as appropriate.
  - o Explain the safety rules that apply during and after travel (e.g. mandatory quarantine upon arrival) and inform migrant workers that they are not penalized for leaving.
  - o Provide hygienic travel kits to migrant workers for their travel.
- b. In cases involving jobseekers who were recruited but could not travel due to the pandemic, coordinate with labour recruiters to organize and pay for return travel to communities of origin.
- c. Where other options are not available, discuss with government, recruiters and other relevant institutions the possibility to unlock and utilize bonds placed as guarantees during the recruitment of migrant workers. Reach out to embassies and recruiters to explore the possible use of migrant welfare funds, where these exist.

#### 14. Communicating with migrant workers

- a. During times of crisis, open channels of communication and dialogue are vital to ensure that workers – and, in particular, the most vulnerable workers – do not slip through employment and social protection gaps. Employers (and buyers) are encouraged to establish and sustain new means of communication between all relevant parties, including workers and recruiters.
- b. New channels of communication should transmit targeted COVID-19 related information to workers, including migrants. Employers should consider collecting regular feedback from migrant workers, including men and women from all nationalities, to understand their needs and concerns; these needs and concerns should be taken into account when tailoring a crisis response.
- c. Employees and the employees of any third-party contractors present in the workplace should be briefed that anyone displaying [symptoms of COVID-19](#), including fever, dry cough and/or difficulty breathing, should self-isolate at home and seek appropriate medical attention. Employers should take additional steps to ensure that this information is received and understood by migrant workers (preferably by communicating in their own language). For on-site workers who are employed by third parties, establish and maintain ongoing channels of communication with relevant business partners to ensure a robust and coordinated response.
- d. In providing guidance and training to workers on new OSH and COVID-19 measures, employers should consider using educational leaflets, posters and other visual media. Where these are text-based, ensure that they are translated into all languages represented in the workplace. Be certain to provide workers with clear guidance on when, where and how to seek medical assistance, if needed, including addresses and phone numbers of local hospitals and clinics, health authorities and emergency hotlines. Assist in safe transport to medical facilities where possible.
- e. Employer communication should also 1) support migrant workers with up-to-date legal and administrative advice, assistance and information in cases where their jobs are impacted; 2) help them make decisions about their future; and 3) provide necessary documentation should they have to leave the workplace.
- f. Employers should also ensure that all new hygiene requirements are communicated to workers living in employer accommodation through verbal and written means (information sessions, meetings, leaflets, notice boards), and that these are fully complied with. This includes support staff present in employee accommodation such as cleaners, cooks, etc.

#### 15. Enhancing migrant protection through compliance monitoring and supply chain due diligence

- a. Global brands and buyers may wish to adopt temporary policy measures to limit the impact of COVID-19 on their own operations and supply chains, and enhance protections for workers in their supply chain, including migrants. These measures may include new commitments to the many issues outlined above, including enhanced occupational safety and health, access to health care, wage and livelihood guarantees, social protection as well as special measures related to work arrangements, hours of work and living conditions.
- b. Where adopted, buyers are encouraged to reinforce new policy commitments with additional monitoring and due diligence to ensure supplier adherence and implementation. However, given current travel restrictions, traditional forms of due diligence – for example, on-site social audits – may not be possible or advisable. In this case, employers should adopt new due diligence mechanisms and consider implementing related measures to enhance worker protections, including the use of hotlines, information and communications technologies and social media.



Targeted awareness raising for migrant workers, even at a distance, and linking them virtually to local service providers and emergency assistance are also encouraged.

## 16. Additional resources

- ILO, UNICEF and UN Women, [Family-friendly policies and other good workplace practices in the context of COVID-19: Key steps employers can take](#), March 27<sup>th</sup>, 2020.
- IOM, [Information about COVID-19 and how to protect yourself in multiple languages](#), n.d.
- IOM CREST, [COVID-19 place migrant workers in highly vulnerable situations](#).
- IOM CREST COVID-19 response website, <https://crest.iom.int/covid-19-response>.
- IOM PROMISE, [Tips for employers of domestic workers during the COVID-19 pandemic](#).
- IOM PROMISE, [Tips for migrant workers whose job is affected by the COVID-19 pandemic](#).



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