

Transnational female labour migration: the perspective of low-wage Nepalese workers

This brief describes Nepalese returnee migrant women's international migration processes and experiences. It is based on research findings from a sample of returnee women living in Morang, Chitwan and Rupandehi, three of the districts targeted by the ILO Work in Freedom (WiF) intervention.

BACKGROUND

Low wage female migrants, and especially domestic workers, are vulnerable to notoriously imbalanced employment relations and precarious work conditions.¹ Research on paid domestic work has concentrated on exploitative recruitment and employment practices, lack of policies and legislation to protect workers' rights, and the virtual absence of collective action and worker's representation.² Yet, there has been limited quantitative evidence on the migration processes from the perspective of female migrants. This brief describes Nepalese female workers' migration circumstances and experiences, highlighting potential protective mechanisms and opportunities for intervention.

Data sources

This brief presents findings from surveys conducted between March and April 2015, among a sample of 521 returnee migrant women in three districts: Morang, Chitwan and Rupandehi. Returnee women were identified by the WiF intervention partners through their peer educators in the community and were eligible to take part in the study if they returned to Nepal from their foreign employment within the past five years. Data collection took place before the WiF two-day pre-decision-making training started.

Women's household circumstances

The vast majority of returnee women, 92%, reported that someone in their household had previously migrated for work outside of Nepal, though the figure was slightly lower in Rupandehi (86%). One-third of the returnee women reported that their primary employment was being a homemaker while 74% reported receiving wages or being self-employed. Remittances were most often cited as a source of household income (39%). Sixty-two percent reported having household debt with the highest proportions in Chitwan (72%) and lowest in Morang (52%).

IMPLICATIONS OF FINDINGS FOR POLICY

- **Training programmes could attract a broader range of participants** if women learned about them through reliable community-based organisations, local leaders, migrant social networks and perhaps even labour brokers.
- **Written contracts may protect migrant women from deception.** Interventions can help protect migrants by promoting the use of written contracts among migrants and advising about their scope and enforcement of clauses.
- **Passports retained by employers curtail the freedom of migrant workers.** This could be prevented through governmental action to lift restrictions on labour market mobility among migrants through alternative contractual arrangements.
- **Migrants are often trapped in exploitative and abusive working conditions.** These may be improved through law enforcement, labour representation, anti-corruption actions, and efficient cost-free procedures for voluntary return.
- **Re-migration is common.** Local job placements and improved migration planning could lead to improved employment and migration outcomes among repeat migrants.

Migration process

Over two-thirds of the participants used a broker in their most recent labour migration, and over half of these were referred to the women by friends and community members (66%), and by family and relatives (34%) (see Figure 1).

Only 14% had attended any training prior to leaving Nepal with the proportions increasing among those who migrated more recently (see Table 1). Of these, two-thirds had attended the pre-departure orientation while one-fifth attended skills training. Women cited improved work performances (44%), being better-informed (40%), and awareness of assistance they could receive if needed (24%) as the main benefits of the trainings. Among those who had not attended any training, nearly three-quarters, 73%, said they were not aware of any available trainings and 14% did not feel the need to attend trainings.ⁱ However, the low attendance reported may be related to training availability prior to women's most recent migration as the domestic work skills training became mandatory in 2011 for those who had not had prior experience of migrating as domestic workers.

i. The question asked was broad and not about the ILO Work in Freedom trainings. In fact, our research took place at the early stages of the WiF implementation and considered returnees from varying periods and different locations. These migrants would not have been exposed to the WiF intervention, including the trainings, at the time of the interviews.

TABLE 1: Trainings (any type) attended by year of departure at most recent migration, n=521, n(%)

	Did not attend training	Attended trainings	Total
Prior to 2007	44 (97.8)	1 (2.2)	45
2007-2010	289 (90.3)	31 (9.7)	320
2011-2015	116 (74.4)	40 (25.6)	156
Total	449 (86.2)	72 (13.8)	521

Years were used based on when mandatory trainings came into effect: 2007 for pre-departure orientation; and 2011 for domestic worker skills training. Information obtained from ILO Nepal.

WOMEN'S MOST RECENT LABOUR MIGRATION EXPERIENCES

Destinations, jobs and duration. In their most recent labour migration over 84% of women went to the Gulf Cooperative Council (GCC) states followed by 5% to India, and 4% each to Malaysia and Lebanon. Nearly 80% worked as domestic workers with the remainder working as cleaners, carers or cooks (see Figure 2). The most commonly reported length of stay in the destination country was 2-3 years (28%), though duration varied considerably between women, with 10% staying for less than one year, and 11% for over five years.

Discrepancies between agreed and actual work terms and conditions. Women were asked about the terms and conditions of their employment to compare the information given beforehand to their actual experiences at destination. They reported receiving information about most aspects of their employment, either verbally or in writing, with several important exceptions. Most reported not receiving any information, before leaving Nepal, about: overtime hours and pay (85%); foreign migrant's rights and responsibilities (85%); penalties for early termination of contract (72%); time off and vacation (66%); working hours (64%); and the name of their employer/company (58%). Verbal, rather than written, agreements were more commonly reported.

Where terms had been discussed, either verbally or in writing, the actual situation was reported as similar or better in the majority of cases (see Figure 3). For almost

all terms and conditions, accuracy was reportedly higher where there was a written (rather than verbal) agreement. However, importantly, financial returns and working hours were considered worse than agreed, in any form, by a high proportion of women.

Freedom of movement, working conditions and experiences of harassment at destination. Identification documents, typically passports, were kept by the employer in 90% of the cases and of these, 74% reported that they would not be able to get it back if needed. Twelve percent of participants reported being locked in either during working or sleeping hours and of these, only 13% reported that they would be able to get out in an emergency.

The vast majority of participants, 85%, worked 7-days a week, and the median number of hours worked per day was 13. A range of exploitative experiences, as defined by the International Labour Organization's forced labour indicators³, were commonly reported by participants. Approximately 80% of participants reported that they were 'never' or 'rarely' allowed to leave the work premises during non-working hours. Nearly 70% reported that they 'often or always' had to work for more than 8 hours per day without additional pay; and just over 50% were never given leisure time outside of working hours. Conversely, other exploitative experiences were rarely reported: fewer than 10% reported threats by the employer to withhold their wages, deduct wages as punishment, report them to authorities or dismiss them; 65% reported that they were given a rest break of 30 minutes for each 8-hour shift worked. Women were also asked on their experiences of violence and harassment by anyone responsible for their employment. The most commonly reported experiences were verbal abuse, reported by 39% of returnee women, followed by threats of violence, 15%, and actual experiences of violence, most commonly being hit or slapped, 9% (see Figure 4).

Re-migration intentions. The majority of participants, 72%, were not planning to remigrate for work, while 24% reported that they planned to migrate for work again. Of those intending to remigrate, 53% said they planned to do so within the next 6 months.

FIGURE 1: Sources of help women received to arrange for their migration, multiple options, n=505

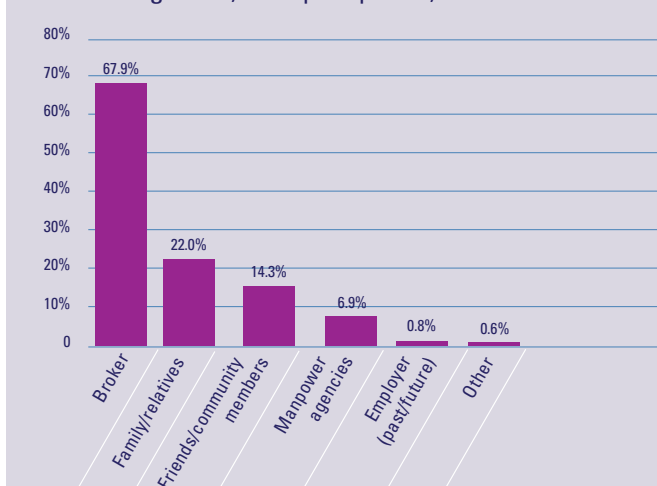


FIGURE 2: Type of employment at most recent labour migration, multiple options, n=521

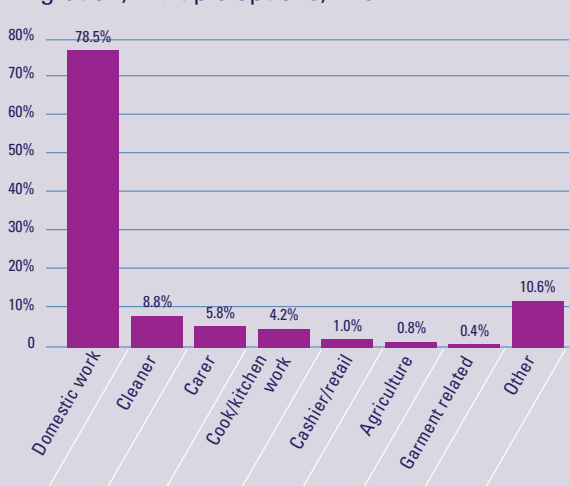
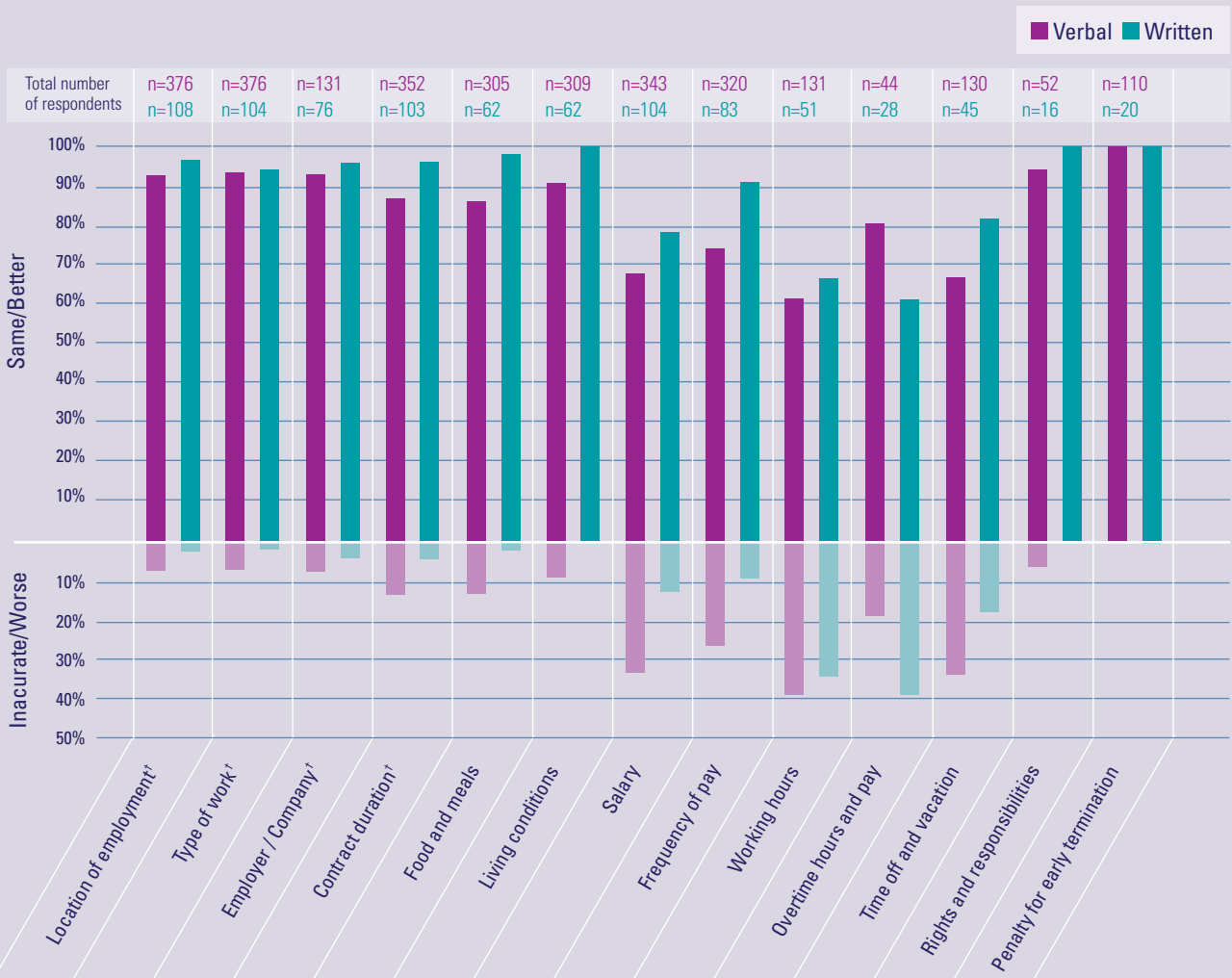


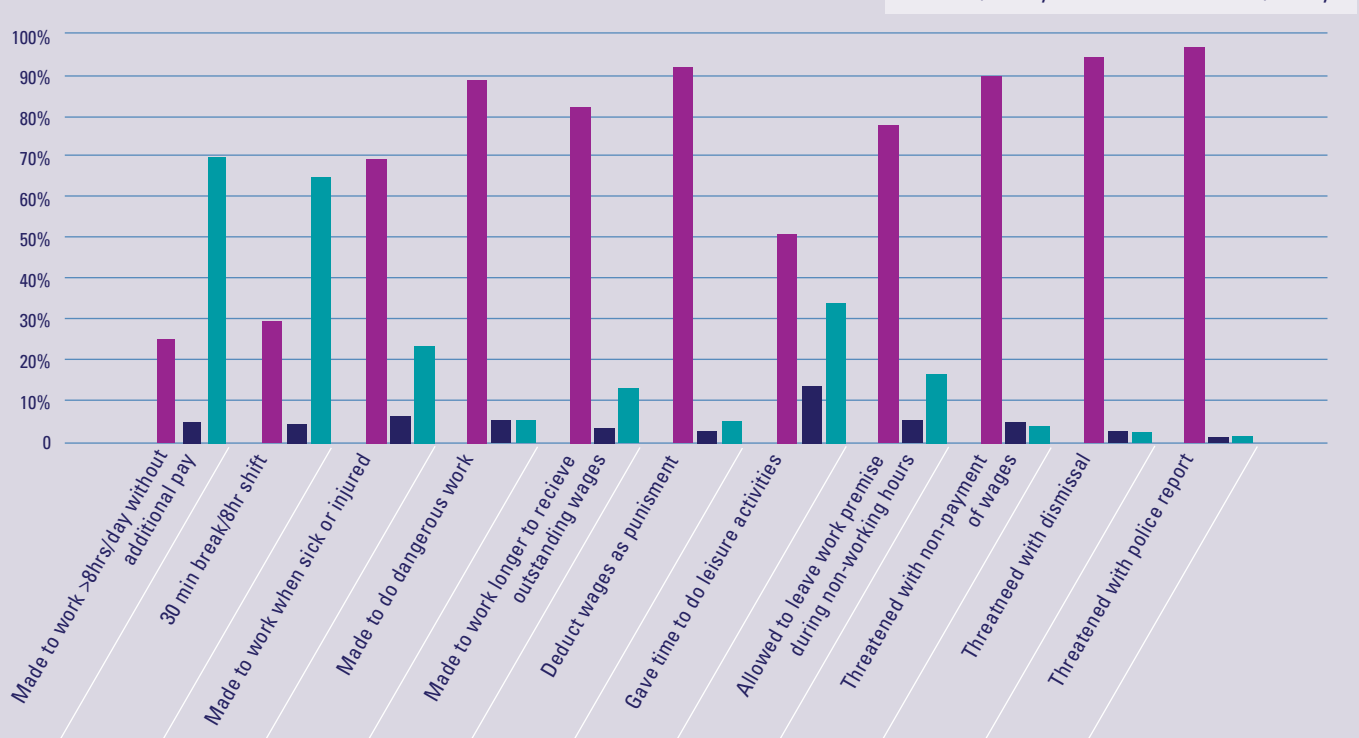
FIGURE 3: Accuracy of terms and conditions of employment among those who had verbal or written agreements*



* Excludes don't remember or refused responses for actual situation

† Accuracy was whether the situation was as discussed. While the remaining terms were reported as being the same, better, or worse than discussed

FIGURE 4: Working conditions and freedom of movement at destination*



* Excludes don't remember and refused responses

FINDINGS IN CONTEXT

Awareness about existing training programmes. The vast majority of returnee women interviewed did not attend any type of training by government or NGOs before migrating for work. In most cases, the reason reported for not attending trainings was unawareness of available opportunities, although some of the trainings became mandatory at different times. Women value practical information about their migration. Interventions aimed at delivering training to aspiring migrant women should consider additional dissemination channels, including community-based organisations and migrant social networks, where feasible. While it is not possible to ascertain the quality and usefulness of various trainings, if migrants are to be reached other strategies should be considered. Additionally, the role of labour brokers could be further explored. While brokers' negative reputation may be justified, they are central actors in the facilitation of international mobility, with capacity to connect people and places, and establish networks. The scope of their participation in strategies to contribute to safe migration remains to be explored⁴, particularly as it has been reported that it is often brokers themselves who advise women not to attend trainings. This is also linked to the fact that there are potential conflicts of interest given brokers' need to maintain their business in a competitive and risky environment.

Importance of verbal agreements and written contracts. Most participants agreed the details of their labour migration verbally. Although in most cases these agreements were accurate, situations at destination were more likely to be as described (or better) where women had a written agreement (contract) rather than verbal agreement. Importantly, many women who reported having a verbal or written contract were deceived in relation to their pay and working hours at destination. Interventions should seek ways to advise prospective migrants have a written contract and that the details therein are discussed before leaving Nepal. This measure alone is unlikely to be sufficient to protect migrants, and actions should also be considered to ensure that: agreed contracts are not replaced at destination; contracts specify employers' obligations and responsibilities; and the contractual clauses are enforceable⁵. One pre-condition for enforcement of contractual clauses is that destination countries respect the rights of migrants and promotes equal treatment of national and foreign workers in line with international regulation.⁶

Passports retained by employers. The vast majority of returnee migrants reported that their identification documents, typically passports, were held by their employer. This practice has been previously identified as a common grievance by migrants⁷, and has been associated to employers' intention to prevent migrant

workers from escaping, and thus protecting their financial investment in recruitment⁸. Destination governments should consider ways to lift restrictions on labour market mobility among migrants by providing alternative contractual arrangements, especially for migrants working in the Middle East. Reforming the current *kafala* system could discourage confiscation of passports, which is often linked to limitations on movement and freedom, and may underpin situations of forced labour.⁶

Working conditions. Most participants reported working overtime with no week breaks or leisure time, and experiencing a range of abusive situations. Social isolation, lack of labour market mobility and barriers to return may prevent migrants from exiting an exploitative situation. Low wage labourers have limited opportunities to improve their work conditions.⁹ Policy and legislation should address these barriers and facilitate law enforcement, negotiation of work conditions and efficient cost-free procedures for voluntary return.

Re-migration is common. Just under one-quarter of the participants planned to remigrate, with over half of these planning to leave within six-months of the survey. In the return process, it is important to consider the barriers to integration of workers to local labour markets, especially in the light of new skill sets acquired through migration, and in the context of prevailing unemployment and outstanding debts, sometimes incurred through migration¹⁰. Proactive targeted efforts on the part of interventions to reach and engage this group could help identify local job placements, or improve migration planning processes among repeat migrants, potentially leading to improved employment and migration outcomes.

ENDNOTES

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Acknowledgements

SWiFT Evaluation in Nepal is led by LSHTM, in collaboration with the Centre for the Study of Labour and Mobility, Social Science Baha, Kathmandu, Nepal.

This brief was supported by UKaid from the Department for International Development. However, the views expressed do not necessarily reflect the department's official policies.



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