



APPENDIX II

Executive Summary of [Justice for Wage Theft Series, Volume 1](#)

“Crying Out for Justice: Wage Theft Against Migrant Workers during COVID-19”

Overview

- The COVID-19 pandemic has severely impacted millions of migrant workers in destination countries, many of whom have experienced job loss or non-payment of wages, been forced by employers to take unpaid leave or reduced wages, been confined in poor living conditions, and with little or no engagement in the work options before them.
- A large coalition of civil society organizations and trade unions launched an appeal on 1st June 2020 to governments to establish an “Urgent Justice Mechanism” that addresses the plight of millions of migrant workers whose wages have been unjustly withheld by their employers. It was followed by four more appeals.

Numbers

- There were 704 online submissions on the JWT- Uwazi platform, including 47 group cases involving 388 individuals, as well as 316 individual cases.
- MFA also received 207 cases from a survey on wage theft conducted by Solidarity Centre, Sri Lanka.
- Among the countries of destination, Saudi Arabia has registered the highest number of cases of wage theft at 292 cases, accounting for approximately 41.5 percent of the total cases.
- It was followed by 129 cases registered from Bahrain, 66 from Kuwait and 63 cases from Qatar. 52 cases were reported from Malaysia, 45 cases were registered from UAE and Oman has registered 20 cases of wage theft.
- Other countries of destination with cases registered include China (8), Singapore (5), South Korea (9), Jordan (2), Lebanon (2).
- Counting by countries of origins, Nepali workers formed the biggest group with 372 cases, followed by 146 cases from Indian workers. Other cases were from the Philippines (73), Bangladesh (67), Indonesia (44) and Pakistan (2).



- While most cases registered were male workers, Nepali cases have a high ratio of female workers.
- The most common occupation among female migrant workers that faced wage theft include domestic workers (25) followed by employees of sanitation/cleaning services (20) and ‘other’ categories including beauty workers at salons and spas (12).
- A majority of cases, 316 of them (45% of the total cases), were from the construction industry. It was followed by hospitality/F&B (108), manufacturing (67), transportation (52), domestic workers (31), sanitation (29), fishing (20), retail (8), office workers (7) and tradespersons (6).

Exploitation means

- Confiscating the ATM card for ‘safekeeping’ (particularly for domestic workers).
- Using the worker’s card and paying wages in cash after making illegal wage cuts.
- Forcing workers to sign an agreement stating that they have received all dues and claims, or withdrawal of claim to pending wages.
- Threatening retaliatory action in case worker requests or questions their right to wages.
- Forcing workers to withdraw from the designated bank account and pay back recruitment fees before their repatriation.
- Declare them absconding, rendering them undocumented or cancelling the visa without the worker serving a notice period.

Recommendations for states

- Acknowledge and observe the lacunae in policy that feeds into the precarity of status of the migrant and the power imbalance between employer and migrant worker.
- Establish and improve accountability mechanisms upon employers through common platforms or communication pathways.
- Improve monitoring within recruitment systems.
- Ensure that data collection and case documentation are taken seriously to enable evidence-based policymaking.
- Establish and expand current systems of social protection for migrant workers regardless of their documentation status and sector of work.