



Supporting Program Partner:



# PROMOTING SAFE WORKER MIGRATION IN MALAYSIA, INDONESIA AND NEPAL

## Through the Transformation of Recruitment Practices and Standards in Supply Chains

An important component of globalization has been the movement of workers across borders, which has benefited countries of origin and destination. Migrant workers fill labor shortages in key manufacturing countries such as Malaysia and, in turn, enhance investment and development in countries of origin such as Indonesia and Nepal. As such, a vast network of migration intermediaries has emerged in these countries to meet the need for recruitment and management of migrant workers. Unfortunately, exploitative practices by some private recruitment agencies (PRAs) and gaps in accountability have led to significant risks to workers' rights.

The increased exposure to potential forced labor conditions associated with such practices, as well as stakeholder expectations, served as a catalyst for industry groups such as the Responsible Business Alliance (RBA) to re-examine its policies, programs and assurance systems. In March 2015, the RBA membership convened an out-of-cycle vote to strengthen its Code of Conduct (CoC) on worker protection and eliminate recruitment fees paid by workers. In November that same year, The RBA and other business organizations signed a statement that reaffirmed the group's support for the United Nations Guiding Principles on Business and Human Rights (UNGPs) and Sustainable Development Goals and reiterated their commitment to promote their implementation.

The RBA Foundation will continue to advance the adoption of ethical recruitment practices through the Responsible Recruitment Program (RRP), a capacity-building, assessment and verification program targeted at PRAs and other related activities. Working with the International Organization for Migration (IOM), the key implementing partner, along with other organizations, the program will be implemented in Nepal, Indonesia (countries of origin) and Malaysia (country of destination) in 2021 and 2022 to address the following:

## KEY CHALLENGES

- Differences in recruitment and employment standards, and gaps in regulations in countries of destination and origin contribute to the challenge of ensuring a safe migration corridor for workers;
- The lack of transparency in recruitment fees and related costs charged by both countries of origin and destination encourages abuse by various actors involved in the recruitment and placement of migrant workers;
- The role played by sub-agents and labor recruiters in charging job-seekers excessive fees before they even begin the recruitment process. These job seekers often believe that this is a common and acceptable practice which, in turn, reinforces the exploitation;
- The often cumbersome and lengthy recruitment process deters employers from directly hiring their migrant workers and they are often compelled to depend on PRAs to serve their recruitment needs;
- Limited leverage of individual brands to influence their supply chains to adopt responsible recruitment practices due to limited sourcing volume and the disparity of standards with other brands; and
- Employers who perceive responsible recruitment as a compliance requirement rather than a workplace culture that respects the rights of migrant workers.

## INTERNATIONAL EFFORT ON SAFE MIGRATION

In 2018, the majority of United Nations Member States adopted the Global Compact for Safe, Orderly and Regular Migration (GCM). The GCM presents a significant opportunity to improve the governance of migration, address the challenges associated with today's migration, and strengthen the contribution of migrants and migration to sustainable development. The GCM is framed in a way that is consistent with target 10.7 of the 2030 Agenda for Sustainable Development, in which UN Member States are committed to facilitate safe, orderly and regular migration. In line with the UNGPs, businesses have responsibilities to respect human rights and provide access to remedy for victims of forced labor.

The RBA Foundation, with IOM and other partners, will implement the following activities in the Responsible Recruitment Program:

## WHAT WE DO

<p><b>INCENTIVIZING 48 PRAS TO START THE JOURNEY OF BECOMING RESPONSIBLE RECRUITERS</b></p> <p>PRAs enrolled in the RRP program will go through a three-level pathway consisting of self-assessment, capacity-building and audits to ensure compliance to international recruitment standards</p>	<p><b>PILOTING TRAINING PROGRAMS TO EMPOWER AT LEAST 3,000 WORKERS THROUGHOUT THEIR MIGRATION JOURNEY</b></p> <p>Training targeted at three phases of the migration journey will be implemented in partnership with local civil society organizations, government agencies, PRAs and employers:</p> <ul style="list-style-type: none"><li>• pre-employment orientation for jobseekers in Nepal and Indonesia;</li><li>• pre-departure orientation for workers in Nepal and Indonesia; and</li><li>• post-arrival orientation for workers in Malaysia.</li></ul>
<p><b>PILOTING AN ECONOMIC INCENTIVE MODEL FOR RESPONSIBLE RECRUITMENT</b></p> <p>A brand, supplier and recruitment partner will be selected to pilot an economic model designed to incentivize the implementation of zero-fees and workers' freedom to leave their jobs.</p>	
<p><b>SCALING UP THE HELPLINE TO SERVE AT LEAST 22,500 JOBSEEKERS AND WORKERS PRIOR TO DEPARTURE</b></p> <p>The current "Suara Kami" helpline will be expanded to jobseekers and workers in Nepal and Indonesia through the pilot training programs and socialization with PRAs enrolled in the RRP.</p>	<p><b>FORMING STRATEGIC MULTI-STAKEHOLDER PARTNERSHIPS</b></p> <p>Outreach events and meetings will be held in Nepal, Indonesia and Malaysia to share program updates and key learnings with stakeholders to consolidate strategic partnerships and advocate for positive regulatory changes related to recruitment, migration and employment of migrant workers.</p>

## GOALS:

- Risks of forced labor in Malaysian supply chains are reduced through empowerment of jobseekers and workers
- Rights and dignity of migrant workers in Malaysia are better protected through PRAs' compliance to international standards on responsible recruitment
- Jobseekers and workers are able to seek effective remedy when their rights are being violated through better access to a grievance mechanism at every stage of their migration journey
- Strategic multi-stakeholder partnership and advocacy to harmonize responsible recruitment standards and strengthen capacity for the implementation of the RRP across Nepal, Indonesia and Malaysia

### CONTACT US AT

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to learn more about this program.

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Established in 1951, **IOM**, the United Nations Migration agency, is the leading inter-governmental organization in the field of migration and works closely with governmental, inter-governmental and non-governmental partners to ensure orderly and humane management of migration and promote international cooperation on migration issues.