

FOCUS ON LABOUR EXPLOITATION

FLEX PARTICIPATORY RESEARCH WORKING PAPER 2

“TO HELP WORKERS, I WOULD TELL THE GOVERNMENT TO...”

PARTICIPATORY RESEARCH WITH WORKERS IN THE UK HOSPITALITY SECTOR



“TO HELP WORKERS, I WOULD TELL THE GOVERNMENT TO...”

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The quotes on the cover are from research participants responding to the question: ‘If you could tell the UK Government what they should do to help workers, what would you tell them to do?’.

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Focus on Labour Exploitation (FLEX) is a research and policy organisation working towards an end to labour exploitation. FLEX seeks to achieve this vision through the prevention of labour abuses, protection of the rights of those affected or at risk of exploitation and by promoting best practice responses to labour exploitation through research and evidence-based advocacy.

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“TO HELP WORKERS, I WOULD TELL THE GOVERNMENT TO...” PARTICIPATORY RESEARCH WITH WORKERS IN THE UK HOSPITALITY SECTOR

JULY 2021

CONTENTS

EXECUTIVE SUMMARY	5
INTRODUCTION	11
METHODOLOGY	14
HOSPITALITY SECTOR OVERVIEW	16
FINDINGS	19
1. KEY ISSUES EXPERIENCED AT WORK	19
1.1 Issues with pay: Unpaid overtime, underpayment, and unpaid shifts	19
1.2 Ability to take time off when ill: Insufficient and inaccessible sick pay	24
1.3 Dangerous working conditions	26
1.4 Work-related violence: Discrimination, harassment, and verbal abuse	29
1.5 Impact of Covid-19 on the sector	32
2. KEY RISKS AND DRIVERS OF LABOUR ABUSE AND EXPLOITATION	35
2.1 Employment status: Zero-hours, insecurity and fear of retaliation	35
2.2 Business models: The impact of outsourcing	37
2.3 Age as a risk factor	40
2.4 Insecurity in the shadow of Brexit: EEA migrants' immigration status	42
2.5 Barriers to accessing support	43
CONCLUSIONS	45
BIBLIOGRAPHY	47

EXECUTIVE SUMMARY

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Hospitality is a high-risk sector for labour abuse and exploitation, with workers experiencing frequent issues with pay, inability to take time off when ill, and dangerous working conditions, including high levels of workplace violence.”

“

As the UK starts reopening one of the industries most severely affected by the pandemic, and as this process coincides with the additional pressure that the end of free movement is likely to put on this sector, it is crucial for the experience of workers affected to inform any attempts for a fairer recovery.”

This working paper, based on participatory research carried out with hospitality workers in the UK in low paid roles, highlights key workplace issues in the sector, and the drivers of risk that impact workers' vulnerability to labour abuse and exploitation. It finds that hospitality is a high-risk sector for labour abuse and exploitation, with workers experiencing frequent issues with pay, inability to take time off when ill, and dangerous working conditions, including high levels of workplace violence. It also identifies systemic and structural issues that create risk of labour exploitation, including the fissured nature of the sector, the low presence of union representation and barriers to seeking help affecting marginalised workers. Moreover, the paper briefly examines how the sector has been impacted by the Covid-19 pandemic.

Drawing on 115 survey responses and 40 interviews with hospitality workers, including hotel room attendants, kitchen staff, and waitressing and bar staff; as well as five stakeholder interviews with employers, advisors and trade unions, this working paper is an important addition to the limited existing literature on working conditions in the UK hospitality sector. Moreover, its innovative feminist participatory action research approach allowed us to involve workers as 'Peer Researchers' in every stage of the research process, from design to data collection and analysis. This approach has enabled workers to shape the research findings and recommendations, including workers who are at high-risk of exploitation but less frequently represented in policy research, such as undocumented migrants, people who do not speak English and/or work long and unsociable hours. By involving workers from some of the most at-risk groups, this report brings the voices of people with lived experience to the forefront and includes their perspectives in the policymaking process. Finally, as the UK starts reopening one of the industries most severely affected by the pandemic, and as this process coincides with the additional pressure that the end of free movement is likely to put on this sector, it is crucial for the experience of workers affected to inform any attempts for a fairer recovery. This working paper aims to assist in doing that.

This work is part of an ongoing three-year research project which seeks to address the knowledge gap concerning experiences and drivers of labour abuse and exploitation in understudied low-paid sectors of the economy. More specifically, the study investigates the working conditions of women and young migrant workers with European Economic Area passports in three low paid and often precarious sectors – cleaning, hospitality and app-based courier and logistics work in the gig economy. A previous working paper on the cleaning sector was published in January 2021.

KEY FINDINGS

The findings are structured into two main sections: key problems experienced by participants at work and key drivers of risk. The first section includes the following findings:

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62% experienced issues with pay, such as unpaid work (39%), not being paid on time (18%) and not being paid at all (17%). A large proportion also faced deductions related to uniform or equipment costs (19%).”

“

Interviews and focus groups found workers being denied sick pay despite being entitled to it, having to use annual leave due to lack of sick pay and leave, and being made to work when ill or injured.”

“

94% of survey respondents had experienced health issues directly resulting from their work, while 38% described being required to work in ways that felt dangerous or unsafe.”

ISSUES WITH PAY

Of our survey respondents, 62% experienced issues with pay, such as unpaid work (39%), not being paid on time (18%) and not being paid at all (17%). A large proportion also faced deductions related to uniform or equipment costs (19%). Overall, 32% of participants were earning below the minimum wage, based on self-reported hourly wages. As many workers in the sector earn at or below the minimum wage, delays and sudden losses of income can lead to serious financial problems, such as debt and difficulties in paying bills and rent on time. In total, 59% of respondents experienced financial difficulties: 29% had to rely on loans or other financial help from their family or friends to get by, 28% had not been able to pay their rent or bills on time, 20% had to rely on their overdraft and 18% on credit card debt. More proactive and targeted state enforcement of labour standards, and national minimum wage in particular, is urgently needed for high-risk sectors like hospitality.

ABILITY TO TAKE TIME OFF WHEN ILL

Our research found that 60% of respondents felt they could not take time off due to illness, including 43% who were only able to do so some of the time, and 17% who were never able to take sick leave. This inability to take time off when ill is largely due to two key factors: a lack of access to sick pay, with 35% of survey respondents not receiving any type of sick pay; and a widespread fear of losing work, with 44% of respondents being afraid of having their hours reduced if they called in sick. Moreover, the inadequacy of statutory sick pay entitlements means that even those who have access to sick pay often feel unable to take time off when ill. Interviews and focus groups found workers being denied sick pay despite being entitled to it, having to use up annual leave due to lack of sick pay and leave, and being made to work when ill or injured. Inability to take time off when ill, whether due to lack of access to sick pay or fear of repercussions, needs to be urgently addressed, especially as the risk of work-related health issues is so high in hospitality. Sick pay entitlements should be extended and increased to ensure people are not forced to continue working when ill and be proactively enforced by labour inspectors to support workers' access.

DANGEROUS WORKING CONDITIONS

Health and safety hazards and dangerous working conditions are a predominant issue in the sector: 94% of survey respondents had experienced health issues directly resulting from their work, while 38% described being required to work in ways that felt dangerous or unsafe. Workers reported experiencing back, neck and joint pain (68%) from carrying heavy loads and working in awkward positions, while working in fast-paced environment for long hours, often without breaks, leads to accidents in the workplace, including cuts or bruises (56%) and scalding and chemical burns (10%). Moreover, the vast majority of workers reported having experienced mental health issues and illnesses (74%), with more than half of survey respondents experiencing burn-out because of work (55%), followed by anxiety (46%) and insomnia (35%).

WORKPLACE-RELATED VIOLENCE

Participants reported experiencing various types of workplace violence, including harassment, and verbal abuse. Over 63% reported experiencing

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Participants reported experiencing various types of workplace violence, including harassment, and verbal abuse. Over 63% reported experiencing abusive behaviour linked to their race, ethnicity, and nationality, with 41% of survey respondents having experienced discrimination at work based on their race, ethnicity and nationality.”

“

Hospitality was disproportionately affected by Covid-19 lockdowns and closures, putting a huge financial strain on workers, many of whom were already struggling with low pay and insecure working arrangements.”

“

The insecurity associated with the widespread use of zero-hour contracts in the sector means that workers have no protection against unfair dismissal and employers can simply cut people's hours.”

abusive behaviour linked to their race, ethnicity, and nationality, with 41% of survey respondents having experienced discrimination at work based on their race, ethnicity and nationality. Abusive behaviours included verbal abuse linked to race, ethnicity, or nationality (26%); racist language and jokes (23%); feeling unwelcome or excluded because of race, ethnicity or nationality (23%); and being told to 'go back home' (18%). In addition to abuse related to race, we found research participants experienced high levels of gender-based abuse, specifically sexual harassment. In total, 37% of research participants had experienced some form of sexual harassment at work, with the most common forms being sexualised comments about their physical appearance (18%), unwelcome sexual advances (17%), and the spreading of rumours about their sexual life (16%).

IMPACT OF COVID-19

Our data collection overlapped with the start of the Covid-19 pandemic in March 2020, allowing us to assess some of the early impacts on workers in hospitality. Key related issues experienced by participants included financial difficulties, such as not being able to pay rent or bills; being given no work or, conversely, being given more work without additional pay; being made redundant instead of being put on furlough; having furlough pay miscalculated; and struggling to access government support due to immigration status, including pre-settled status under the EU Settlement Scheme. Hospitality was disproportionately affected by Covid-19 lockdowns and closures, putting a huge financial strain on workers, many of whom were already struggling with low pay and insecure working arrangements.

With regards to key drivers, we found these to be some of the most significant factors shaping workers' experiences of risk and resilience to labour abuse and exploitation:

EMPLOYMENT STATUS

Much of the insecurity faced by workers can be linked to their employment status, with those classed as 'workers' having fewer rights and protections compared to 'employees', and those classed as self-employed (whether falsely or legitimately) having close to no employment protections. The insecurity associated with the widespread use of zero-hour contracts in the sector means that workers have no protection against unfair dismissal and employers can simply cut people's hours, putting workers in the position of being unable to push back against or report exploitative practices for fear of losing work. Workers reported being afraid of losing their job or having their hours reduced if they called in sick (44%), refused to do things that were not within the scope of their job (39%), reported or complained about bad working conditions or pay (38%), refused to work overtime (31%), turned down shifts (30%), reported or complained about harassment or abuse at work (22%), asked for time off to care for children or other dependents (12%) and if they joined a trade union (4%). The lack of guaranteed work under zero-hour contracts also leads to insecure and fluctuating incomes, forcing workers to rely on multiple jobs and/or work excessive hours.

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Outsourcing often results in unrealistic workloads as contractors compete for work by offering the lowest price and overpromise on the service they can deliver. This leads to downward pressure on wages and conditions and intensification of work, such as longer hours, increased workload, and unpaid overtime.”

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Young workers are often overrepresented in low-paid and high-risk sectors and have fewer options in the labour market.”

“

Worryingly, we found that most of our young respondents had experienced one or more forms of abusive behaviour in the workplace, including verbal and physical abuse, sexual harassment, and racist abuse.”

OUTSOURCING

While there can be legitimate need for staffing methods such as outsourcing and use of agencies in the sector, for instance when responding to seasonal fluctuations in demand, we found the widespread use of outsourcing to be a key driver of risk for workers. Outsourcing often results in unrealistic workloads as contractors compete for work by offering the lowest price and overpromise on the service they can deliver. This leads to downward pressure on wages and conditions and intensification of work, such as longer hours, increased workload, and unpaid overtime. The pressure to deliver the contract is often passed to low-level management, such as head housekeepers, who must cut corners and push their team to meet unrealistic productivity targets, often through unpaid overtime, or else risk losing their job. Unless outsourcing is effectively regulated, it will continue to be used as a means to cut costs while reducing lead companies' legal responsibility for the wages and conditions of workers in their supply chains.

YOUNG WORKERS

Through interviews and focus groups with young workers (aged 16-24) we explored age, specifically youth, and its links with risk of labour abuse and exploitation. Young workers are often overrepresented in low-paid and high-risk sectors and have fewer options in the labour market. Due to the UK's minimum wage rules which set rates based on age, young workers can be paid less than older workers doing the same work. Having less work experience, they are also generally less knowledgeable about their rights and how to enforce them and, because many see their work in hospitality as temporary, they may be more likely to accept poor conditions. Young workers who responded to our survey were more likely than their older counterparts to fear having their working hours or days reduced as a penalty for taking time off sick, refusing to do things outside their job description or turning down shifts. Discrimination also affected a higher number of young respondents. Worryingly, we found that most (16/18) of our young respondents had experienced one or more forms of abusive behaviour in the workplace, including verbal and physical abuse (12/18), sexual harassment (7/18), and racist abuse (6/18). Despite these experiences, less than one third (5/18) of young respondents had sought support or advice when dealing with work-related problems.

BREXIT-RELATED VULNERABILITY FOR EEA WORKERS

Migrants from Europe make up a large percentage of the hospitality workforce. As part of the measures resulting from Brexit, European Economic Area nationals and their family members living in the UK had to apply for a new immigration status under the EU Settlement Scheme. Our research found that workers experienced insecurity due to the change in their immigration status with workers not knowing what impact Brexit could have on them due to lack of information about the new immigration process and future entitlements. Some interviewees reported that employers were using the uncertainty caused to put pressure on workers.

BARRIERS TO ACCESSING SUPPORT

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Workers experienced insecurity due to the change in their immigration status with workers not knowing what impact Brexit could have on them due to lack of information about the new immigration process and future entitlements.”

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Participants reported not accessing support as they felt it would be harder to get help than to change jobs (28%), because they did not know where to get help (23%), because they feared losing their job if they sought help (18%) and because they faced language barriers (17%).”

A key driver of risk of abuse and exploitation is the lack of knowledge of rights at work, language barriers and low rates of unionisation. Participants reported not accessing support as they felt it would be harder to get help than to change jobs (28%), because they did not know where to get help (23%), because they feared losing their job if they sought help (18%) and because they faced language barriers (17%). Being unable to speak English coupled with limited awareness of labour rights will affect a person’s ability to communicate with their colleagues and employer, understand their terms and conditions of employment, and report abuses or seek help. These barriers seem to characterise the experience of a large proportion of this workforce.

“

**THOSE WHO WORK
IN HOSPITALITY
ALSO HAVE RIGHTS,
AND THERE IS NO
REASON TO SETTLE
OR GET USED TO
POOR WORKING
CONDITIONS**

”

**Survey response,
Mexican Hotel Receptionist**

INTRODUCTION

“

Labour abuses that may seem less impactful when considered in isolation can accumulate over time to create increased dependency and heightened vulnerability for workers.”

“

Rather than attempting to isolate the most severe cases from their wider context, addressing and preventing labour exploitation requires a better understanding of workers' experiences across the spectrum.”

“

With the aim of directly engaging marginalised workers in a meaningful way, FLEX has adopted a Feminist Participatory Action Research (FPAR) approach through which workers inform all phases of the project.”

This working paper is the second publication of an ongoing three-year research project that seeks to address the knowledge gap concerning experiences and drivers of labour abuse and exploitation in three understudied high-risk sectors of the economy – cleaning, hospitality and app-based deliveries in the gig economy¹ – focusing specifically on the experiences of women and young migrant workers with EEA passports². By examining sectors where work is largely outsourced, either to companies or individuals classed as self-employed, this study also contributes to addressing evidence gaps related to the risk of labour exploitation in domestic service supply chains. A first working paper presented findings from our work with general building cleaning staff. This second publication focuses on low paid roles in the hospitality sector, such as room attendants, hotel porters, kitchen and catering assistants, waiters and waitresses, and bar staff³.

This working paper, like all FLEX's work, builds on the understanding that labour exploitation is part of a spectrum that ranges from decent work through to progressively serious labour law violations culminating in extreme exploitation, including offences that fall under the Modern Slavery Act 2015. Labour abuses that may seem less impactful when considered in isolation can accumulate over time to create increased dependency and heightened vulnerability for workers. Research also shows that continual violations of labour standards contribute over time to a more general undermining of the conditions of decent work, enabling more extreme forms of violations, including forced labour, to flourish (Skrivankova, 2010). As the United Nations Special Rapporteur on Trafficking in Persons, Maria Grazia Giammarinaro, has summarised: “Exploitation, and therefore trafficking, begins with the enabling of a breeding ground for the disregard of fundamental labour rights” (Furneaux, 2019). Therefore, rather than attempting to isolate the most severe cases from their wider context, addressing and preventing labour exploitation requires a better understanding of workers' experiences across the spectrum.

Moreover, this project recognises the fact that workers facing risk of labour exploitation have gained important insight about the issue and its contributing factors through direct experience. They are experts in their own right and, as such, their knowledge can help identify and shape better policy solutions. Despite their expertise by experience and despite being the ones most affected by such policy decisions, workers at risk are rarely involved by policy-makers in developing solutions to labour exploitation. With the aim of directly engaging marginalised workers in a meaningful way, FLEX has adopted a Feminist Participatory Action Research (FPAR) approach through which workers inform all phases of the project (see methodology section below).

¹ A previous working paper, focused on contracted cleaning, was published in January 2021. See more at: FLEX. 2021. [“If I Could Change Anything About My Work...” Participatory Working Paper 1 Research With Cleaners In The UK.](#)

² For simplicity, we will use the term ‘EEA nationals’ and ‘EEA migrants’ to refer to nationals of all European Union (EU) member states as well as Iceland, Norway, and Switzerland. Please note that some data sources quoted refer explicitly to EU nationals, European Economic Area (EEA) nationals, or EEA nationals plus Switzerland and are therefore mentioned in the report as such.

³ Roles classified under Elementary Personal Services Occupations (SOC Code 922)

The findings and recommendations presented in this document result from this collaboration and FPAR approach, which has enabled workers, including those who are less frequently represented in policy research, such as undocumented migrant workers and people who do not speak English, to shape the research findings and recommendations. Rich primary data highlighting workers' own words are presented to illustrate the issues, supported by figures from our survey and by previous literature.

“

I TRIED TO BE THE VOICE
FOR ROOM ATTENDANTS.
BECAUSE WE ARE NOT
HERE TO BE TREATED AS
SLAVES. WE ARE HERE TO
WORK AND TO BE TREATED
AS NORMAL. A NORMAL
LIFE. THAT'S WHY I CAN'T
UNDERSTAND. I WANT TO
BE THEIR VOICE. I WANT
TO CHANGE SOMETHING.

”

Interview,
Romanian Head Housekeeper,
19 April 2019

METHODOLOGY

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Adopting an FPAR approach means doing research ‘with’ rather than ‘on’ or ‘for’ the community being researched, with the aim of enabling those most affected by an issue to generate knowledge and advocate for social change.”

“

This working paper is based on the responses of 168 workers, of whom 67% identified as women and 32% as men, 21% were young people aged 16-24, and 94% were migrants.”

This report is based on desk-based research and primary data collected between April 2019 and July 2020, using a Feminist Participatory Action Research (FPAR) approach developed to investigate drivers of labour exploitation and to develop better, worker-informed policy. Adopting an FPAR approach means doing research ‘with’ rather than ‘on’ or ‘for’ the community being researched, with the aim of enabling those most affected by an issue to generate knowledge and advocate for social change. Most Participatory Action Research approaches are intrinsically feminist in the sense that, like feminist research, they aim to transform society and challenge power relationships within research. However, what makes FPAR different is its focus on women and other minoritised groups, and the intersecting forms of oppression they face (FLEX, 2021a).

As part of our FPAR approach, we have worked with workers from the hospitality sector as paid **Peer Researchers** who have engaged at every stage of the project, from research design to data collection, analysis, and advocacy. Peer researchers were consulted on the design of data collection tools (interview templates, focus group design, and survey questions) and received training on research methods, ethics, safeguarding and signposting, as well as ongoing support.

Qualitative data was collected through thirteen peer-to-peer semi-structured interviews, nine community researcher-led interviews and two community researcher-led focus groups⁴, as well as eighteen worker interviews, five stakeholder interviews (with sector associations, civil society organisations and trade unions) and one focus group carried out by FLEX staff. Due to overlaps in the structures, issues and participants, the interview template and online survey were designed together with workers from both cleaning and hospitality. Findings from the interviews have been triangulated through a desk-based review of existing literature and quantitative data from a comprehensive survey completed by 115 workers. Overall, this working paper is based on the responses of 168 workers, of whom 67% identified as women and 32% as men⁵, 21% were young people aged 16-24, and 94% were migrants. Of the survey respondents, 35% worked in more than one role in the sector. Of these roles, 26% were managerial (sub-sector unspecified), 43% were elementary roles in food and beverage services (57% of which were back-of-house kitchen roles and 43% of which were front-of-house serving roles), 26% were elementary roles in the hotel sector (81% were back-of-house roles, 19% were front-of-house), and 6% were classed as ‘other’. The overwhelming majority of survey respondents were in low-paid roles, with only five paid at or above the Living Wage Foundation’s London Living Wage, three of whom were in managerial roles. Three respondents were paid an annual salary instead of hourly wages.

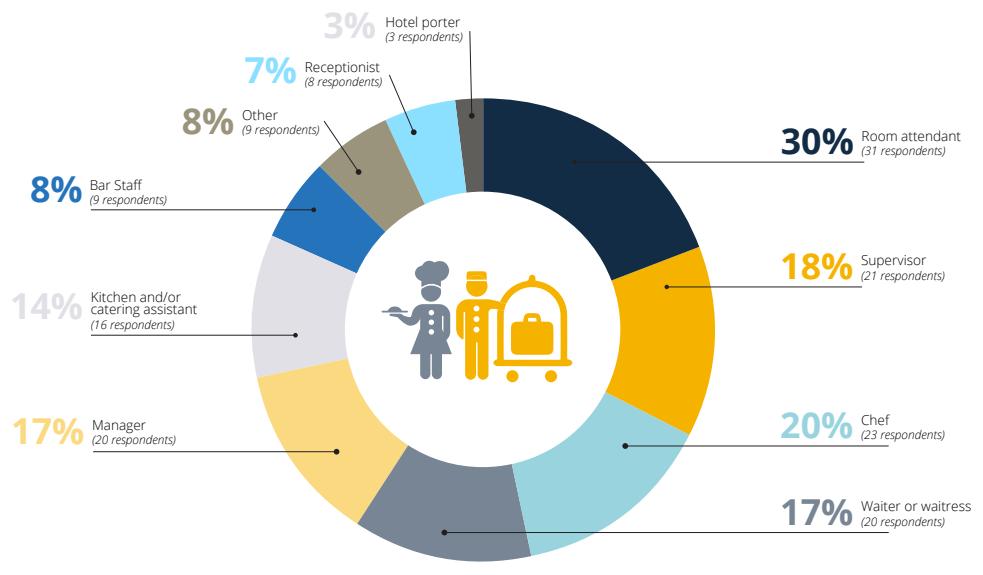
⁴ Community researchers have access to the community and speak the language of research participants; however, unlike peer researchers, they are not workers from the sectors being researched. For more information see FLEX. 2018. [Researching Labour Exploitation: Guide to Research with Hard-to-reach Migrant Workers in the UK](#).

⁵ 1% of participants preferred not to disclose this information.

“

Peer Researchers, all of whom were migrant workers, carried out interviews and focus groups in their first language with people recruited mainly through their personal and work networks, using a snowball sampling technique.”

GRAPHIC 1. SURVEY RESPONDENTS BY JOB TITLE



* Total number of respondents: 115. Note, 40 respondents worked in more than one job.

Peer Researchers, all of whom were migrant workers, carried out interviews and focus groups in their first language with people recruited mainly through their personal and work networks, using a snowball sampling technique. This enabled us to hear from workers who are traditionally less likely to participate in research, including people who do not speak English, are undocumented, or are working long and unsociable hours. The survey used to triangulate our findings also ran in five languages (English, Polish, Portuguese, Romanian and Spanish) to enable the participation of non-English speakers. We chose to focus on languages that were spoken by Peer Researchers and commonly spoken within the industry to enable participation from a wider range of workers in the hospitality sector. The survey reached 26 nationality groups and migrant workers account for 96% of respondents.

As with any methodology, the possibility of having this level of reach and engagement with minoritised groups comes with some limitations, such as peer researchers mainly reaching participants who spoke the same language. It is also likely that those workers who have experienced problems at work are more willing to engage in research. This research, therefore, does not attempt to provide a fully representative picture of the experience of workers in the sector as a whole, but to throw light on the nature of the problems that workers are experiencing, as well as the drivers of risk and resilience to such problems.

HOSPITALITY SECTOR OVERVIEW

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In 2017 the hospitality sector employed approximately 3.2 million people, making it the third largest employer in the UK.”

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Following lockdown measures aimed at containing the spread of the pandemic, the sector has had to shut down either partially or completely multiple times since March 2020, facing significant economic losses, leading to large scale redundancies.”

“

In hospitality, elementary occupations make up 45% of the workforce, almost three times more than in the wider economy.”

The hospitality sector is one of the largest industries in the UK, encompassing a variety of different sub-sectors, including the hotel industry and food and beverage services, such as bars, pubs and restaurants and event catering (ONS, 2017). Unless specified, this overview refers to the hospitality sector as a whole. Where relevant, it differentiates between hotel sub-sectors and food and beverage services.

In 2017 the hospitality sector employed approximately 3.2 million people, making it the third largest employer in the UK (Ignite Economics, 2018). Since 2009, hospitality has contributed to a 15% increase in overall employment (*Ibid.*). In 2019 the hospitality sector contributed £59.3 billion in Gross Value Added to the UK economy, around 3% of total UK economic output (Hutton and Foley, 2021), with London and the Southeast of England accounting for, respectively, 24% and 16% of the total output from the sector. This data however paints a picture of the state of the sector before the Covid-19 pandemic. Following lockdown measures aimed at containing the spread of the virus, the sector has had to shut down either partially or completely multiple times since March 2020, facing significant economic losses, leading to large scale redundancies. It is unclear when or whether it will bounce back to the same levels as pre-Covid.

In hospitality, elementary occupations make up 45% of the workforce, almost three times more than in the wider economy (Economic Insight, 2019). Average weekly earnings in hospitality and tourism were 25% lower compared to average wages in other sectors in 2017, with regional differences. The average hourly pay in median terms for workers in elementary occupations in the sector is £8.10 (ONS, 2021a) and workers are more likely than in other sectors to be paid the National Living Wage (NLW) or below. An estimate of non-compliance with NLW (the minimum wage rate for those aged 23 and over) in low paid sectors highlighted that the hospitality sector had the highest number of jobs paid under minimum wage, accounting for 4% of the total⁶ (BEISS, 2020a).

Previous research highlights the risk of labour abuse and exploitation in the hospitality sector (Shiva Foundation, 2021; French, 2018) and within its sub-sectors (Kik *et al.*, 2019; López-Andreu *et al.*, 2019; Balch, 2014; Warhurst *et al.*, 2008). Drivers of risk shared across the sector include the use of false self-employment⁷ to avoid payment of holiday pay and sick pay by employers (French, 2018), systemic underpayment of minimum wage (BEISS, 2020a), and the lowest unionisation rates by industry in the country (BEISS, 2020b).

In the hotel industry, the use of subcontracting, outsourcing and agency work⁸ has led to fragmented employment relationships that are more vulnerable to labour abuse as they create ambiguity over who is responsible for labour violations (López-Andreu *et al.*, 2019; Balch, 2014). The sector also has minimal regulatory oversight, lacking a licensing requirement for service suppliers and a dedicated labour inspection system (Balch, 2014). Instead,

⁶ Although these estimates attempt to measure the number of jobs that are paid below the minimum wage, it should be noted that the estimates cannot be used as a measure of non-compliance with the legislation. This is because it is not always possible to determine from the survey data whether an individual is eligible for the minimum wage. For example, if employees receive free accommodation, employers are entitled to offset hourly rates.

⁷ False self-employment happens when employers disguise employment of their workers as self-employment. As a result, individuals lose entitlement to employment rights as employees or workers in UK law, while the employer may evade paying income tax and social insurance contributions (French, 2018).

⁸ Labour providers in this sector may offer multiple services including cleaning, housekeeping, security, and facilities management. We will refer to them as outsourced companies.

“

In the hotel industry, the use of subcontracting, outsourcing and agency work has led to fragmented employment relationships that are more vulnerable to labour abuse as they create ambiguity over who is responsible for labour violations.”

“

In the food and beverages services, like in the hotel sector, the use of zero-hour contracts is widespread and working hours can be extremely low or high depending on seasonal demand.”

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People working in hospitality are more likely to be young and on flexible, temporary, and short-term contracts.”

“

It is important to highlight how reliant the sector is on non-UK workers, with 27% of the workforce having been born outside the UK.”

the responsibility of enforcing workers' rights is shared by different labour enforcement agencies, often with limited resources and inspectors, and with responses tending to be reactive rather than proactive (*Ibid.*). As for working conditions, workers in this sub-sector have experienced an intensification of their workload over the past years, manifested in longer working hours, heavy workloads, and unpaid overtime (López-Andreu *et al.*, 2019). People employed directly on fixed-hour contracts have experienced cuts in benefits and extra pay for weekend work over the years, while those on zero-hour contracts face high levels of instability with their working hours (*Ibid.*).

In the food and beverages services, like in the hotel sector, the use of zero-hour contracts is widespread and working hours can be extremely low or high depending on seasonal demand. Irregular working hours make workers feel less secure and more vulnerable to low pay, increasing the difficulty of making ends meet (Kik *et al.*, 2019). Workers commonly experience long shifts and long working hours when demand is high and, given the fast-paced environment and customer-oriented demand, it is not uncommon for workers to be denied breaks or feel unable to take them (*Ibid.*).

People working in hospitality are more likely to be young and on flexible, temporary, and short-term contracts (Kik *et al.*, 2019), often combining flexible working with education (López-Andreu *et al.*, 2019). Young workers are often in the sector only temporarily and are more likely to leave their jobs for better conditions (*Ibid.*). Women are also more likely to work in the sector. In 2020, close to two-thirds (64%) of the workforce were women (ONS, 2021b). Women in the sector were more likely to request flexible working hours (62%), and to occupy part-time jobs (65%) (Ignite Economics, 2018). Women are also more likely to be in lower-paid roles (*Ibid.*). When looking at the hotel sector, 72% of the part-time workforce is comprised of women and they are most likely to be working in housekeeping and low-paid customer service jobs (PWC, 2020).

It is important to highlight how reliant the sector is on non-UK workers, with 27% of the workforce having been born outside the UK (ONS, 2020a). Annual Population Survey data shows that over 12% of the UK hospitality workforce are migrants from the EU, while 15% are non-EU migrants (Lunn, 2017; ONS, 2020a). However, it has been suggested that the proportion of EU nationals in the workforce is in fact higher, at approximately 23% (Lunn, 2017). In comparison, only 6% of the overall UK workforce is made up of EU nationals (ONS, 2021c). In London, the proportion of EU migrants in hospitality is even higher: EU nationals account for between approximately 26% and 38% of hospitality workers, compared to 16% of the overall workforce in London (ONS, 2020a).

Considering how reliant the hospitality industry is on migrant workers and the high proportion of EEA nationals in the sector, the end of free movement with the EU and lack of alternative immigration routes for low-paid workers will likely lead to significant labour shortages, especially considering the proportion of EU nationals that are reported to have left since the start of the pandemic in March 2020 (Partington, 2021). A KPMG report for the British Hospitality Association estimated that in 2017, the hospitality sector needed around 62,000 new EU migrant workers per annum to maintain its activities and grow. The same report estimated that in the case of no new labour migration into the hospitality sector from 2019, by 2029 the sector could face a total recruitment gap of more than a million workers – a gap that will be difficult to fill (Lunn, 2017). At the time of writing, there are no plans to mitigate the labour shortages likely to result from the end of free movement by introducing new labour migration pathways for sectors like hospitality.

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NOBODY IS REVIEWING HOW THINGS ARE GOING. NOBODY GOES TO CHECK HOW THINGS ARE IN REALITY. NOBODY COMES TO SPEAK TO THE WORKERS. A LOT OF STANDARDS, A LOT OF PAPER, BUT THERE IS NOBODY LOOKING AT THE REALITY. THERE SHOULD BE INSPECTIONS. THIS COUNTRY IS THE WORLD OF POLICIES – POLICIES EVERYWHERE, BUT THERE IS NO IMPLEMENTATION AND NO ENFORCEMENT, NO MONITORING OF THE ACTUAL RESULTS.

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Focus group,
Sexual Harassment in Cleaning and Hospitality,
19 June 2020

FINDINGS

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Vulnerabilities are not inherent to the affected individuals but shaped and created by the environment or context that people live and work in and can be exacerbated or mitigated by business models and government policies.”

In addition to a broad range of labour rights violations and examples of poor working conditions, our research presents several factors that increase workers' risk of experiencing such violations, as well as corresponding resilience factors that can protect workers against abuse and enable them to push back when violations occur. The factors that increase risk of exploitation are often experienced by workers who have the fewest resilience factors and are therefore more likely to experience higher levels of harm, creating a compounding effect. The impact of abusive practices, therefore, should not be assessed without taking into account the personal, situational and circumstantial vulnerabilities faced by the individuals affected. It is important to note that these vulnerabilities are not inherent to the affected individuals but shaped and created by the environment or context that people live and work in and can be exacerbated or mitigated by business models and government policies.⁹

The following subsections will cover the key workplace issues experienced by workers in hospitality who took part in this research before moving on to an analysis of risk factors impacting on a person's vulnerability to labour abuse and exploitation. Given the similarities and overlaps between hospitality and cleaning in terms of business dynamics, labour market structures, and even the workforce (many of our respondents worked or had worked in both sectors), there are many linkages between the findings presented in this report and our previous report on the cleaning sector (FLEX, 2021b).

1. KEY ISSUES EXPERIENCED AT WORK

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Research participants in hospitality raised significant concerns over wages, with 62% of survey respondents having experienced issues around pay.”

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One of the most prevalent issues was unpaid overtime, which affected 39% of the total sample.”

1.1 ISSUES WITH PAY: UNPAID OVERTIME, UNDERPAYMENT, AND UNPAID SHIFTS

Where they can pay low wages, they will. They always see housekeeping as the lowest. They will always pay housekeeping the lowest wages.

Interview, Romanian Head Housekeeper, 15 May 2019

Research participants in hospitality raised significant concerns over wages, with 62% of survey respondents having experienced issues around pay. This mirrors our findings in the cleaning sector where pay was also identified as one of the main issues by workers (FLEX, 2021b). However, there are some important differences between the two sectors in the types of issues experienced. In hospitality, one of the most prevalent issues was unpaid overtime, which affected 39% of the total sample (compared to 31% in cleaning), followed by having to pay for uniforms and work equipment (19% in hospitality, 13% in cleaning), not being paid on time (18% in hospitality, 14% in cleaning), being paid a lower rate than initially promised (17% in hospitality, 10% in cleaning), and unclear deductions (17% in hospitality, 8% in cleaning). In cleaning we found more participants that experienced not being paid at all (15% in cleaning, 10% in hospitality) and not being paid holiday pay (12% in cleaning, 9% in hospitality).

⁹ For more about factors affecting vulnerability to exploitation see Focus on Labour Exploitation. 2021. “If I could change anything about my work...” Participatory Research with Cleaners in the UK. Working Paper No.1. p.14

TABLE 1. WHILE WORKING IN HOSPITALITY, HAVE YOU EXPERIENCED ANY OF THE FOLLOWING BECAUSE OF YOUR WORK?*

Issue	N.	%
Not being paid for all the hours you've worked	45	39%
Having to pay for your own uniform and/or work equipment (e.g. the cleaning products you use)	22	19%
Not being paid on time	21	18%
Being paid at a lower rate than you were initially promised	19	17%
Having unclear deductions taken from your pay	19	17%
Not being paid at all	12	10%
Not being paid holiday pay	10	9%

* Total number of respondents: 115. Note, several respondents experienced more than one issue

Unpaid work was a significant issue for research participants. There are multiple reasons for the prevalence of unpaid work in hospitality, including the intensification of work and subsequent heavy workloads, which can make people feel like they need to work more hours than they are paid for to keep up (López-Andreu *et al.*, 2019).

This is especially true in the hotel subsector, where productivity targets for housekeeping staff are a leading cause of people not being paid for all the hours they have worked. Though room attendants are technically paid per hour, their hourly pay is often calculated in relation to productivity targets, which are specified in terms of the number of rooms to be cleaned per hour or day. Often it is not possible to clean all the rooms within the allocated time, especially without compromising the quality of the work, so people end up working unpaid to reach the target. As the two head housekeepers interviewed for this research noted, those who do not meet the productivity target are at risk of losing their job:

People have 25 minutes to clean the rooms. Especially in my hotel, it is now kind of impossible, because the rooms are very big – room, lounge, and bathroom. The girls [sic] have 18 rooms [to clean in] 7.5 hours, but that is impossible to do. But when the company hires you, they give you the productivity letter as well. If you don't do it in this time, you lose the job. Then what do people do? They do it in the time they can. Then they sign out like they did it properly. They finish at 6pm and they sign like they finished at 4pm. Because during the week the day is 8am to 4pm. So, they work overtime and then they don't get paid for it, because otherwise they are going to lose the job because of the productivity.

Interview, Brazilian Head Housekeeper, 20 January 2020

The employer says, "We are going to pay by hour, but you have to do the productivity." You have the probation period and if you are not doing the productivity in this time, they will dismiss you straight away. They are not coming to give you a second training, they are not allowed to give you too many trainings.

Interview, Romanian Head Housekeeper, 16 April 2019

The intensification of work has been exacerbated by the outsourcing of housekeeping services to external companies (see section on outsourcing below). As the case study below also demonstrates, client company purchasing practices mean contracts are won based mainly on cost, with outsourced

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Client company purchasing practices mean contracts are won based mainly on cost, with contractors making unrealistic offers to secure contracts.”

companies making unrealistic offers to secure contracts. According to interviews with hotel managers and head housekeepers, the contracts between the hotel and the company providing housekeeping services are designed around outcomes and costs rather than staff or working hours.

The key element for the agency is being paid for the number of rooms they clean. The hotel will pay the agency for the number of rooms that are cleaned. There won't be any details about the number of people, hours, etc. needed.

Interview, Hotel General Manager, 4 October 2019

CASE STUDY 1: BETWEEN A ROCK AND A HARD PLACE

Elena* has worked at multiple hotels in London and in neighbouring counties for over five years, first as a room attendant and later as a head housekeeper, employed mainly through outsourced companies. She has seen first-hand the intensification of work created by increasingly high productivity targets.

When I started as a room attendant, I was supposed to clean two rooms in one hour and now you should clean three and a half rooms in one hour.

She says it is now impossible to meet the productivity targets without significantly compromising the quality of the service provided.

I couldn't keep up the productivity. It is impossible. [...] I do not have a magic button you know.

In her most recent job, the outsourced company was about to lose their contract with a hotel because there had been so many customer complaints. Elena's job as head housekeeper was to improve the quality of the service, stop the complaints and keep the contract, which she managed to do. However, her direct employer was not happy with her because she had gone over-budget by not keeping to the productivity targets, and Elena was dismissed.

I was very pleased about [stopping the complaints], but my company was not because I spent more money. I didn't keep the budget in green, you know. [My manager] said they had expected me to achieve the productivity, but I didn't, so that's why they decided to dismiss me.

The only way Elena could have delivered the quality of service expected by the hotel without going over-budget would have been to make the room attendants work more hours than they were paid for. This is what she was explicitly instructed to do: she was told the room attendants would be paid by hour, but she had to make sure they fulfilled the productivity targets and, if they could not do it, to dismiss them. Room attendants were paid at the NMW rate and therefore, extending their working hours without pay would have made them earn below the legal minimum. Elena refused.

I couldn't do this. I couldn't ask anyone from my staff to sign the target. Because the law says [we are] to be paid by hour, not by target, ok? They [the employer] wanted to use me to do something illegal. I prefer to keep the people happy and to respect the law. Instead, I had to keep my company happy.

The head housekeeper hired to replace Elena, when faced with the same situation, chose to do what the company asked of her.

She asks them to sign their timesheets by target, and those who accept it are still there and those who do not have been dismissed. [...] They will

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He was working 70 hours per week with only one day off, which meant his hourly wage was only £4.95, well below the minimum wage for his age at the time.”

be dismissed straight away, or they are not on the rota because they are zero-hours.

Elena knows this because she is still in touch with her former team, many of whom she recruited herself and who have followed her from job to job. She said the room attendants are unable to push back against this kind of treatment because they do not speak English and are on zero-hour contracts.

I tried to be their voice because we are not here to be treated as slaves. We are here to work and to be treated as normal – a normal life. That's why I can't understand. I want to be their voice. I want to change something.

Elena and her son, who also works in housekeeping, said the sector has a systemic issue where hotels will hire the companies offering the cheapest service, and companies will make unrealistic offers just to secure the contract.

But the cleaning company doesn't care. They just send five people even though it needs to be eight. [...] One employee ends up doing three jobs and staying late. Even though they are doing ten hours, they need to sign out for eight hours and work two hours for free, because he [the head housekeeper] needs to stay in that budget. And if he is not, then he gets kicked out.

In the restaurant and food services subsector, workers are pushed to do extremely long shifts without necessarily having all those hours paid. Is not uncommon for workers, especially in demanding roles such as chefs and kitchen/catering assistants, to work 60 plus hours a week. For those paid an annual salary, these long hours can lead to earnings below the minimum wage. One research participant described a job where he was earning an annual wage of £18,000, which he considered to be a good wage for a 20-year-old. However, he was working 70 hours per week with only one day off, which meant his hourly wage was only £4.95, well below the minimum wage for his age at the time.¹⁰

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Minimum wage violations are a significant concern, with 32% of survey respondents' self-reported hourly pay rates being less than the minimum wage for their age group.”

Minimum wage violations are a significant concern, with 32% of survey respondents' self-reported hourly pay rates being less than the minimum wage for their age group.¹¹ One participant, aged 35, who should have been paid at least £8.21 per hour¹², reported working as a chef for 40 to 50 hours per week while only being paid between £4.35 and £6.14 per hour. Wage theft tactics are, according to research by Clark and Herman (2017), regular and systematic in the hospitality sector, where unscrupulous employers can get away with minimum wage violations due to weak consequences for non-payment and lack of deterrents to reoffending.

There are a lot of scams here. The other day someone posted a KP [Kitchen/Catering Assistant] job for £7 per hour. I said, "Do you mean £8.21?". There will always be someone who will do it.

Interview, Spanish Kitchen/Catering Assistant, 28 May 2019

¹⁰ The minimum wage for people between 18 and 20 in 2014 was £5.13.

¹¹ This includes 33 participants over the age of 25 that were paid under the NLW rate, as well as 3 participants between 21 and 24 being paid less than the minimum wage rate for 21–24-year-olds. It could be that these underpayments are due to legitimate deductions, for example for employer-provided accommodation. However, only two respondents said they lived in employer-provided accommodation and they both reported paying for this after receiving their pay, rather than as a deduction from their wages.

¹² NLW at the time of the response.

Non-payment of wages also affected a significant proportion of respondents (10%). This can happen in different ways, one of which is unpaid trial shifts (Kik *et al.*, 2019), which came up regularly in interviews and focus groups. Though unpaid trial shifts are technically not illegal in the UK – they sit in a grey area under legislation that allows their use as part of the recruitment process – they are open to abuse, especially in the hospitality industry where they are a regular feature of recruitment (Whitworth, 2020).

I did a 16-hour unpaid trial shift. 16 hours – it's a lot. Now it is £8.21, the minimum [wage], but at that time it was £7.53, so they owed me about [£120]. I told the boss I didn't think it was fair that he didn't pay me, and his response was: "No, because you are young you don't need the money".

Interview, Spanish Kitchen/Catering Assistant, 17 May 2019

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As many workers in the sector earn at or below the minimum wage, issues with pay can lead to serious financial problems, such as debt and difficulties in paying bills and rent on time.”

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Research participants also reported having to rely on multiple jobs to make ends meet, either because their wages were too low to live on, or because of the insecurity associated with certain employment statuses.”

As many workers in the sector earn at or below the minimum wage, issues with pay can lead to serious financial problems, such as debt and difficulties in paying bills and rent on time. A significant proportion of respondents from our sample (59%) had experienced financial difficulties due to their work: 29% had to rely on loans or other financial help from their family or friends to get by, 28% had not been able to pay their rent or bills on time, 20% had to go into their overdraft and 18% had to rely on credit card debt.

TABLE 2. WHILE WORKING IN HOSPITALITY, HAVE YOU EXPERIENCED ANY OF THE FOLLOWING BECAUSE OF YOUR WORK?*

Issue	N.	%
Having to rely on loans or other financial help from family and friends	33	29%
Not being able to pay rent or bills on time	32	28%
Having to go into your overdraft	23	20%
Having to rely on credit card debt	21	18%
Other financial difficulties	14	12%
Having to use payday loan companies	11	10%
Getting a loan from my employer	6	5%
Having to rely on Government benefits	6	5%

* Total number of respondents: 115. Note, several respondents experienced more than one issue

Research participants also reported having to rely on multiple jobs to make ends meet, either because their wages were too low to live on, or because of the insecurity associated with certain employment statuses.

What I'm paid, is not enough to cover everything. It's just survival. Why do you think I have another job?

Interview, Ecuadorian-Spanish Kitchen/Catering Assistant, 29 May 2019

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A worrying 17% of survey respondents said they felt they could never take time off work when sick. A further 43% said they only felt able to take time off sick usually (20%) or sometimes (23%).”

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Many workers in the sector feel unable to call in sick, let alone enforce their right to SSP, as there is nothing to stop their employer from dismissing them or taking them off the rota in response. It is unsurprising then that an astonishing 44% of survey respondents reported being afraid of losing work or having their hours reduced if they called in sick.”

1.2 ABILITY TO TAKE TIME OFF WHEN ILL: INSUFFICIENT AND INACCESSIBLE SICK PAY

A worrying 17% of survey respondents said they felt they could never take time off work when sick. A further 43% said they only felt able to take time off sick usually (20%) or sometimes (23%). Inability to take time off when sick is linked to casual and zero-hour employment contracts in the sector. While casual, short term, zero-hours, and agency workers are entitled to Statutory Sick Pay (SSP), they can only access it after three months of continuous employment and after the fourth day of illness (GOV.UK, 2018; 2021). Moreover, a misuse of the flexibility of these type of contracts leads to workers not being paid when they are off sick, as their hours on the rota are simply given to someone else.

We can call a sick day, but they don't pay for it. If I am sick and I can't take the shift, I just cancel the shift. That's all.

Interview, Czech Room Attendant and Kitchen/Catering Assistant, 20 May 2019

I think if I'd had an operation of something then I'd imagine they have to provide sick pay. But if I just called in and said, "I can't come in", I don't remember getting paid for it.

Interview, British Kitchen/Catering Assistant, 09 May 2019

Many workers in the sector feel unable to call in sick, let alone enforce their right to SSP, as there is nothing to stop their employer from dismissing them or taking them off the rota in response. It is unsurprising then that an astonishing 44% of survey respondents reported being afraid of losing work or having their hours reduced if they called in sick.

I was worried because there was no sick pay and I had sciatic pain. There was no equipment, no apron, no special shoes like I have now. It was uncomfortable as I was hunched over the sink. I had two weeks off, my girlfriend said I should get sick pay, but I didn't want trouble.

Interview, Spanish Kitchen/Catering Assistant, 17 May 2019

When asked if they got paid when taking time off sick, 35% of our research participants reported not having any sick pay at all and 18% not knowing whether they were entitled to any pay if ill.

TABLE 3. IF YOU DO TAKE TIME OFF WORK BECAUSE YOU ARE SICK, DO YOU GET PAID? *

Answer	N.	%
No, I don't get any paid sick days or Statutory Sick Pay	40	35%
I only get paid if I have been off work sick for more than 4 days (This is called Statutory Sick Pay, currently £94.25/week)	38	33%
I'm not sure/I don't know	21	18%
Yes, I can take a specified number of sick days each year with full pay	15	13%

* Total number of respondents: 115.

Lack of access to sick pay is extremely problematic on multiple levels, as people are forced to go into work despite being ill – as has been the case during Covid-19, especially before one-off Test and Trace Support Payments were introduced – or risk debt and even destitution if they

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Even when people have access to sick pay, they may still be unable to access it or be refused payment by their employer. Some workers we spoke to had to use their annual leave if they got ill, while others were only paid because they knew their rights and felt able to insist on them.”

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Sick pay entitlements should be extended and increased to ensure people are not forced to continue working when ill.”

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94% of survey participants had experienced health issues because of their work, while 38% described being made to work in ways that felt dangerous or unsafe.”

are unable to work. However, it is even more concerning in a context where dangerous working conditions are widespread and workplace accidents and illnesses are common (see section below). Even when people have access to sick pay, they may still be unable to access it or be refused payment by their employer. In our research the issue of being denied sick pay was raised by 12 out of 31 interviewees and in all three focus groups. Some workers we spoke to had to use their annual leave if they got ill, while others were only paid because they knew their rights and felt able to insist on them.

Last time when I got injured at work, they gave me three days off, but they didn't give me sick pay. They used my holidays days.

Focus group, Young EEA Workers in Hospitality, 05 June 2020

So, an incident happened. I cut my hand really badly. I had to be driven to the hospital to stitch it up and everything. [...] They said that in order for it to not get infected, I couldn't work for a week. I had to argue to get paid sick pay. I had a holiday the week before that as well. I said, I'm entitled to holiday pay and sick pay. I looked it up and you're entitled to it. So, I had to say that, and he was like, "Well I don't know about that, I don't think you do". I had to show him the website and everything, and he said he had to talk to the manager. Then I think he had a conversation and realised that I actually did. They paid me, but I had to argue.

Interview, British Kitchen/Catering Assistant, 09 May 2019

Sick pay entitlements should be extended and increased to ensure people are not forced to continue working when ill. They should also be proactively enforced by labour inspectorates to support workers' access. The government's response to a consultation on establishing a new single enforcement body for employment rights states that this body will have the power to enforce statutory sick pay (BEISS, 2021a). While this is a step in the right direction, the government should ensure this happens sooner rather than later, and that this increase in remit is matched with sufficient resources to enable effective enforcement.

1.3 DANGEROUS WORKING CONDITIONS

Fast paced and high-risk working environments combined with heavy workloads make hospitality a ripe terrain for dangerous working conditions, as is demonstrated in both our survey and interview data. Overall, 94% of survey participants had experienced health issues because of their work, while 38% described being made to work in ways that felt dangerous or unsafe.

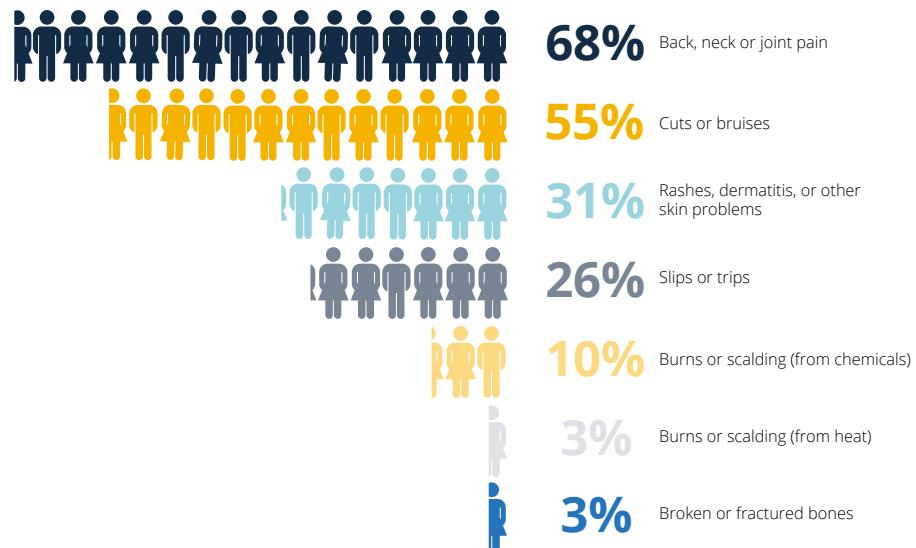
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In hotel housekeeping, where the work is highly physically demanding, workers reported experiencing back pain and exhaustion from carrying heavy loads and working in awkward positions."

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Out of our survey respondents who worked in kitchens, 19/39 had experienced cuts or bruises and 22/39 had experienced scalding and chemical burns. Additionally, all ten interviewees who worked as kitchen staff experienced dangerous working conditions."

GRAPHIC 2. WHILE WORKING IN HOSPITALITY, HAVE YOU EXPERIENCED ANY OF THE FOLLOWING AT WORK OR BECAUSE OF WORK? *



* Total number of respondents: 115. Note, several respondents experienced more than one issue.

In hotel housekeeping, where the work is highly physically demanding, workers reported experiencing back pain (24/31 respondents)¹³ and exhaustion from carrying heavy loads and working in awkward positions. This reflects findings from a 2015 survey, which found that 8 out of 10 hotel room attendants have musculoskeletal problems (Roberts, 2015).

For people working in kitchens, such as kitchen and/or catering assistants and chefs, the fast-paced environment and exhaustion from working long hours, often without breaks, can lead to accidents in the workplace. Out of our survey respondents who worked in kitchens, 19/39 had experienced cuts or bruises and 22/39 had experienced scalding and chemical burns.¹⁴ Additionally, all ten interviewees who worked as kitchen staff (kitchen and/or catering assistants and chefs) experienced dangerous working conditions.

I burned myself with BBQ sauce – boiling BBQ sauce – because the containers they were making us use to heat up the BBQ sauce in the microwave were ice-cream containers, which were like really soft plastic. So, when you boil BBQ sauce in them, I mean, they get really, really soft when you take them out. So, it's really easy to fall on you. And the rhythm they make you work, like always pushing me and everybody's screaming fast, fast, fast, fast, fast, fast, fast. It takes just a fraction of a second. [Long pause] I'm happy they even let me stay home [on sick leave].

Focus Group, Young EEA Workers in Hospitality, 05 June 2020

Dangerous working conditions in hospitality are linked to workers being asked to work without proper equipment, such as old or broken tools, faulty machines or equipment that was not properly maintained (38%).

I've protested because there is a lack of safety. They don't care when the dishwasher is broken. There are very hazardous products for people in there if they are not used appropriately. There is chlorine

¹³ Percentage of survey respondents working in hotel housekeeping that reported experiencing back, neck or joint pain.

¹⁴ Percentage of survey respondents working as kitchen and/or catering assistants and chefs that reported experiencing cuts or bruise and burns or scalding (from heat or from chemicals).

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The lack of personal protective equipment (PPE) is also a big concern in terms of health and safety in the workplace. Overall, 32% of research participants reported not being provided with the necessary equipment or protective gear.”

that serves to cut grease that is hazardous, which when in contact with the skin itches and burns. When the machine gets stuck, water with chlorine starts to flow out of it, or it spills out and reaches your skin – it feels like you are being electrocuted. We asked for help, but they don't do anything. Eventually, we looked up the way to fix it [ourselves]. The machine is now spilling some type of lime, but they don't fix it. When the dishes leave the machine, they look like they are full of ashes.

Interview, Ecuadorian-Spanish Kitchen/Catering Assistant, 29 May 2019

Adding to that, the lack of personal protective equipment (PPE) is also a big concern in terms of health and safety in the workplace. Overall, 32% of research participants reported not being provided with the necessary equipment or protective gear:

[...] they normally don't have gloves, the long gloves, not the short gloves for cleaning, but I mean the proper gloves for washing. I always keep my own gloves with me because I really need the gloves, especially because I don't like chemicals and my skin is very sensitive. That's why. Also, to work with the hot water for six hours, it messes with the skin.

Interview, Czech Hotel Room Attendant and Kitchen/Catering Assistant, 20 May 2019

Now they've got a new kitchen, but the old kitchen was so dangerous. Especially because you have to put the rubbish outside of the room inside a massive cage. It's not safe at all. I always wear safety things owned by myself.

Interview, Brazilian-Italian Kitchen/Catering Assistant, 15 May 2019

Lastly, some survey respondents (8%) described being denied medical assistance by their employer following a work accident or work-related illness. This finding is consistent with concerns over workplace safety raised in interviews and focus groups, where numerous workers mentioned feeling like they have to keep working despite injuries or illness.

[...] being made to work when you've been hurt is so common. Like I said, my co-worker who broke his arm, he was still working. I was just doing extra hours to help him out. I broke a rib and had to keep going to work. I was being told I had to lift kegs, like full beer kegs about thirty, forty kilos. Not broke a rib, sorry, I twisted a rib in a boxing match. And I had to lift kegs at work. And they told me to stop being a wimp, that kind of thing. Whenever I got the flu or something like that, or hurt at work, a lot of the time I'd just take Codeine and Paracetamol pills, have a beer, and that means I can ignore it. Which is pretty dark. If I can't walk then I won't go, but pretty much everything under not being able to walk or do anything, I'll turn up to work on painkillers.

Focus Group, Young EEA Workers, 05 June 2020

One factor that could help reduce the high rates of physical health and safety issues is training. Of our survey respondents, 37% reported not receiving sufficient training and interview and focus group participants raised the issue that even when training is available, it is not always accessible to everyone, for example because it is in a language that workers do not understand. The Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999 require employers to provide their employees with understandable and relevant information

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37% reported not receiving sufficient training and interview and focus group participants raised the issue that even when training is available, it is not always accessible to everyone, for example because it is in a language that workers do not understand.”

on risks to their health and safety and on the precautions to take to avoid those risks. Employers are required to make special arrangements – which could include making training available in other languages – when workers have little or no understanding of English. Lack of access to health and safety training can have severe consequences for workers:

- Interviewee: We had a kind of bathtub where we put all the metal parts of the gas hob. The bathtub had a chemical; the water was like a kind of acid and it was boiling. We had to put on some gloves; you have to cover [yourself] to be able to take it all out, you know, without burning and without splashing yourself.
- Interviewer: Okay, did they ever tell you what that liquid was?
- Interviewee: No.
- Interviewer: Did they ever tell you that you should take protective measures regarding that liquid?
- Interviewee: No.

Interview, Spanish Kitchen/Catering Assistant, 29 July 2019

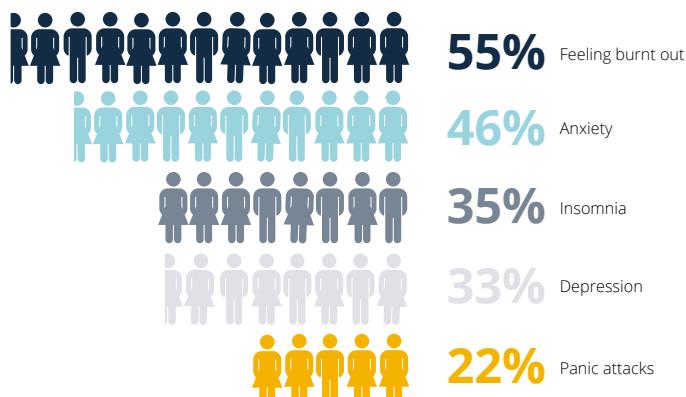
In the restaurant we have a machine, that is like acid... It's called a carbonizer or something like that. You put anything that has grease [in it], and it leaves it like brand new. ... The training is excellent, but the kitchen porters don't speak English, and the training is in English, so they don't get many things. A colleague of mine that is a kitchen porter, he put the grill [in the acid] and when he put it in (you use gloves to do that) the liquid got into the gloves, and he got burned, like acid burns. They took him to the hospital and everything. Obviously, the restaurant paid him, but it's never the same – he's got scars and everything ... I think that for the kitchen porters there are a lot of deficits because they have to take care of cleaning a lot of things, dangerous things. I think there should be training in Spanish for this section, Spanish and Italian, which are the most common languages.

Interview, Ecuadorian Waitress, 06 October 2019

They [the hotel] have a lot of training to do on the apps that we have, and there's fire training and something about cleaning as well, and it's all in English. And, as I said, [the workers] don't understand it. It's an issue because they don't do it because they don't know how. And that's an issue because the manager is furious with us.

Interview, Czech Room Attendant, 29 March 2019

GRAPHIC 3. WHILE WORKING IN HOSPITALITY, HAVE YOU EXPERIENCED ANY OF THE FOLLOWING AT WORK OR BECAUSE OF WORK? *



* Total number of respondents: 115. Note, several respondents experienced more than one issue.

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Our findings on the mental health impact of working in the hospitality sector are equally disturbing. More than half our research participants (55%) experienced feeling burnt out as a result of work, followed by anxiety (46%) and insomnia (35%).”

“

Hospitality is an industry facing severe concerns over the state of its workers' mental health and, as the industry prepares to open again, substantial changes are needed to address this urgent issue.”

“

Verbal abuse to be the most common form of third-party abuse that workers experience, followed by sexual harassment – especially for young workers – and racist and homophobic discrimination.”

Our findings on the mental health impact of working in the hospitality sector are equally disturbing. More than half our research participants (55%) experienced feeling burnt out as a result of work, followed by anxiety (46%) and insomnia (35%). It is important to mention that these numbers are likely to be higher at the present time due to the high impact of Covid-19 related measures on this industry. Based on the latest statistics from the Health and Safety Executive (HSE), in 2019/20 work-related stress, depression or anxiety accounted for 51% of all work-related ill health and 55% of all days lost due to work-related ill-health (HSE, 2020).

The problem is I got stressed. Because of the stress I got fat. Yes, believe me. I gained 40 kilograms in one year. 40 kilograms! I can't sleep. I have to go to the hospital every six weeks. I have an oxygen mask which I have to use every night.

Interview, Romanian Head Housekeeper, 16 April 2019

Research from The Royal Society for Public Health (RSPH, 2019) found that 20% of hospitality workers suffer from work-related severe mental health issues and that 84% of those working in hospitality attributed feeling increased stress as a direct result of their job. These statistics illustrate that hospitality is an industry facing severe concerns over the state of its workers' mental health and, as the industry prepares to open again, substantial changes are needed to address this urgent issue.

1.4 WORK-RELATED VIOLENCE: DISCRIMINATION, HARASSMENT, AND VERBAL ABUSE

The Health and Safety Executive (HSE) defines work-related violence as any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. FLEX's view is that this definition should be interpreted in its broadest sense to encompass all forms of abuse, harassment, and discrimination, including racist abuse, sexual harassment, and gender-based violence.

Our research found that workers in the sector are not only at risk of facing harassment and violence, including threats of violence, from co-workers and managers, but also from third parties such as customers. A study from TUC (2019) found verbal abuse to be the most common form of third-party abuse that workers experience, followed by sexual harassment – especially for young workers – and racist and homophobic discrimination. Existing literature (Korczynski and Evans, 2013; Yagil, 2008), as well as trade union initiatives centred on customer abuse, such as GMB's 2010 'SafeGuard Campaign', USDAW's 'Freedom from Fear' campaign and RMT's 2009 'Against Workplace Violence Campaign', suggest that customer abuse is systemically present within the service economy. The experiences of our research participants confirm this. Of our survey respondents, 75% had experienced verbal or physical abuse. This included being spoken in a mean or demeaning way (86%), being shouted or sworn at (60%), being threatened with physical violence (14%), being shoved (9%) and being slapped, hit or punched (3%). Interview and focus group participants in customer-facing roles were particularly affected, saying they often endure abusive behaviour from customers, with little support from managers or supervisors.

If I'm a waiter and someone's screaming at me, and I get my manager, I'm probably going to get in trouble. And I found it's been better since I've been a bartender. But people, customers, abuse you. People who want to be horrible to you will try and find a way to do it. They will try and find a problem and they will be rude about it.

Focus group, Young EEA Workers in Hospitality, 05 June 2020

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Workers in customer-facing roles reported how they often endure abusive behaviour from customers and how they are left to deal with it on their own, without support from managers or supervisors.”

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Workers in hospitality, a sector with a significant proportion of migrants and racialised and minoritised groups, also reported experiencing discrimination and harassment linked to nationality and race.”

Customers are above the employees all the time. If a customer is mainly bad with you, just to ruin your day, and just to make problems to you, if you go and say that to a manager, you'll be at fault anyway. All the time. He's not going to take your side. The manager is going to take the customer's side, and that's not fair.

Focus group, Young EEA Workers in Hospitality, 05 June 2020

Workers in hospitality, a sector with a significant proportion of migrants and racialised and minoritised groups, also reported experiencing discrimination and harassment linked to nationality and race. Over 41% of survey respondents said they had experienced discrimination at work based on their race, ethnicity, and nationality, while 63% reported experiencing abusive behaviour linked to their race, ethnicity, and nationality. These behaviours included; verbal abuse linked to race, ethnicity, or nationality (41%); racist language and jokes (37%); feeling unwelcome or excluded (36%); and being told to 'go back home' (29%). In addition, 67% of participants were told to speak only English at work, which is particularly problematic for those facing a language barrier. While there can be legitimate reasons for employers to ask employees to speak English at work, it can amount to discrimination depending on how the policy is applied (Harper James Solicitors, 2020). Accounts from interview and focus group participants include cases, such as the one below, that would amount to discrimination.

When we speak Spanish, they tell us to shut up because they are bothered when we speak our language.

Interview, Ecuadorian-Spanish Kitchen/Catering Assistant, 29 May 2019

TABLE 4. WHILE WORKING IN HOSPITALITY, HAVE YOU EXPERIENCED ANY OF THE FOLLOWING AT WORK?*

Issue	N.	%
Being told to only speak English at work or told not to speak another language at work	49	67%
Verbal abuse (shouting, swearing, bullying or name-calling) linked to your race, ethnicity or nationality	30	41%
Racist language or jokes	27	37%
Feeling unwelcome or excluded because of your race, ethnicity, or nationality	27	37%
Being told to 'go back home'	21	29%
Being passed over for promotion because of your race, ethnicity, or nationality	10	14%
Being told you cannot legally work in the UK anymore because of Brexit	9	12%
Being profiled into certain types of jobs because of your race, ethnicity or nationality (e.g. only given back-of-house work)	8	11%
Violence or threats of violence linked to your race, ethnicity or nationality	8	11%
Being paid less than your colleagues because of your race, ethnicity or nationality	4	5%
Receiving threats of being fired linked to your race, ethnicity or nationality	3	4%
Receiving threats of calling immigration enforcement and/or the police	1	1%

*Total number of respondents: 73. This is the number of respondents who said they had experienced one or more of the above issues. Note, several respondents experienced more than one issue. 42/115 respondents had not experienced any of the above.

“

37% of research participants had experienced some form of sexual harassment at work, with the most common forms being sexualised comments about their physical appearance (18%), unwelcome sexual advances (17%), and the spreading of rumours about their sexual life (16%).”

In addition to discrimination related to race, we found research participants experienced high levels of gender-based abuse, specifically sexual harassment. In total, 37% of research participants had experienced some form of sexual harassment at work, with the most common forms being sexualised comments about their physical appearance (49%), unwelcome sexual advances (47%), and the spreading of rumours about their sexual life (42%). Sexual harassment appears to be endemic in the sector. A 2018 survey by Unite found that 89% of hospitality workers had experienced one or more forms of sexual harassment, of which 56% reported being targeted by a member of the public and 23% by their manager.

TABLE 5. WHILE WORKING IN HOSPITALITY, HAVE YOU EXPERIENCED ANY OF THE FOLLOWING AT WORK?*

Issue	N.	%
Sexualised comments about your physical appearance	21	49%
Unwelcome sexual advances	20	47%
The spreading of rumours about your sexual life	18	42%
Pressure for dates	17	40%
Unwanted discussions of sexual relations, fantasies or stories	15	35%
Groping and unwanted touching	12	28%
Stalking	9	21%
Kissing sounds	7	16%
Attempted sexual assault	3	7%
Unwanted sexually explicit photos, emails or text messages	2	5%
Men exposing themselves or performing sexual acts on themselves	2	5%

* Total number of respondents: 43. This is the number of respondents who said they had experienced one or more of the above issues. Note, several respondents experienced more than one issue. 72/115 respondents had not experienced any of the above. The issues are based on the different types of sexual harassment identified by the Latin American Women's Rights Service through their case work.

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Perpetrators may abuse their position by harassing those they see as less able to confront them or use sexual harassment to disempower their target and thus strengthen their own position and status in the workplace.”

The experiences of sexual harassment recounted by our interview and focus group participants were mainly perpetrated by direct supervisors or managers, or – in the case of outsourced workers – client company employees and customers. This demonstrated how intricately linked sexual harassment is to unequal power relationships in the workplace. Perpetrators may abuse their position by harassing those they see as less able to confront them or use sexual harassment to disempower their target and thus strengthen their own position and status in the workplace. In our research, the key power imbalances were related to job insecurity and manager discretion in assigning work, low pay, language barriers, age and gender inequalities, outsourcing, and immigration status. These imbalances were exacerbated in contexts where people worked in isolated conditions (e.g., alone with a manager or colleague) or late at night, and in contexts where harassment is normalised (e.g., in customer facing roles).

In a previous job [in another country] I also had another man harassing me. He would make vulgar comments, he invited me to go out. I resigned from that job. Here I couldn't do it, because I couldn't speak enough English [...]. I also needed the money, so I couldn't say anything.

Focus group, Sexual Harassment in Cleaning and Hospitality, 19 June 2020

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To be effective, any strategies and measures that are put into place to tackle sexual harassment in the workplace must be based on a thorough and nuanced understanding of how power is distributed both in the workplace and in society more broadly and seek to mitigate power imbalances that enable harassment.”

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While more information about what constitutes sexual harassment and how to report it are without a doubt needed, they will not be effective at enabling reporting of sexual harassment in the workplace unless other barriers are also tackled, such as job insecurity and language barriers..”

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Since the Covid-19 pandemic started in March 2020, the hospitality sector was immediately one of the worst affected in the UK.”

One day I was in the kitchen, getting some food, and one of the chefs touched my bum. I felt really bad. I was really quiet all day, so one of the managers asked me what happened. [...] After telling my manager about the touching, he then started asking me, "When will you be 18 so we can go out for dinner?". I was very uncomfortable, always saying no, no, no.

Focus group, Sexual Harassment in Cleaning and Hospitality, 19 June 2020

To be effective, any strategies and measures that are put into place to tackle sexual harassment in the workplace must be based on a thorough and nuanced understanding of how power is distributed both in the workplace and in society more broadly and seek to mitigate power imbalances that enable harassment. For instance, while more information about what constitutes sexual harassment and how to report it are without a doubt needed, they will not be effective at enabling reporting of sexual harassment in the workplace unless other barriers are also tackled, such as job insecurity and language barriers. For instance, more than one fifth (22%) of our survey respondents said they had been afraid of losing work or having their hours reduced if they reported or complained about harassment or abuse at work, while 16% said they had been prevented from seeking help or support with a work-related issue because of a language barrier.

1.5 IMPACT OF COVID-19 ON THE SECTOR

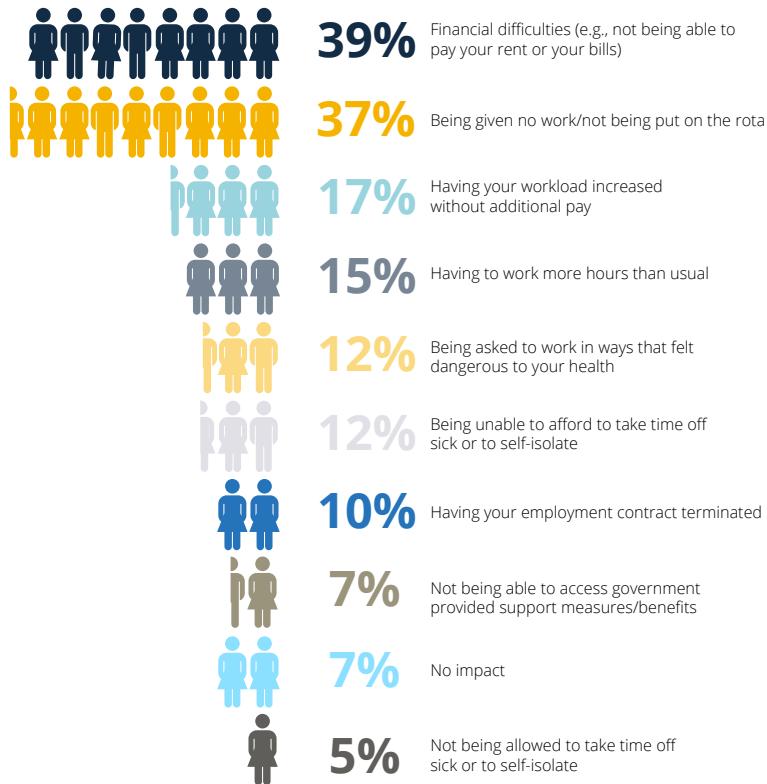
Since the Covid-19 pandemic started in March 2020, the hospitality sector was immediately one of the worst affected in the UK, with hotels, restaurants and bars suddenly being empty and having to close due to lockdown measures. Recent data shows that the sector experienced a loss of £80.8bn from April 2020 to the end of March 2021 (UK Hospitality, 2021). While most of our data collection happened before the pandemic, we managed to capture its initial impact on workers in the sector in the last part of our data collection.

In response to the Covid-19 outbreak, a question was introduced to the initial survey on the types of issues participants were experiencing because of the pandemic. This data was mainly collected during the first UK lockdown – March to July 2020 – and the period before the second lockdown – July to November 2020, which allowed us to capture 41 responses from workers at the early stages of the pandemic. The main issues highlighted by these respondents were the sudden loss of income due to not being given work (37%) and the resulting financial difficulties, such as not being able to pay rent or bills (39%). Others reported facing an increase in their workload without changes to their pay (17%).

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Given that the furlough system was offered as a voluntary scheme to employers, many were dismissed rather than put on furlough. This same pattern of waves of dismissals followed the announcements of the subsequent changes to the scheme, including its reduction in August 2020 and winding down in November 2020.”

GRAPHIC 4. HAVE YOU EXPERIENCED ANY OF THE FOLLOWING PROBLEMS AS A RESULT OF CORONAVIRUS (COVID-19)? *



*Total number of respondents: 41.

Similarly, interview participants reported having been made redundant or, for those on zero-hour contracts, not being given any hours immediately after the start of the first lockdown. Although the emergency schemes were rolled out by Government in response to these sudden changes, including the Coronavirus Job Retention Scheme (from now on referred to as ‘furlough’) and the Self-Employment Income Support Scheme (SEISS), participants reported facing several difficulties in accessing those schemes, highlighting key gaps in the support available. For instance, given that it was not mandatory for employers to furlough their workers, many were dismissed rather than put on furlough. We also saw waves of dismissals whenever the scheme reduced or about to end.

I used to be a full-time cleaner in a hotel, but the hotel shut down in mid-March when lockdown started. They put me on furlough - being paid 80% of my wages - until the 31st of July when the scheme was reduced, my contract was terminated, and I was let go.

Focus group, Sexual Harassment in Cleaning and Hospitality, June 2020

[...] in July, I got a letter saying that the company was going to lose the contract from August, and I'll be TUPE to another company that didn't pay furlough. I got paid until September, but I didn't get paid in October and from November, with the start of the new furlough, they said I was going to get less pay than I was getting so far, and they said that the government changed that but it's not true and it's still 80%. They just don't want to pay furlough.

Interview, Brazilian Head Housekeeper, 06 January 2021

One participant reported being made redundant at the beginning of the pandemic, together with over half of the staff, as they were on zero-hour

contracts. He had to argue with the employer to have them put on furlough instead of being made redundant and it was only following pressure from the customers that the owner changed her mind. That was only possible as he was working in a pub mostly frequented by university students and he was friends with many of them.

When lockdown was announced we all got told that any non-essential staff was going to lose their job. And that was it. [...]. They've fired sixty percent of their staff. I work in quite a small town and it's a student bar, a bar that a lot of students go to, so I'm friends with a lot of students. [The employer] is very aware of the fact that is the case and, after I posted about it on Facebook, it took her less than twenty-four hours to find a way to furlough all of her zero-hour contract staff.

Focus group, Young EEA Workers in Hospitality, 05 June 2020

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Participants also raised the issue of how furlough pay was calculated. This often happened in unclear ways, with workers receiving incorrect wages. This issue particularly affected people on zero-hour contracts.”

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The pandemic seems to have exacerbated existing problems within the sector, such as abuse of precarious contracts and their flexibility, miscalculations and deductions from wages, and workers' lack of access to safety nets and heightened dependence on work for survival.”

Participants also raised the issue of how furlough pay was calculated. This often happened in unclear ways, with workers receiving incorrect wages. This issue particularly affected people on zero-hour contracts, as they didn't have fixed hours and because many businesses were already operating at a reduced capacity when furlough started.

In March when everything closed, nobody knew what was going to happen, until the government came with the furlough [scheme]. They just took my last payslip and calculated 80%, but that was not right because for the last payslip I already did less hours because the occupancy was already bad. I tried talking to my boss and she said it is better than nothing.

Interview, Brazilian Head Housekeeper, 06 January 2021

For people that did not qualify for either furlough or SEISS, the only viable option was to apply for benefits, mainly Universal Credit. This was not without its challenges as people encountered numerous barriers in accessing this type of support, including lack of knowledge of how to navigate the benefits system, language barriers, and not being entitled to state support, either due to having a no recourse to public funds condition on their visa, or having pre-settled status and being unable to provide sufficient evidence of genuine and effective work to pass the Habitual Residence test (Citizen Advice, 2018; 2019a; 2019b). Hospitality workers, due to insecure contracts, low wages, and barriers to accessing support, have experienced high levels of destitution and homelessness during the pandemic (Gentleman, 2020).

Overall, the pandemic seems to have exacerbated existing problems within the sector, such as abuse of precarious contracts and their flexibility, miscalculations and deductions from wages, and workers' lack of access to safety nets and heightened dependence on work for survival. Adding to that, the sector experienced consistent waves of redundancies, often mirroring changes in restrictions and government Covid-19 response schemes.

2. KEY RISKS AND DRIVERS OF LABOUR ABUSE AND EXPLOITATION

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Our research identified several risk factors that increase workers' likelihood of experiencing labour abuse and exploitation.”

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Employment status, specifically being classed as a 'worker' on a zero-hours contract, is a key risk factor. Research participants repeatedly called for employers to stop using this type of contract and for the government to regulate, or ban, their use.”

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Workers reported having little or no control over their hours, having to take on more hours when demand increased and then finding themselves with few hours, or no hours, as soon as demand dried up.”

Our research identified several risk factors that increase workers' likelihood of experiencing labour abuse and exploitation. FLEX previously created a risk matrix to understand the level of general background risk in a given labour sector as well as the way in which different indicators interact in a given exploitative situation (FLEX, 2017). In doing so, we also identified what for each risk constituted its counterbalancing resilience factor. For example, when looking at oversight of labour rights, deregulation and poor enforcement are drivers of risk, while strong, worker-centred labour inspection and enforcement is the corresponding resilience driver. Many of the risks our research has identified are driven by, and can therefore be mitigated by, government policy.

While the section below focuses mainly on risk factors that were found in our research, it will be noted where possible what constitutes the equivalent drivers of resilience.

2.1 EMPLOYMENT STATUS: ZERO-HOURS, INSECURITY AND FEAR OF RETALIATION

Employment status, specifically being classed as a 'worker' on a zero-hours contract, is a key risk factor. Research participants repeatedly called for employers to stop using this type of contract and for the government to regulate, or ban, their use. Zero-hours contracts are a common feature in the hospitality sector, as they are seen as a way of guaranteeing flexibility in an industry with variable intake of work, for example high season and low season in the hotel sector (Kik *et al.*, 2019). However, while some workers can benefit and are satisfied with the flexibility given by this type of employment, often the flexibility tends to be one-sided, benefitting employers and creating insecurity for workers (Adams and Prassl, 2018). Research participants' experiences with zero-hours contracts are consistent with this concept of one-way flexibility. Workers reported having little or no control over their hours, having to take on more hours when demand increased and then finding themselves with few hours, or no hours, as soon as demand dried up. Zero-hour contracts also allow employers to overrecruit without any additional cost and keeping multiple people employed while only giving hours to some of them.

She put in my contract that approximately it will be a certain amount of hours, but it was never that number of hours. It was always determined by them, dependent on how many hours they needed. If there was no work, they said goodbye, go home. If there was work, I was working long hours until the work was done. The worst was that I never knew when I was going to finish. I couldn't plan my free time. It was not possible.

Interview, Czech Room Attendant, 12 August 2019

When they're making the next rota, they say 'you worked this entire weeklong, next week you'll only work for two days, or three days, because we need to give the rest of the days to our colleagues.' It depends... we're over there on the weekend, the number of rooms plummets drastically, and they say, 'look, Monday and Tuesday you can take as days off.' And you have to say yes because the contract is on a zero-hour basis. You can't argue.

Interview, Portuguese Room Attendant, 23 February 2020

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Workers reported an extreme lack of job security due to the lack of guaranteed hours of work. Employers can just stop giving workers hours while keeping them on contract, leaving people without work from one day to the other without notice.”

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Research participants also described how this one-sided flexibility translates into income insecurity and that they often have to supplement their salary with multiple jobs because of the fluctuating income.”

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Being on zero-hour contracts, or other forms of atypical work such as variable hours and agency work, often puts workers in the position of being less able – if not completely unable – to say no to their employer's requests.”

Workers reported an extreme lack of job security due to the lack of guaranteed hours of work. Employers can just stop giving workers hours while keeping them on contract, leaving people without work from one day to the other without notice. These findings are consistent with existing literature that shows that workers on zero-hour contracts experience high levels of instability in working hours and, because of irregular hours, are more vulnerable to low pay (Kik *et al.*, 2019).

I've been working there ten months and then I look [at my timetable], that was in January, and I'm not on the rota. And I had my regular days, regular hours, right? So, I wrote to my manager asking what's going on? And she said 'because we're very quiet...' Because it's out of season and she has to allocate hours to those who have proper contracts. And that's why she's taken me off. And I say well, ok, but I need work, what is this supposed to mean? After ten months you suddenly learn they don't need you.

Interview, Polish Room Attendant, 01 April 2019

This element of precarious employment has been particularly worrying during the Coronavirus pandemic, where many on zero-hour contracts were not offered to be put on furlough:

But, as we are on zero-hour, the minute when everything was shutdown, we had no work anymore. And no obligation from the side of the employer. No need to give us work. No eighty percent. Like, taking back from our salary because no salary. You're just paid by hour. So, you end up in this situation where you have to rely on state benefits. Because employees have zero-hour contracts, something happens like this, and they [employers] are like, 'okay, I'm sorry, we don't need you right now'. So, that's it. There's nothing to do. We cannot claim anything from them.

Focus group, Young EEA Workers in Hospitality, 05 June 2020

Research participants also described how this one-sided flexibility translates into income insecurity and that they often have to supplement their salary with multiple jobs because of the fluctuating income.

I wish I worked less, but as I said, the hotel is on a zero-hours contract, according to the number of rooms. I can't let go of my other jobs to work only at the hotel. It doesn't cover my expenses. I'm compelled to do it [keep working multiple jobs] to guarantee my income when the hotel is empty.

Interview, Portuguese Room Attendant, 23 February 2020

Research participants shared fearing retaliation in the form of losing work or having their hours cut if they called in sick (44%), refused to do things that were not part of their job (39%), reported or complained about bad working conditions (38%), refused to work overtime (31%), turned down shifts (30%) or reported or complained about harassment or abuse at work (22%). Being on zero-hour contracts, or other forms of atypical work such as variable hours and agency work, often puts workers in the position of being less able – if not completely unable – to say no to their employer's requests. Of the survey participants on zero-hour contracts, the proportion who reported being afraid of losing work or having their hours cut if they called in sick or turned down shifts was 4% and 13% higher respectively than for other respondents. For the other categories, the percentages were similar regardless of contract type. Even those with regular hours only have

protection against unfair dismissal after two years of continuous employment for the same employer.

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Workers on zero-hours tend to experience a higher degree of manager discretion in assigning working shifts and, consequently, fear they will lose work or be assigned fewer hours if they complain or refuse to do certain things.”

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Employers can weaponise the insecurity linked to zero-hour contracts and use it as a threat. 20% of survey respondents reported having been threatened with dismissal or having their hours reduced.”

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24% of our research participants mentioned working for an outsourced company, however the percentage jumps to 43% when looking at housekeeping staff.”

TABLE 6. WHILE WORKING IN HOSPITALITY, HAVE YOU BEEN AFRAID OF LOSING WORK/HAVING YOUR HOURS REDUCED IF YOU DID ANY OF THE FOLLOWING? *

Issue	N.	%
Called in sick	51	44%
Refused to do things that are not in your job description/not part of your job	45	39%
Reported/complained about bad working conditions or pay	44	38%
Refused to work overtime	36	31%
Turned down shifts	34	30%
Reported/complained about harassment or abuse at work	25	22%
Joined a trade union	5	4%

* Total number of respondents: 115. Note, several respondents experienced more than one issue.

Workers on zero-hours tend to experience a higher degree of manager discretion in assigning working shifts and, consequently, fear they will lose work or be assigned fewer hours if they complain or refuse to do certain things. As a result, people overwork themselves, worried that they will not get enough work in the future or that they will not be able to afford time off sick.

Employers can weaponise the insecurity linked to zero-hour contracts and use it as a threat; 20% of survey respondents reported having been threatened with dismissal or having their hours reduced. This percentage was 4% higher for those on zero-hour contracts. One interviewee described how the manager at the hotel she and her husband were both working at started cutting his hours to make him leave.

The manager didn't ask him to come to work. She didn't put him on the rota. And when she did put him on the rota, she asked him to come for two hours a day. [...] She cut hours from my husband just to make him leave.

Interview, Romanian Head Housekeeper, 16 April 2019

2.2 BUSINESS MODELS: THE IMPACT OF OUTSOURCING

If I'm honest, the reason agencies are used so much by hotels is because it's not a great business. You're demanding people when you need them and ignoring them when not and it pushes that nastiness to someone else's doorstep.

Interview, Hotel General Manager, 4 October 2019

Another clear risk factor is being employed by or through an outsourced company or agency. In our research, we found that a lot of services in the sector are staffed through outsourcing and agencies. This is very common in the hotel subsector, especially for jobs like housekeeping and security. When looking at our sample, 24% of our research participants mentioned working for an outsourced company, however the percentage jumps to 43% when looking at housekeeping staff. The use of outsourcing is so widespread as it responds to a variable workforce demand. For example, hotels'

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While there are legitimate uses of outsourcing and agencies, these staffing methods can be used to undermine workers' rights.”

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Outsourcing often creates a two-tier workforce, where outsourced and agency workers experiencing worse pay and working conditions than directly employed staff. Outsourcing also affects workers' ability to push back against the erosion of their terms and conditions by making it harder for trade unions to organise workers and bargain collectively.”

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Outsourcing companies and agencies often employ aggressive strategies to increase their profitability and control over the labour force and as a result there is a lack of accountability from hotel companies over labour malpractices.”

staffing requirements are higher during peak seasons, such as summer, and will wind down during other months. However, sometimes variations are weekly or even daily, making it difficult to predict the exact number of staff needed. In an interview with a general manager of an international hotel chain, he highlighted how this is the main difference between housekeeping and cleaning: while they provide similar services, cleaning responds to a constant demand and will generally require the same number of workers yearlong, while housekeeping demand is extremely dependant on the number of guests staying at a hotel.

Hotels have increasingly been using outsourcing model over the last 15 years. The attitude is “We can't have 20 housekeepers all year-around – only in the peak season. We don't need banquet staff every day.” Outsourcing is particularly used in housekeeping. Hotels do not find it profitable to have their own housekeeping teams.

Interview, Hotel General Manager, 4 October 2019

While there are legitimate uses of outsourcing and agencies, these staffing methods can be used to undermine workers' rights. One of the reasons why companies might outsource services is to allow them to focus on the core elements of their business rather than supporting ones. However, the increased use of outsourcing means that central elements of certain sectors, such as housekeeping in the hotel sector, are now almost completely outsourced. Moreover, outsourcing often creates a two-tier workforce, where outsourced and agency workers experiencing worse pay and working conditions than directly employed staff (UVW, 2020). Outsourcing also affects workers' ability to push back against the erosion of their terms and conditions by making it harder for trade unions to organise workers and bargain collectively. Instead of dealing with one large employer with direct control and responsibility for workers' pay and conditions, unions must now negotiate with multiple smaller employers who are under pressure from their client companies to deliver services at the lowest possible cost (Huws and Podro, 2012).

The increasing reliance on new staffing methods such as subcontracting, outsourcing and agencies in hospitality, and especially the hotel sub-sector, is making the employment relationship fragmented, informal and fissured as workers are managed and employed by different organisations (López-Andreu *et al.*, 2019). Outsourcing companies and agencies often employ aggressive strategies to increase their profitability and control over the labour force and as a result there is a lack of accountability from hotel companies over labour malpractices (*Ibid.*).

A key problem is agencies. Shortage of staff means that hotels rely on agencies. They have strict policies regarding their agencies, but once they outsource, they lose control. When you outsource, you lose control over payroll, over terms and conditions.

Interview, UK Hospitality Trade Association Stakeholder, 10 May 2019

When various functions are outsourced – like security, grounds maintenance, cleaning, window cleaning, etc., the hotel business is not held accountable. As long as a hotel business is not found guilty, [any negative finding] won't have an impact on the brand. Hotels are mostly concerned about legal liability.

Interview, Hotel General Manager, 4 October 2019

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There is a pressure for contractors to provide services at the lowest possible cost and this leads to unrealistic contracts, passing the pressure downward onto supervisors and workers.”

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The use of outsourcing and agencies also reduces businesses responsibilities for workers' rights and conditions.”

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There are several policies that the government could introduce to better regulate outsourcing, including joint and several liability, licensing of contractors and labour providers in high-risk sectors like hospitality, and limiting the number of layers in supply chains or the percentage of the workforce that can be indirectly employed.”

There is a pressure for contractors to provide services at the lowest possible cost and this leads to unrealistic contracts, passing the pressure downward onto supervisors and workers. The hotel will set up a budget for a specific service, such as housekeeping, and then the person responsible for that area will have to make the budget work, which often requires intensification of work, unrealistic work outputs and unpaid overtime. As we have seen in our cleaning research (FLEX, 2021b), this competition among contractors to provide services at the lowest prices possible also has a downward pressure on wages and conditions.

A lot of companies are outsourcing the RAs [room attendants] completely – the entire operation. Some of the agencies are saying we can do this for you [for less money]. And the hotels don't care how they do it.

Interview, Brazilian Head Housekeeper, 15 May 2019

They [the outsourced company] lost the hotels because when you don't care too much for the budget you lose the contract of the hotels. They lost the contracts because they were paying [staff] well. The other companies said, “We offer you 20% cheaper”, and the hotels were like, “Ok, we want it to be cheaper, though the quality is not good”.

Interview, Romanian Head Housekeeper, 16 April 2019

The use of outsourcing and agencies also reduces businesses responsibilities for workers' rights and conditions. Workers might feel like they work for the hotel but overall, the hotel has no, or little, responsibility over their terms of employment. Moreover, the presence of agency or outsourced staff alongside permanent staff creates a two-tier system in which the in-house staff benefits from career development, training and better protection while the flexible workforce is in a much more precarious position while still being involved in the everyday running of hotels and other businesses (Soltani and Wilkinson, 2010).

That's the thing, I work for the hotel, I never worked anywhere else, but they put us under a cleaning company.

Interview, Brazilian Head Housekeeper, 20 January 2020

There have been a couple of exposés about employment agencies and hotel companies will say - we're not then liable. Hotels will then say: “we'll take this very seriously and review our relationship” but don't have to take responsibility.

Interview, Hotel General Manager, 4 October 2019

When firms employ workers through contractors, they can reduce their reliance on permanent staff, increase workforce flexibility, and demand more or fewer workers with little notice and with little additional cost. Employing workers through agencies or outsourcing leads to a more frequent use of atypical contracts, such as zero-hours, and an insecure workforce, making the employment relationship much more unstable, unpredictable and short-term, especially in a traditionally low-pay industry like hotels (Lai *et al.*, 2008).

More needs to be done to ensure outsourcing is not misused as a tool for reducing costs and liability over working conditions. There are several policies that the government could introduce to better regulate outsourcing, including joint and several liability, licensing of contractors and labour providers in high-risk sectors like hospitality, and limiting the number of layers in supply chains or the percentage of the workforce that can be indirectly employed.

2.3 AGE AS A RISK FACTOR

And a lot of managers especially are usually a bit older. People who are managers in hospitality are usually about twenty-five, twenty-six plus, [...] about thirty. And I've seen it, and had it, where because they're older than you, they'll push you around. And a lot of people in hospitality are quite young. So, obviously, if you're eighteen, nineteen, and a thirty-year-old man is telling you to do something, you'll probably do it.

Focus Group, Young EEA Workers in Hospitality, 5 June 2020

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This insecurity around work and the limited options available make young people more at risk of entering exploitative employment.”

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Respondents aged 16-24 were more likely to fear losing their job or having their working hours reduced as a penalty for taking time off sick, refusing to do things outside their job description, or turning down shifts.”

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We found that most (16/18) of our young respondents had experience some form of verbal or physical abuse in the workplace, including racist abuse and sexual harassment.”

Our desk-based research highlighted age, more specifically youth, to be a risk factor creating vulnerability to abuse, especially in the hospitality sector. Young people face high levels of unemployment and often find themselves in low-paid and casual employment (TUC, 2017). This has been dramatically worsened by the Covid-19 pandemic, with under-twenty-fives making up two thirds of total job losses since the beginning of the pandemic (ONS, 2021d). This insecurity around work and the limited options available make young people more at risk of entering exploitative employment. Young workers are also considered vulnerable workers as they are at a higher risk of having their workplace entitlements denied and often lack the knowledge about their rights or how to enforce them (HSE, n.d.).

Hospitality is often how young workers (aged 16-24) enter the labour market, especially in the UK, where it is the largest employer of young workers (ONS, 2020b). However, despite being overrepresented within the sector, only 16% of our survey respondents were aged 24 or younger. To gain a better understanding of the links between young age and vulnerability, we facilitated two focus groups with workers aged 24 and under, with the youngest participant being 17 years old, and conducted 11 interviews with research participants in this age group as well as two interviews with organisations supporting young people.

Our survey, which captured 18 responses from workers aged 19 to 24, gives an indication of some of the issues our young respondents are experiencing at higher rates than older respondents. Respondents aged 16-24 were more likely to fear losing their job or having their working hours reduced as a penalty for taking time off sick (10/18, 14% higher than for older workers), refusing to do things outside their job description (7/18, 7% higher than for older workers), or turning down shifts (6/18, 4% higher than for older workers). Discrimination also affected a higher proportion of the young people engaged in the study (7% higher when compared to those aged 25 and over), with most experiences being related to race, age, and nationality. This was also reflected in our qualitative data:

I do find a lot that people will break down stupidly simple jobs for me and try and explain it to me in full [when] I've done it a hundred times, "Relax, it's okay..." It's that kind of thing. Being marginalised or belittled and stuff like that. I've learned, if you allow it to get to you, then that's the problem. It's like, "All right, cool, cheers" and just move on.

Interview, British Kitchen / Catering Assistant, 09 May 2019

Additionally, we found that most (16/18) of our young respondents had experience some form of verbal or physical abuse in the workplace, including racist abuse and sexual harassment. Of these 16 respondents, 12 had experienced behaviour such as being shouted or sworn at, bullied or made fun of, and threatened with being fired or having their hours reduced. Two respondents had been physically shoved, one by a customer and the other

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Despite these experiences, less than a third (5/18) of young respondents had sought support or advice with work-related problems.”

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Many young participants felt frustrated that they get paid less than their older colleagues for the same work because of age-based National Minimum Wage rates.”

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If poor working conditions are left unchallenged, first work experiences can lead to the normalisation of abuse and an acceptance that it is ‘just the way things are.’

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Young workers may feel less able to push back because of their lack of experience and be less likely to do so if they perceive their role as temporary, for example if working alongside their studies.”

by a colleague, and one had objects thrown at them. Close to half (7/15) of the young women respondents had experienced sexual harassment at work, with the most common experiences being sexualised comments about their physical appearance, pressure for dates, and unwanted sexual advances. One had experienced attempted sexual assault, and another had experienced stalking. In addition, a significant proportion (6/18) disclosed having experienced racist abuse at work, such as racist language or jokes, verbal abuse and threats of being fired linked to their race, ethnicity or nationality, and being profiled into certain jobs because of their race, ethnicity or nationality. Despite these experiences, less than a third (5/18) of young respondents had sought support or advice with work-related problems.

From interviews and focus groups with young workers, many of the problems they faced were the same as those facing older participants – issues with pay, lack of access to sick pay, insecurity at work, and health and safety violations. Some differences did arise, especially around pay. Many young participants felt frustrated that they get paid less than their older colleagues for the same work because of age-based National Minimum Wage rates.¹⁵

My age is definitely the only difference, because I do exactly the same as them. I even serve alcohol though I am not [legally] allowed to do it, without choosing to do it. But I do it anyway. So, we do exactly the same work. Everything is the same, only the pay is worse for me.

Interview, Colombian-Spanish Waitress, 10 October 2019

There are several economic and social reasons for why the UK has lower minimum wage rates for young workers, such as minimising the risk of youth unemployment and discouraging young people who might otherwise stay in school or college from entering the labour market full-time (Blake, 2015). Being paid less than the living wage can, however, create risks, especially for those young workers who are supporting themselves and/or have dependents. One of our young Peer Researchers, for instance, was paying rent for both her and her younger brother. Employers are not obligated to pay the lower age-based rates and should ideally be paying the Living Wage Foundation’s Real Living Wage, which is calculated according to what employees need to live, rather than what is affordable for business.

Lastly, it is important to highlight how, if poor working conditions are left unchallenged, first work experiences can lead to the normalisation of abuse and an acceptance that it is ‘just the way things are’. One 17-year-old focus group participant, for instance, had already been sexually harassed multiple times in different jobs, including being groped by an older colleague and then hit on by her manager when she reported what had happened. In her next job she was stalked and sexually harassed at work and on social media, also by her manager. During the focus group discussion, she played down the harassment, saying it “wasn’t that terrible for me”, but later noted how much she had changed her behaviour, including how she dressed, for fear of it happening again.¹⁶ Young workers may feel less able to push back because of their lack of experience and be less likely to do so if they perceive their role as temporary, for example if working alongside their studies.

[T]hey end up being overworked with too many responsibilities. They accept it and it’s like they still haven’t found that voice or it is difficult

¹⁵ NMW rates vary based on age, for example the minimum for people aged 23 and over is currently £8.91/h while for people under 18 is £4.62. See more at <https://www.gov.uk/national-minimum-wage-rates>

¹⁶ Focus Group, Sexual Harassment in Cleaning and Hospitality, 19 June 2020.

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Our research found that Brexit has increased EEA workers' vulnerability due to the insecurity around their immigration status, having a concerning impact on a sector so heavily reliant on EEA workers.”

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Another Brexit-related challenge has been the difficulty faced by EU nationals in accessing support during the pandemic.”

for them to have that conversation about what their responsibilities in their job are.

Interview, Youth Group Coordinator, 05 May 2021

As is the case for all high-risk groups in high-risk sectors, targeted and proactive labour market enforcement is needed to improve conditions for young workers and prevent labour standards violations. More should also be done to ensure young workers are aware of their rights and know where to report labour abuses and feel secure and supported enough to do so.

2.4 INSECURITY IN THE SHADOW OF BREXIT: EEA MIGRANTS' IMMIGRATION STATUS

I keep thinking it will work out fine, it can't be too bad! They can't just suddenly throw everyone out, this mass of Poles and Romanians! [laughs] They can't, they just can't.

Interview, Polish Room Attendant, 08 April 2019

Immigration status can also be a significant risk factor. Our research found that Brexit has increased EEA workers' vulnerability due to the insecurity around their immigration status, having a concerning impact on a sector so heavily reliant on EEA workers. On one side, participants reported feeling insecure, as they did not know what impact Brexit was going to have on them. This was mainly due to lack of information over how the EU Settlement Scheme (EUSS) operated and what entitlements people would have under the scheme. Previous research by FLEX and the Labour Exploitation Advisory Group (LEAG) found that there were high levels of anxiety and misinformation because of Brexit, making it harder for workers to access their rights and easy for employers to take advantage (LEAG, 2017). Some interviewees for this research also had similar experiences, with employers using the threat of Brexit to make workers more compliant.

Now they are always threatening us with Brexit, that we are going to be expelled, that this is all over, that there'll be only English workers.

Interview, Ecuadorian-Spanish Kitchen/Catering Assistant, 29 May 2019

Another Brexit-related challenge has been the difficulty faced by EU nationals in accessing support during the pandemic. Specifically, workers with pre-settled status do not have automatic access to benefits but must pass the Habitual Residence Test, which includes showing proof of 'genuine and effective' employment. An EEA national with pre-settled status must be able to show that they have earned at least enough to pay National Insurance contributions (£184 per week in 2021/22) for a period of at least three months, or else their right to social protection will be restricted. Those earning less are assessed by the Department of Work and Pensions, which has been found to have a negative presumption towards workers earning below the threshold, forcing many to appeal in order to access support (FEANTSA and PRODEC, 2019:11).

[I have pre-settled status] But they declined my right to Universal Credit, two times. Two claims, they declined two claims I made. Due to lockdown, I cannot find a job. It's like literally impossible to find a job right now. I've been unemployed for over two months, three months now. And I applied for Universal Credit. And they didn't accept it.

Focus group, Young EEA Workers in Hospitality, 05 June 2020

One of the main types of issue we saw at the beginning of the pandemic was people being automatically denied benefits because of pre-settled status. It's a very persistent problem and not necessary

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Labour shortages are likely to impact the hospitality sector as EU workers started leaving the UK en masse, raising the question of who is going to fill these jobs as the sector reopens, given the lack of routes for workers into low-paid roles under the new immigration system”

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Our research found that English proficiency, awareness of rights at work, and knowing where to get help are major factors contributing to a person's risk or resilience to labour abuse and exploitation.”

a Covid problem. This limited access to benefits affects deeply people with other immigration status as well, such as people with Limited Leave to Remain or NRPF [No Recourse to Public Funds]. There is a lack of knowledge about the type of support available and people have limited information about their rights.

Interview, Co-Manager, Young Europeans Network, 11 May 2021

Labour shortages are likely to impact the hospitality sector as EU workers started leaving the UK *en masse* (Savage and Tapper, 2021), raising the question of who is going to fill these jobs as the sector reopens, given the lack of routes for workers into low-paid roles under the new immigration system. Labour shortages mean some workers can demand better pay and conditions, but for others who already have few options, it can lead to employers pushing them to work longer days, longer hours and taking on more tasks.

Brexit has affected the hotel; the rooms don't have guests anymore. Of course, this affects us, we don't know what's going to happen until the end of the year. Since 2016, when the referendum happened, I feel it hasn't been the same, sometimes the hotel is empty, there's no work. It's complicated. There are moments when the hotel is full and now with Brexit there are no staff... people are always missing work, there are never enough staff. So, we work for five days but there are times when they ask us to work six, seven days. It happened to me a few times, I worked two weeks straight with no days off.

Interview, Portuguese Room Attendant, 23 February 2020

This is just a feeling for me that people don't do it because they love the job, it's a brutally hard job and there is no glamour in it and a lot of people do it because it's the only job they can do. People for whom English is not their first language.

Interview, Hotel General Manager, 4 October 2019

2.5 BARRIERS TO ACCESSING SUPPORT

Finally, our research found that English proficiency, awareness of rights at work, and knowing where to get help are major factors contributing to a person's risk or resilience to labour abuse and exploitation. This is especially true in a context like the UK where labour market enforcement is poorly resourced and mainly compliance-focused, relying heavily on individual workers' ability to report violations and enforce labour standards (FLEX, 2017). When asked about reasons for not accessing help and support, 23% of survey respondents said they did not know where to get help, while 17% said they had been unable to seek help because of language barriers. The link between risk of labour exploitation, language barriers and lack of knowledge of rights, was made explicit by several interview and focus group participants:

In addition, and more importantly, the working conditions have been very harsh and unsafe. Due to my ignorance about the English laws that regulate work and my lack of English comprehension, I have suffered conditions that I would have denounced in Spain without hesitation. I have suffered chemical abrasion on the hands, inhalation of toxic fumes such as phosphoric acid, falls, bruises and injuries due to lack of safety materials, weeks of working six days and 13 uninterrupted hours due to “work circumstances”. This period has been, without any doubt, the worst work and physical experience of my entire life.

Interview, Spanish Kitchen/Catering Assistant, 17 May 2019

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23% of survey respondents said they did not know where to get help, while 17% said they had been unable to seek help because of language barriers.”

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Given the complexity of the issues uncovered, there is no clear-cut solution. However, a measure that could have a strong positive impact would be for the government to proactively enforce labour standards in high-risk sectors.”

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It is important to note how the low unionisation rates in the sector are preventing workers from building resilience and accessing information about their rights at work.”

Another participant drew a parallel between the vulnerability created by language barriers and those created by insecure immigration status, describing how their employer knows “they can do whatever they want” with workers who are undocumented or do not speak English.¹⁷ As a result of the barriers workers face to seeking help, many simply change jobs hoping they will find better employment elsewhere. All in all, 28% of survey respondents said they did not seek help because it felt harder to seek help than to leave or change jobs.

Given the complexity of the issues uncovered, there is no clear-cut solution. However, a measure that could have a strong positive impact would be for the government to proactively enforce labour standards in high-risk sectors. The current system, which relies on workers to be able to effectively enforce their rights at work is not appropriately protecting workers in low-paid jobs with little to no job security and is driving labour abuse and exploitation.

Finally, it is important to note how the low unionisation rates in the sector are preventing workers from building resilience and accessing information about their rights at work. In 2020, only 4.3% of workers in the sector were represented by a trade union (BEISS, 2021b). Attempts to unionise in the sector can lead to outsourcing, job cuts and other repercussions (Balch and Rankin, 2014). Unions provide members with information on their rights, as well as mechanisms by which to exercise them, and low unionisation – or even awareness of unions – in low-paid jobs leaves workers without support to access labour market protections. FLEX (2017) previously highlighted that the level of unionisation amongst individuals that end up in exploitation in the UK is extremely low and that informal and formal migrant community support is relatively more frequent. High levels of agency staff have a direct and negative impact on the ability of unions to establish a presence in a given workplace (Scott, 2013). Adding to that, the fissuring of workplaces, driven by outsourcing, has also significantly impacted the chances of workplaces to unionise. The barriers to workers’ unionisation are also not surprising considering the high turnover in the sector and the fact that many perceive their job as temporary.

CONCLUSIONS

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Many of our research participants described hospitality as a sector broken beyond repair, urging people to “get out while they can.”

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As concerning as many of our findings are, there are several steps that can and need to be taken to address the issues workers are facing and to effectively prevent and tackle labour abuse and exploitation in the sector.”

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Concrete, meaningful action is needed as hospitality starts to bounce back after the pandemic, including more proactive enforcement of labour standards, especially those related to pay, workplace violence and other health and safety matters.”

This report gives evidence of a sector where labour abuse is widespread. Many of our research participants described hospitality as a sector broken beyond repair, urging people to “get out while they can”, and feeling as though no recommendations could address the structures that enable labour abuse to proliferate in the sector.

The key workplace issues and labour standards violations uncovered by this research include systemic underpayment and wage theft, lack of access to basic social protections like sick pay, dangerous working conditions, including health and safety risks, workplace violence and discrimination based on race and sex. This paper also underlines key structural factors that create and drive risk of exploitation, such as the pervasive use of zero-hour contracts, outsourcing, and barriers to accessing support. Lastly, the report briefly analyses the impact that the pandemic has had on the sector workforce, looking both at the issues that arise from it and how it has driven risk.

As concerning as many of our findings are, there are several steps that can and need to be taken to address the issues workers are facing and to effectively prevent and tackle labour abuse and exploitation in the sector. There is room to build effective resilience to exploitation, as the government has demonstrated during the last year by taking unprecedented steps to prevent poverty and destitution through policies like the furlough scheme. Concrete, meaningful action is needed as hospitality starts to bounce back after the pandemic, including more proactive enforcement of labour standards, especially those related to pay, workplace violence and other health and safety matters; ensuring access to adequate sick pay; mitigating the vulnerabilities created by immigration policies and employment status; and introducing regulations to limit the abuse of flexible contracts and the negative impacts of outsourcing on workers. Employers should also consider best practice responses, establishing higher standards and offering better contracts and decent terms and conditions, not only to attract a valuable workforce but to retain workers long-term.

While it is clear that much needs to be done – and urgently – to improve the situation of workers in hospitality, it is also crucial that the solutions taken forward are informed by those most affected by them. Workers have a wealth of knowledge and intelligence about the factors contributing to and driving labour exploitation in the hospitality sector, and we hope that by throwing light on these matters we will start to see meaningful change on the ground.

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**IF I COULD CHANGE
ANYTHING ABOUT MY
JOB IT WOULD BE
THAT WORKERS ARE
INFORMED OF THEIR
RIGHTS AND HOW
AND WHERE THEY
CAN GET HELP TO
MAKE THEIR CLAIMS.**

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Survey response,
Peruvian Room Attendant

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