PRACTICAL GUIDE TO RESPONSIBLE RECRUITMENT DURING AND COMING OUT OF COVID-19

This document will be regularly updated as the impact of the pandemic evolves. Organisations are welcomed and invited to submit comment on contents and areas for development to info@responsiblerecruitmenttoolkit.org

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RRT RESPONSIBLE RECRUITMENT TOOLKIT.ORG

stronger together
tackling modern slavery in supply chains

Purpose of this guide

This guide contains practical steps and considerations for the responsible recruitment and supply of workers during Covid-19 for use by employers and labour providers/recruiters in global supply chains. Particularly relevant for essential sectors where recruitment is ongoing, such as food, agriculture and healthcare, as well as other sectors that are considering the impact of reduced hours/lay-offs and where some recruitment may be recommencing as restrictive measures begin to loosen.

Impact of Covid-19 on supply chain workers

Since the World Health Organisation declared Coronavirus (Covid-19) a global pandemic on 11th March 2020, Governments around the world have taken different approaches to 'lockdown', 'social distancing' and public health measures, and the job and social security protections available to citizens and migrant workers.

There have been increasing reports of the negative impact of the pandemic on vulnerable workers in supply chains. Migrant workers are particularly vulnerable:

- Many have lost work, but may be unable to return home due to travel restrictions, lack of understanding of visa procedures and/or a lack of consular support for repatriations

- They may have been left stranded mid recruitment in their origin countries, at borders or on arrival without work, having potentially already outlaid recruitment fees

- Their immigration status may be tied to a particular employer, so they are at risk of deportation if they lose their job or change workplace to sustain their income

- Their first language may be different to that of the destination country and so have limited understanding of Covid-19 rules, regulations and entitlements

- They may be unable to access job/social protection measures and benefits in either the destination or origin country/state, and may face poverty as a result

- There is uncertainty for seasonal migrant workers who rely on temporary visa schemes as annual 'returnees'

- Their accommodation/transport/hygiene/medical facilities may not provide sufficient protections against Covid-19

- Increased negative press on the use of migrant labour when resident unemployment is increasing may lead to poor treatment of migrant workers

Other groups are also vulnerable including casual and agency workers, whose employment status may not afford them the same social protections as directly hired workers.

Increased recruitment risks in supply chains

The pandemic has also increased the risk of poor practices in the recruitment and supply of workers:

Increased risk of exploitation and modern slavery

Workers' increased vulnerability may mean they are more willing to pay recruitment fees, use informal/ dangerous transport options to cross borders, accept unsafe working conditions and poor terms of employment. At the same time, gangs and traffickers will continue to look for opportunities to exploit workers under their control and increasing unemployment levels may provide the opportunity to widen their existing pool. They may move workers into different sectors or types of exploitation, whilst victims may suffer from worsening conditions and abuse as their freedom of movement is further restricted.

Increased use of agencies

According to the World Employment Confederation, "while in many sectors the use of agency work has been reduced dramatically due to lock-down measures, some other sectors are desperately looking for agency workers to make up for the unexpected surge in activity such as: healthcare, retail, logistics and food processing". Where new labour providers/ recruiters are appointed quickly, or begin supplying workers into a new sector, this may increase risks of non-compliance.

Virtual and fast-tracked procedures

An increased reliance on virtual and fast-tracked recruitment procedures could increase the risk of recruiting workers without legal eligibility to work or who are younger than the legal minimum age of employment, as well as the potential for bias or discrimination.

Reduction in labour inspectorate and audit activities

A reduction in the capacity of national labour inspectorates and social auditors inspecting businesses may lead to an increased risk of unscrupulous agencies and employers operating, whilst the temporary move to online social auditing may make non-compliance more difficult to detect.

Practical steps for the responsible recruitment of workers during and coming out of Covid-19

Whilst lockdown measures are beginning to loosen around the world and industry begins to restart, the impact of Covid-19 on vulnerable workers is likely to be felt for some time. The following are practical steps and considerations for businesses to take during and coming out of Covid-19 restrictions. Further general guidance is referred to from the Responsible Recruitment Toolkit (RRT) and Stronger Together (S2G).

As basic principles, businesses should ensure that they and their business partners (clients, labour providers, labour recruiters, sub-agents):

- Adhere to national government and WHO guidelines for managing COVID-19

- Work on the basis of bringing any new recruits into the business responsibly through existing suppliers where possible

- Provide opportunities for new recruits to communicate any questions and concerns through a variety of communication channels.

1. DURING RECRUITMENT

Consideration/step		Further general guidance
1.1. Recruitment fees/modern slavery	Given the potential for increased exploitation, continue to apply pro-active steps to minimise the risk of any fees being charged to workers or other forms of exploitation and modern slavery during the recruitment process.	**RRT:** **1. No Worker-Paid Recruitment Fees** **24. No Forced Labour** **S2G:** **Various resources, multilingual posters and awareness videos**
1.2. Local recruitment	You should continue to take proactive steps to ensure local workers have fair access to recruitment opportunities, including both resident workers and migrant workers already living locally who have eligibility to work. This will be impacted by rising unemployment rates and the need to limit the spread of the virus between locations.	**RRT:** **4. Local Recruitment is Promoted**
1.3. Migrant worker recruitment	Support migrant workers that are still able to migrate for work to travel in a safe mode of transportation (i.e. observing social distancing and public health measures). Ensure that pre-departure orientation training includes information on Covid-19 restrictions in the destination country and provisions and protections for workers (see 1.6 Recruitment Transparency).	**RRT:** **2. Recruitment is Transparent** **14. Work is Safe** **16. Transport is Safe** **D. Workers Are Treated as Customers**
1.4. Contract type	Ensure directly hired and agency workers are recruited on legally recognised and appropriate contracts. You should look to provide contracts which offer equal social protection for all types of workers, for example sickness and bereavement benefits.	**RRT:** **8. Employment Status is Appropriate and Regular Work Offered** **11. Benefits are Provided** **18. Opportunity and Treatment are Fair and Equal**

Consideration/step		Further general guidance
1.5. Virtual recruitment	If your business is using virtual recruitment methods, think about additional steps to verify workers' eligibility to work and to check workers' ages, for example: ■ Using online, government identity checks where available ■ Asking the jobseeker to demonstrate the watermarks/holographic image in their identity document over videoconference call ■ Cross-checking name/age and other personal details against other documents e.g. a driving licence or birth certificate ■ Using biometric systems to prevent impostors	**RRT:** **5. No Child Labour** **6. Eligibility to Work is Established** **7. Imposters and Hidden Workers are Prevented**
1.6. Agency due diligence	Continue to monitor the appointment and use of any labour providers/recruiters used to recruit and supply workers including: ■ Checks before starting a relationship with an agency for example to verify that they (and any sub-agents), have the appropriate licence to trade ■ Ensuring appropriate contracts and service level agreements are in place ■ Ongoing monitoring (self-assessments or virtual audits where face-to-face audits are not possible) and worker interviews	**RRT:** **C. Strategic Supply Chain Partnerships are Maintained** **S2G:** **Employer Implementation Interactive Checklist**
1.7. Recruitment transparency	Ensure jobseekers have clear information, in a language they understand, about the nature of work and their terms and conditions at all stages of recruitment, including provisions for: ■ Social distancing and public health measures in the workplace and in transport and accommodation where applicable ■ Personal Protective Equipment (PPE) ■ Wellbeing support ■ Sick pay and other benefits ■ Grievance mechanisms ■ For migrant workers, any quarantine requirements and how workers will be housed and compensated during quarantine	**RRT:** **2. Recruitment is Transparent**
1.8. Anti-discrimination	Continue to apply fair and transparent recruitment procedures to ensure there is no discrimination, particularly where recruitment procedures are being fast-tracked. Examine the processes used to determine who is offered, or not offered work to ensure no conscious or unconscious bias.	**RRT:** **18. Opportunity and Treatment are Fair and Equal** **19. No Mistreatment is Allowed**

2. ONBOARDING AND ORIENTATION

Consideration/step		Further general guidance
2.1. Communication of policies and procedures	Make sure all workers are clear on relevant policies and procedures in a language they understand, including any new policies for Covid-19 e.g. on social distancing, PPE and social protections. Make sure people know who to contact if they have any concerns or questions.	**RRT:** **Various standards including:** **B: Effective Management Systems are in Place** **D. Workers are Treated as Customers**
2.2. Migrant workers during quarantine	Ensure you are in regular contact with migrant workers during any quarantine or isolation period on their arrival to the country, so that they feel part of your business and you can deal with any concerns. If workers are not able to work during this time, businesses should provide compensation for accommodation and subsistence – in some countries this is a legal requirement.	**RRT:** **D. Workers are Treated as Customers**
2.3. Welcoming on arrival	People joining the workforce at this troubling time may feel particularly anxious. Businesses should make extra efforts to ensure workers feel welcomed on their first day, receive all the information they need and know who to contact with any questions and concerns.	**RRT:** **D. Workers are Treated as Customers**
2.4. Induction	In addition to the usual topics that should be covered during induction training, businesses will also now need to include Covid-19 arrangements in the workplace including social distancing, PPE, wellbeing support, sick pay and other benefits provisions, and internal communication and grievance mechanisms. You should ensure social distancing requirements are met during the training and may need to schedule in extra sessions.	**RRT:** **11. Benefits are Provided** **14. Work is Safe** **21. Access to Remedy is Ensured** **S2G:** **Induction resources**
2.5. Worker engagement	Gathering feedback from workers during the recruitment process and once they start work helps businesses to better understand the recruitment process and uncover any potential risks or issues. During Covid-19, you will need to consider: ■ Socially distanced worker interviews, where the interviewer and worker are separated by a screen ■ Socially distanced conversations with small groups of workers ■ Opportunities for workers to feedback to management e.g. weekly meetings with social distancing ■ Interviews using digital technologies Worker surveys supported by digital technology may be useful to gather anonymous feedback however the first step should be promoting conversations between the business and the workforce.	**RRT:** **1. No Worker-Paid Recruitment Fees** **24. No Forced Labour** **D. Workers are Treated as Customers** **S2G:** **Template worker questionnaires available in several languages**

3. DURING EMPLOYMENT/SUPPLY

Consideration/step		Further general guidance
3.1. Labour Provider/ Labour User roles and responsibilities	Labour providers and labour users should work together to agree and document the provisions in place for agency workers in the workplace including: ■ Social distancing, public health measures and PPE ■ Benefits ■ Ongoing communication with workers on any Covid-19 updates, particularly regarding working conditions ■ Wellbeing support – what is provided by the labour user and what by the labour provider? ■ Workforce cohesion – ensuring agency workers are integrated in the workplace at a time when all workers are feeling anxious. ■ Accommodation and transport - see 3.4	**RRT:** **C. Strategic Supply Chain Partnerships** **D. Workers are Treated as Customers**
3.2. Access to remedy	Labour providers and labour users should both have effective grievance mechanisms available to agency workers to report any issues (as well as for employers' directly hired workers), with response plans to provide remedy where any issues are uncovered (relating to Covid-19 or otherwise).	**RRT:** **21. Access to Remedy is Ensured** **S2G:** **Multi-lingual worker information posters and leaflets**
3.3 Ongoing worker engagement	Labour providers and labour users should continue to interview agency workers (as well as for employers' directly hired workers) throughout their assignment/employment at regular intervals as workers may feel more comfortable reporting issues at a later date. See 2.5 for tips on safe worker interviews during Covid-19.	**RRT:** **D. Workers Are Treated as Customers** **S2G:** **Template worker questionnaires available in several languages**
3.4. Accommodation and transport	Accommodation and transport provided to directly hired and agency workers must meet all necessary requirements in terms of social distancing, hygiene and access to medical care. You should also think about how workers would isolate and support individuals and or groups of workers who are infected with COVID-19. National government and WHO guidance should be followed in the first instance.	**RRT:** **15. Accommodation is Safe & Hygienic** **16. Transport is Safe**
3.5. Under-employment vs excessive working hours	Where workers with variable hours are working significantly fewer hours than they would like to (known as 'underemployment') due to Covid-19, you should consider: ■ Pausing any further recruitment ■ Finding alternative work opportunities where possible ■ Supporting workers to become eligible for other roles ■ Supporting workers to access social security. Where workers are working significantly enhanced hours due to Covid-19, you should take steps to reduce hours to a safe level including: ■ Recruiting additional staff ■ Balancing hours fairly across existing staff ■ Adjusting production/shift patterns	**RRT:** **8. Employment Status is Recognised and Regular Work Offered** **13. Working Time is Not Excessive**

4. LAY OFFS AND TERMINATION RIGHTS

Consideration/step		Further general guidance
4.1. Changes to working arrangements	Businesses should consider if working arrangements need to change including shift patterns, changes in work locations, and any difficulties in labour forecasting at this time, and work with labour providers to ensure this is managed safely and fairly.	**RRT:** **8. Employment Status is Recognised and Regular Work Offered** **C. Strategic Supply Chain Partnership**
4.2. Lay-offs and termination rights	Where lay-offs and redundancies are necessary, businesses should take all steps to manage these responsibly ensuring: ■ All workers receive all terminations rights to which they are entitled (such as any unpaid holiday pay and covering the cost of return transport for migrant workers) ■ Businesses understand what social security support is available during Covid-19 and provide workers with clear guidance and support to access this ■ For migrant workers that are not able to return home due to travel restrictions, supporting them to access other job opportunities and accommodation where necessary ■ Ensuring safe repatriation for migrant workers that are able and wish to return home.	**RRT:** **23. Termination Rights are Provided**

5. EFFECTIVE MANAGEMENT SYSTEMS

Consideration/step		Further general guidance
5.1. Effective management systems	During a time of crisis, businesses need to react quickly to rapidly changing circumstances. However, this needs to be balanced with ensuring decisions are made in line with agreed policies and procedures, staff are clear on roles and responsibilities and decisions are documented. Where gaps in management systems open up, risks and errors may occur, which could cause issues in the longer-term. Maintaining effective monitoring will help businesses to later review how the crisis was handled, whilst fair and consistent procedures will provide recourse if issues are raised at a later date.	**RRT:** **B. Effective Management Systems are in Place**

Further support

Businesses can access further support and guidance from:

Responsible Recruitment Toolkit	Collaborative programme providing practical online guidance, resources and training on embedding responsible recruitment practices.	responsiblerecruitmenttoolkit.org
Stronger Together	Multi-stakeholder initiative that provides guidance, training, resources, and tools to support organisations to address modern slavery risks within their business and supply chains.	stronger2gether.org
Covid-19 UK and Global webinars	■ Managing labour responsibly ■ On-site health and safety management, accommodation and transport ■ Furloughing staff responsibly and managing absence during the crisis ■ Engaging and supporting workers through anxious times ■ Coming out of lockdown – what every business needs to know ■ Managing recruitment & labour exploitation risks in light of Covid-19	labourproviders.org.uk/supplier-support-uk-and-global-covid-19-management-capacity-building-webinars/
Covid-19 US crisis management webinars	■ Perspectives from Departments of State and Labor and Employers ■ Leading practices in worker management and communications	stronger2gether.org/us-events/
International Organization for Migration (IOM) IRIS	Guidance for employers and recruiters on responding to Covid-19	iris.iom.int/covid-19-crisis-response

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