

MaWIC Online Course – Migration and Workplace Integration Coach

Training material – Module 5: Integration and support in everyday situations



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Welcome

Welcome to **Module 5 on “Integration and Support in everyday situations”**.

This module will combine some presentations on international and national rights and the creation of a document that we hope will help you on your daily tasks as migrants coach.

The **objectives** of the whole module are for you, as coach, to be able to:

1. Support with healthcare issues (e.g. health insurance, finding a doctor).
2. Support the migrant employee with reunion of the family
3. Support the migrant employee with finding a new job
4. Support the employer with keeping a good migrant worker

The **evaluation** of this module will be based on the documents you submit as your final assignment and the webinar in which you participate. You will get more information of these assignments later.

So, there is no test for this module!

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Module 5: Integration and Support in everyday situations



“Migration is as natural as breathing, as eating, as sleeping. It is part of life, part of nature. So we have to find a way of establishing a proper kind of scenario for modern migration to exist. And when I say ‘we’, I mean the world. We need to find ways of making that migration not forced”

Gael Garcia Bernal, Mexican actor, producer and film director.



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“258 million people, approximately 3% of the world’s population, currently live outside their country of origin”

OHCHR, 'Migration and Human Rights'

WHAT RIGHTS DO MIGRANT WORKERS HAVE?

All rights and international instruments are an overview of the general framework from which each State should operate.

However, **each State must interpret its obligations towards migrants in accordance with international instruments they have ratified and they have to accommodate these into their national law.**

- The **objective** of this assignment is to realize what are the rights and responsibilities of a migrant worker in Europe. Also it is crucial to understand that migrants who are working in Europe may have very different background and therefore different status. The status has influence on the rights and services that a migrant worker either have or don't have by the state.
- Now it is up to You as a coach to find out the information about given issues. Make a list of web pages (nationally), ministries, the third sector co-workers that are participating and giving information and making decisions concerning rights, responsibilities and advice of a migrant worker in your country

WHO IS A MIGRANT?

There is no clear and legal **definition** accepted of a migrant. Most of organisations understand migrants as people staying outside of their country of origin who are not refugees, nor asylum-seekers.

Some human rights experts and bodies **differentiate** according to the migrant's willingness to move and where they move to. Thus, there are four categories of migrants under international law:

- 1) People who moved voluntarily within their own country to improve their situation (work, study, join family, etc.).
- 2) People who were forced to move within their own country (poverty, political unrest, gang violence, natural disasters, climate change consequences, amongst others)
- 3) People who moved voluntarily across a border to improve their situation (work, study, join family, etc.).
- 4) People who were forced to move across a border (poverty, political unrest, gang violence, natural disasters, climate change consequences, amongst others).

Under international instruments, migrants can be defined under different **categories** of people. Here are some examples: migrant workers, migrants in an irregular situation, victims of human trafficking, smuggled migrants, stateless people, trafficked people, amongst others.

Migrant workers



A **migrant worker** is:

“A person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which s/he is not a national”, [International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families \(ICRMW\)](#).

ICRMW is the most relevant treaty on the rights of migrant workers and details all their economic, social, cultural, civil and political rights. Most of its provisions apply to document and non-documented migrants and their families. However, there are specific provisions for non-documented migrants.

The ICRMW is not the only treaty detailing the rights of migrants. Different international instruments all provide protections for all human beings at work. For example, the International Labour Organisation (ILO), through the [Migration for Employment Convention](#) protects migrant workers specifically guaranteeing them basic rights (eg. Healthcare or non-discrimination).

Other treaties on universal human rights and the [International Labour Organisations Conventions](#) provide rights for all workers detailing working conditions, equal pay, join trade unions and access to social security.



Non-documented Migrant Workers

A **non-documented migrant worker*** is:

“a migrant who is not authorized to enter, to stay and to engage in a remunerated activity in the State of employment”, ICRMW, art. 5.

Under the ICRMW, documented and non-documented migrant workers have the same rights. And States may not deprive them from their rights on the basis of their non-documented status.

States have to interpret their obligations under the ICRMW and to keep with other international human rights treaties ratified by them.

There are other instruments that protect migrant workers against exploitation and forced labour/slavery.

**Since 1975, the UN General Assembly uses the term non-documented or irregular migrant workers instead of “illegal migrant workers” as a way to ensure their human rights and dignity and to avoid the stigma attached to the terms “illegal”.*

Refugees

A **refugee** is:

“a person who has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country”, [1951 Refugee Convention](#).

The 1951 Refugee Convention and its [1967 Protocol](#), together with other international instruments, detail refugee's rights and States' obligation with respect to refugees.

Some of the States' duties include obeying the principle of non-refoulement (no returning of individuals to their countries where their lives would be under threat), provide access to adequate asylum procedures, and to respect basic human rights.

WHAT RIGHTS DO MIGRANT WORKERS HAVE?

All migrants enjoy the basic human rights given to all persons according to the [Universal Declaration of Human Rights](#) (1948).

Some of the general rights are:

- Right to life.
- Equality and non-discrimination.
- Protection against Arbitrary Arrest and Detention.
- Protection against Torture or Inhuman Treatment.
- Non-refoulement.
- Prohibition against Collective Expulsion.
- Procedural safeguards in individual expulsion proceedings.
- Family rights
- Protection against Labour Exploitation
- Right to Social Security
- Right to Highest Attainable Standard of Physical and Mental Health
- Right to Primary Education
- Freedom of movement
- Right to Enjoy Culture in Community with Others



WHAT RIGHTS DO MIGRANT WORKERS HAVE?



EXCEPTIONS:

International human rights law accepts States treating differently people depending on if they are citizens or not if the difference in treatment has a legitimate objective by the State and it is proportional.

Precisely, States reserve the right to vote and to be elected to political office to its citizens. Thus, migrant workers with another nationality don't have the right to vote or be elected if they do not have the citizenship of the host country.

Regarding social and economic rights, States and other international instruments do not treat migrants and non-migrants equally. Some instruments even allow governments to give public benefits to migrants only.



WHAT RIGHTS DO MIGRANT WORKERS HAVE?

SPECIFIC RIGHTS UNDER ILO MIGRATION FOR EMPLOYMENT CONVENTION:

- To maintain or satisfy that there is maintained, and adequate and free service to assist migrants for employment, and in particular to provide them with accurate information (article 2).
- To take all appropriate steps against misleading propaganda relating to emigration and immigration (article 3).
- To facilitate departure, journey and reception of migrants for employment (article 4).
- To undertake appropriate medical services responsible for (article 5):
 - a. Ascertaining both at the time of departure and on arrival, that migrants for employment and their family members are in reasonable health.
 - b. Ensuring that migrant workers and their family members enjoy adequate medical attention and good hygienic conditions.

WHAT RIGHTS DO MIGRANT WORKERS HAVE?

SPECIFIC RIGHTS UNDER ILO MIGRATION FOR EMPLOYMENT CONVENTION:

- To apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favourable than that which it applies to its own nationals in respect of the following matters (article 6):
 - (i) remuneration, including family allowances where these form part of remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age for employment, apprenticeship and training, women's work and the work of young persons;
 - (ii) membership of trade unions and enjoyment of the benefits of collective bargaining;
 - (iii) accommodation;
 - (iv) social security (subject to limitations)
 - (v) employment taxes, dues or contributions payable in respect of the person employed.
 - (vi) legal proceedings relating to the matters referred to.

WHAT RIGHTS DO MIGRANT WORKERS HAVE?

SPECIFIC RIGHTS UNDER ILO MIGRATION FOR EMPLOYMENT CONVENTION:

- To undertake that its employment service and other services connected with migration will co-operate in appropriate cases, AND to ensure that the services rendered by its public employment service to migrant workers are rendered free (article 7).
- To not return to their country of origin migrant workers or their families who have been admitted on a permanent basis because the migrant worker is unable to follow his occupation by illness or injury (article 8).
- To allow the transfer of the earnings and savings of the migrant worker (article 9).
- To enter into agreements between States if the number of migrants going from the territory of one State to that of another is sufficiently large (article 10).
- To maintain a system of supervision of contracts of employment between an employer and a migrant worker.
(a) It requires that a copy of the contract shall be delivered to the migrant before departure or in a reception centre on arrival in the territory of immigration. (b) The contract shall contain provisions indicating the conditions of work and particularly the remuneration offered to the migrant. (c) The migrant shall receive in writing before departure information concerning the general conditions of life and work applicable to him in the territory of immigration (Annex 1 – article 5).

WHAT RIGHTS DO MIGRANT WORKERS HAVE?

SPECIFIC RIGHTS UNDER ILO MIGRATION FOR EMPLOYMENT CONVENTION:

- To simplify administrative formalities, provide interpretation services, assistance in the settlement of the migrant and his/her family, and safeguarding their welfare (Annex 1 – article 6).
- Any person who promotes clandestine or illegal immigration shall be subject to appropriate penalties (Annex 1 – article 8).
- The administrative costs of recruitment, introduction and placing shall not be borne by the migrants (Annex 2 – article 4).
- To assist migrants for employment, during an initial period, in regard to matters concerning their conditions of employment; where appropriate, such measures may be taken in co-operation with approved voluntary organisations (Annex 2 – article 8).
- If a migrant worker fails, for a reason for which he is not responsible, to secure the employment for which he has been recruited, the cost of his/her and his/her family return, including administrative fees, transport and maintenance charges to the final destination, and charges for the transport of household belongings, shall not fall upon the migrant (Annex 2 – article 9).
- If the competent authority of the territory of immigration considers that the employment for which a migrant worker was recruited has been found to be unsuitable, it shall take appropriate measures to assist him in finding suitable employment which does not prejudice national workers (Annex 2 – article 10).

WHAT RIGHTS DO MIGRANT WORKERS HAVE?

SPECIFIC RIGHTS UNDER ILO MIGRATION FOR EMPLOYMENT CONVENTION:

- If a migrant for employment who is a refugee or a displaced person becomes redundant, the competent authority shall use its best endeavours to enable him/her to obtain suitable employment, and shall take such steps as will ensure his/her maintenance pending placing in suitable employment or his resettlement elsewhere (Annex 2 – article 11).
- Personal effects belonging to recruited migrant workers and their family members shall be exempt from customs duties on arrival in the territory of immigration (Annex 3 – article 1).
- Personal effects belonging to migrant workers and their family members shall be exempt from customs duties on the return of the said persons to their country of origin if such persons have retained the nationality of that country at the time of their return there (Annex 3 – article 2).

Overview of the bibliography of international legislation of migration



Amnesty International, “Refugees, asylum-seekers, and migrants”:

<https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>

OHCHR, “Migration and Human Rights”:

<https://www.ohchr.org/en/issues/migration/pages/migrationandhumanrightsindex.aspx>

OHCHR, “International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”:

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CMW.aspx>

ILO, “C097 – Migration for Employment Convention”:

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312242

International Justice Resource Center:

<https://ijrcenter.org/thematic-research-guides/immigration-migrants-rights/>



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Module 5: Integration and Support in everyday situations





Welcome to the assignments of Module 5

Hello everyone!

We hope you are learning a lot from this training.

In this module, you just had information on the main rights protected internationally and nationally.

Now, is the turn to get more hands-on and see how we share this information with migrant workers at our work place in a simple and direct way.

To do so, in this Module 5 "Integration and Support in everyday situations" we would like you to focus on delivering two assignments.

In **first assignment**, there are **three parts** as detailed in the following pages. At the end of the module, you will have to upload one single document for the assignment which will include all three parts.

In **second assignment**, there are two cases, which you have to solve and write an answer. After that, we will talk about cases in the webinar.

Are you ready? Let's do it!

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First assignment **Part 1**: Information sheet for migrants at work (INDIVIDUAL)



Your first task is to **prepare a basic information paper** for migrant workers in your company that want to know about the healthcare system (including pharmacies), open a bank account, transportation, housing (including paying and accessing services like water, internet, electricity), education system for their children and NGOs working with migrants, amongst others.

Be as creative as you want! And visual!

The document could be a leaflet, a spider gram, a map, etc.

It should include all information that they will need when arriving into a new country.

It should take you approximately 1 hour.



First assignment **Part 2**: Share your thoughts (NATIONAL GROUPS)



Upload your document into the forum, under your country folder within Module 5 forum discussion (Folder name: "MODULE 5 - PART 2 (National Group x)"). The objective of this action is that you reflect on each one personal experience and local context and contribute to each other's documents.

Your task here is to **give at least 2 comments to each of your classmates** in order to improve their document. You can also agree in having a conversation but on your final document assignment you must have at least two specific comments to your classmates. What is missing in yours? How could you be more creative? Are all topics covered?

Remember that your comments should be constructive and giving specific examples on what can be improved and on how things can be done differently from your experience and perspective.

Once you have finished, incorporate the comments of your classmates into your document.

It should take you approximately 30 minutes.



First assignment **Part 3**: Using the information sheet (INDIVIDUAL)



The objective of this part of the assignment is for you to see how useful your document is when applied at your workplace and in real life situations.

So, here, we would like you to **share your document with people at work** who might be interested in having this type of document (e.g. HR staff) or who might be interested in knowing all this information (e.g. migrant workers).

Share a video/paragraph on the discussion section of the training with your reflections (Folder name: "MODULE 5 - PART 3". When uploading the information you should mention who you showed it to and their position. Try to reply to this questions:

- How useful was the document?
- Information was clearly stated or something had to be developed further in a conversation?
- What did HR staff say about the document and its use?
- What did migrant workers say about the document and its use?
- What was missing?
- How could it be improved?
- Do you think you will use it?

It should take you approximately 15 minutes.



Assignment presentation

Prepare **one single document** with:

1. Part 1: **Your basic information paper** for migrant workers in your company that want to know about the healthcare system (including pharmacies), open a bank account, transportation, housing (including paying and accessing services like water, internet, electricity), education system for their children and NGOs working with migrants, amongst others.
2. Part 2: Your (at least) **2 comments to the documents** of your classmates.
3. Part 3: **The reflection on sharing the document at work** which should reply to the questions suggested.

And finally, **UPLOAD THE FILE into the Module 5 page.**



Second assignment: Cases

1. Read the cases (next slides). Write down the answers of the cases.
2. Upload your answers into forum and read the answers of others. (Folder name: MODULE 5 – CASE1/CASE2 (National Group X))
3. We talk about the answers in the webinar 23.1.2020.

You probably already know a lot about these issues. Think about where you can find more information or to where you can guide the migrant to search for more.

- Manager?
- Colleague?
- HR-department?
- Company intranet?

Second assignment: Case 1 Healthcare

Abdulla, a 25-year-old married man from a war-torn country and had been on the run and hidden before finally landing with acquaintances in Sweden/Finland/Spain/German/Hungary. After another two years in he gets a residence permit.

Abdullah came with his family, his wife Amina, a 6 years old son, and a 3 years old daughter. Abdullah is now working in Construction Company as a construction worker. At first, his wife was home with the children, but now they are in the nursery. His wife just had a new job from the restaurant. She works as a kitchen helper.

Now their 3 years old daughter is ill, she probably has an ear infection.

How you can advise Abdullah? Answer the questions.

- Were they can find a doctor for the daughter?
- Can they use the public healthcare, or do they have to use the private healthcare?
 - If they use the private healthcare, estimate, how much does it cost?
- Is it possible, for the parent, to stay home with the daughter, when she is ill?
 - If it is possible to stay at home with the daughter, how long the parent can stay at home.
 - If the parent stays at home, does it have an influence on the salary?



Second assignment: **Case 2 Reunion of the family**

Kristine came to Sweden (Finland, Spain, Germany, Hungary) already 3 years ago with work permit that allows her to work as a health care worker in a private health care company. Kristine is from Philippines, with a degree as a nurse. She was then 32 years old and she has a child in Philippines. During her first year, she worked as a health care assistant. Beside her work, she studied local language in a web-based language course that was provided by her employer. Studying alone on the web was challenging but she did not have time to participate other language courses due her work in different shifts.

From the beginning it was meaning that Kristine would improve her Finnish skills so that she could participate the supplementary education in nursing and start working as a nurse. This would mean a better salary and she could get her child to live with her by reunion of the family.

Kristine tries to discuss the matter with her employer but with no results. The employer is pleased with Kristina as a healthcare assistant and does not want to help her in becoming a nurse and getting her child to live with her.

Kristina has found another employer in a little village on countryside who is willing to employ Kristina and support her with her process of both becoming a nurse and reunite her family.

- Is it possible for Kristine to change employer?
- What are the things an employer in Europe could do to support reunion process of the family of his worker?

If you have any questions, please add them on the forum.

3, 2, 1... START!

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Module 5: Integration and Support in everyday situations



Further Reading (optional)

International Labour Organisation

- [Fundamental ILO Conventions](#)
- [International Labour Organization Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No. 87\)](#)
- [ILO Equal Remuneration Convention, 1951 \(No. 100\)](#)
- “What is forced labour?” by ILO: <https://www.ilo.org/global/topics/forced-labour/definition/lang--en/index.htm>
- [ILO Migrant Workers \(Supplementary Provisions\) Convention, 1975 \(No. 143\)](#)
- [ILO Forced Labour Convention, 1930 \(No. 29\)](#)
- [Abolition of Forced Labour Convention, 1957 \(No. 105\)](#)

Further Reading (optional)

European Union

- [European Convention on Human Rights](#)
- [European Convention on Nationality, 1997](#)
- [European Convention on the Legal Status of Migrant Workers](#)
- [European Social Charter \(Revised\)](#)



Further Reading (optional)

International

- [International Covenant on Economic, Social and Cultural Rights](#)
- UN General Assembly, Resolution 3449(XXX), [Measures to ensure the human rights and dignity of all migrant workers](#), UN Doc. A/RES/32/120, 9 December 1975, para. 2.
- [International Covenant on Civil and Political Rights](#)

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Information sheet – basic

Contract of employment

Working hours, taking own breaks, leaving the working place without permission is not allowed

Salary/wage

Taxes

Vacations, is it okay to ask for a day off for personal reasons?

Sick leave

Labour law

Labour union

Social media at work, regulations

Obligation of confidentiality

Housing: electricity, water, internet connection

Basic services: Bank, shops, post office, opening a telephone subscription

Transportation: Public transportation (train, metro, bus), How to get a bus card, Health care, Emergency, Public health care, private health care, How to book a doctor's appointment,

Day care and elementary school, How to get a place from school or kindergarten,

Hobbies and leisure, How to find hobbies for you or your child

Information sheet – working culture

Motivation? How can you show that you are motivated?

The attitude is as important as the qualification

Can you teach right attitude?

Integration is a self learning process?

Reading between the cultural lines?

Handbook for beginners or education for workmates?

Good handout material for companies?

Giving and getting feedback is crucial at work. How is it given?

A good atmosphere is a key to integration. How is it done?

How somebody looks like is nothing we talk about

It is important for the supervisor to ask the new immigrant worker to repeat, how he/she has understood the job. Asking if he/she understood, the answer is always “yes”.

Bridging the working life and language learners:

<https://bridgingl2.com/>

Shake hands when you introduce yourself for the first time, not once again tomorrow!

It is no okey to say that you are rich, beautiful or intelligent

In Finland you don´t talk about politics, religion, personal economy, personal family matters

Smelling good or smelling bad is not an issue either. It is most recommended, that a worker doesn´t smell at all.

Coffee break is full of hidden rules. It is okey to ask what the rules are in this coffee room.