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# B4IG Fair Recruitment Toolkit for Employers & Service Providers

*Designed to support the recruitment of migrant workers*



## > Disclaimer

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The opinions and arguments expressed herein are those of the authors and do not necessarily reflect the official views of the OECD or its member countries.

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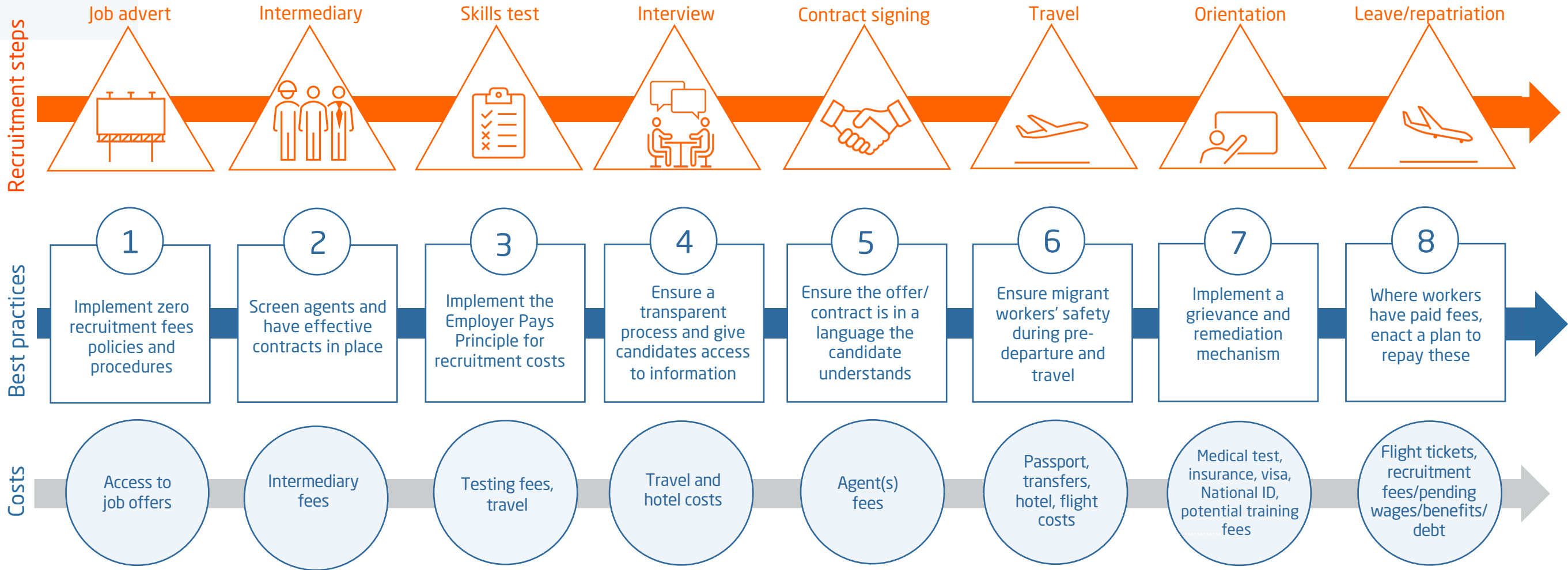
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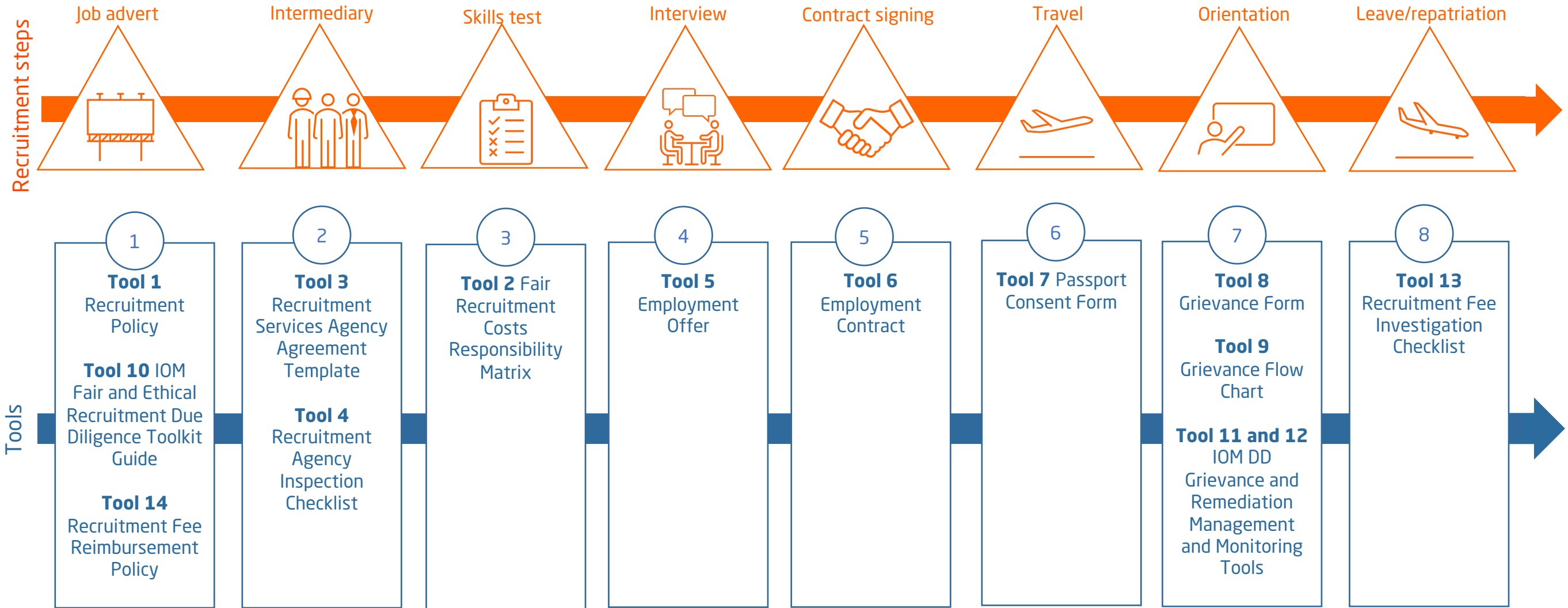
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## A migrant worker's recruitment journey



Recruitment costs that workers might pay but should be borne by employers fall under the Employer Pays Principle.

## Tools for companies across the recruitment journey



## About this toolkit

### Context

In today's global economic setting, an increasing number of workers travel outside their home countries in pursuit of decent work, better livelihood opportunities, and stable environments. These **migrant workers represent almost 164 million people worldwide ,with women making up 48.4% (ILO, 2022). They play a core role in the global economy** by bridging critical labour shortages in destination countries and by developing their own countries through business, trade networks and remittances.

During this professional journey, workers, particularly low-skilled workers, can be subject to discrimination, recruitment mistreatment, and exploitation due to the irregular conditions and environments to which they are exposed.

Governments, international organisations, civil society, and the private sector must collaborate to address this cross-sectoral and global concern.

**Employers and service providers can also take several steps to address risks for migrant workers and protect their human rights.** In doing so, they support their workers and their businesses, which results in:

- the integration of corporate values,
- the alignment of evolving regulatory frameworks,
- the creation of safe working environments, which in turn lowers turnover rate and enhances productivity,
- avoidance of unforeseen financial consequences,
- allows employers and service providers to maintain a social license to operate.

### Purpose

This toolkit explores the **core principles of fair recruitment, as well as the risks to workers and businesses in the absence** of fair recruitment. It provides operational information on how to choose a recruitment agent, how to implement a no-fees recruitment policy, and how to design and create an effective grievance mechanism, among other steps.

**Target groups:** Employers and providers (manpower/service).

**Target audience:** human resources, procurement professionals, human rights and development practitioners within Human Resources, Procurement, Corporate Social Responsibility teams, Ethics departments, and any other relevant branch(es) managing recruitment procedures of companies.

It can be useful **for beginners and advanced practitioners** to identify new tools and methods to create effective change.

### Structure

The documents provides insights to improve existing recruitment conditions and practices by providing key actions, checklists and tools for each step of a worker's recruitment journey.

## Key terms

Term	Definition
<b>Decent work</b>	Decent work is work that is productive and delivers a fair income; security in the workplace and social protection for families; better prospects for personal development and social integration; freedom for people to express their concerns, organise and participate in the decisions that affect their lives; and equality of opportunity and treatment for all people.
<b>Destination country/countries</b>	A country in which the migrant worker will be working, has worked, or will work for pay.
<b>Employer</b>	An individual or an enterprise that hires one or more employees and has the power to direct and control the work of such employees.
<b>Employment offer</b>	A detailed agreement between a company and a candidate that outlines the terms and conditions for both parties.
<b>Employment contract</b>	A legally binding agreement between an employer and a worker that outlines the nature of work, compensation, standard working hours and provisions for termination of employment.
<b>Fair recruitment</b>	<p>The practice of recruiting workers through a process that is transparent, impartial and non-discriminatory; in line with law and international labour standards; and undertaken with respect to human rights.</p> <p>Fair recruitment provides equal opportunities for all job seekers, regardless of gender, race, religion, nationality, political opinion, sexual orientation or other characteristics, and is based on merit. It also involves ensuring that workers are protected against exploitation, trafficking and abuse, and that they are not charged excessive fees or required to pay bribes.</p>

Term	Definition
<b>Labour supplier</b>	Also known as a “manpower supplier”, it is a person or company that provides workers to another person or company for the purpose of performing work. This includes labour contractors and employment service providers that recruit workers on behalf of an employer and place them in a job.
<b>Migrant worker</b>	A person who is engaged or has been engaged in a remunerated activity in a country of which they are not a national.
<b>Recruitment agency, recruiter, or agent</b>	A person or enterprise that recruits workers on behalf of an employer and charges a fee to the worker or the employer or both.
<b>Recruitment fee</b>	Any costs associated with the recruitment of a worker.
<b>Service provider</b>	A company or an individual who provides a particular service to clients or customers.
<b>Source/sourcing country/countries</b>	An individual’s or a group’s country of birth or former habitual residence before migrating abroad for work.
<b>Sub-agent</b>	An entity that is authorised by a recruitment and placement agency to carry out some or all of the functions of recruitment and placement on behalf of the agency.

Abbreviation	Organisation
<b>ILO</b>	International Labour Organisation
<b>IOM</b>	International Organisation for Migration
<b>UNGP</b>	UN Guiding Principles on Business and Human Rights



## 1.a. Policies and procedures: Introduction

### 1. Policies

### 2. SCM

### 3. Contract and Transparency

### 4. Travel

### 5. Grievance

### 6. Restitution

#### What is fair recruitment?

Fair recruitment practices involve **ensuring that workers are not exploited, abused, or subjected to forced labour during the recruitment process, and that they are aware of their rights and the terms and conditions of their employment.** Fair recruitment is essential for preventing worker exploitation and ensuring dignity throughout the recruitment, migration and employment process.

Employers play a critical role in addressing governance gaps in recruitment processes and regulations across source and destination countries. Labour suppliers and recruiters operating in global supply chains often charge workers for recruitment services, leading to debt bondage and forced labour. To combat this, **employers must ensure that neither they nor their suppliers impose recruitment fees on workers at any stage of the hiring process, thereby promoting decent work and reducing the risk of forced labour.**

As employers, service providers play a crucial role in safeguarding the welfare of migrant workers in the labour supply chain. Employers must implement systems to prevent abuse and protect themselves from reputational and financial harm. **By prioritising worker wellbeing, employers can enhance their reputation, retain a more productive workforce, and ultimately improve their bottom line.**

#### What are recruitment fees and related costs?

The term "**recruitment fee**" implies any costs associated with the recruitment of a worker. The ILO classifies the term as "payments for recruitment services by a candidate, payments made during recruitment, payments made in the case of direct recruitment by the employer or payments required to recover recruitment fees from workers."

#### Examples of recruitment fees:

- Medical costs (i.e., medical tests or vaccination).
- Insurance (i.e., life, health and safety, welfare funds).
- Skills and qualifications certification (i.e., language skills, certificate attestation).
- Training and orientation (i.e., job orientation).
- Consumables (i.e., tools, uniform, safety gear).
- Travel and lodging (i.e., flight tickets, hotel and subsistence).
- Personal documents (i.e., application for passport, national identity cards).
- Administrative (i.e., application and service fees). - *Agency or "administration charges" are the most common form of fees paid by workers during recruitment.*





## 1.b. Policies and procedures: Fair Recruitment Policy

### 1. Policies

### 2. SCM

### 3. Contract and Transparency

### 4. Travel

### 5. Grievance

### 6. Restitution

#### What is a fair recruitment policy?

A fair recruitment policy, and accompanying procedures, **sets out a company's commitment to fair recruitment** and provides guidelines for all stakeholders in meeting the expectations of this commitment. A fair recruitment policy is a **critical starting point to mitigate** the risks of worker exploitation and protect worker rights in labour supply chains.

#### What a policy should cover:

- **A commitment statement** to fair recruitment from the senior leadership of the company and non-discrimination throughout the hiring process.
- **Forced and child labour**: State the company's zero-tolerance policy towards forced labour, human trafficking, and child labour in its operations and supply chain.
- **Legal compliance**: Ensure adherence to local, national, and international labour laws, regulations, and conventions governing recruitment, including human rights and labour standards.
- **Equal opportunity and non-discrimination**: Define the company's stance on providing equal opportunity to all applicants, regardless of race, ethnicity, gender, age, religion, disability, or any other protected characteristic.
- **Recruitment process**: Describe transparent recruitment procedures, including job posting, application screening, interviews, and selection criteria, to ensure fairness and consistency.
- **Qualifications and experience**: Establish clear and objective criteria for assessing candidate qualifications and experience, focusing on skills, competencies, and relevant qualifications.
- **Compensation and benefits**: Commit to providing fair compensation and benefits packages in line with market standards, company policies, and legal requirements.
- **Migrant and temporary workers**: State that migrant and temporary workers receive equal treatment and protection, including fair recruitment, work contracts, and repatriation arrangements.
- **Privacy and confidentiality**: Guarantee the protection of personal information and privacy rights of all candidates during the recruitment process.
- **Grievance mechanism**: Outline a transparent and accessible mechanism for applicants to raise concerns related to the recruitment process and receive resolution.
- **Training**: Promote awareness and understanding of the fair recruitment policy among all employees, particularly those involved in the recruitment process, through training and regular communication.
- **Inclusive hiring**: Ensure that candidates are chosen based only on their qualifications, not on factors such as their race, gender, or religion. Inclusive hiring procedures attempt to level the playing field for all applicants in order to combat recruiting bias and discrimination of any kind.



## 1.c. Policies and procedures: Employer Pays Principle

### 1. Policies

### 2. SCM

### 3. Contract and Transparency

### 4. Travel

### 5. Grievance

### 6. Restitution

### Understanding the Employer Pays Principle (EPP)

Employers can help **ensure fair and free recruitment of migrant workers by adopting the international best practice Employer Pays Principle** (one of the Dhaka Principles), which implies that no worker should have to pay recruitment and service fees or costs at any point during or after the hiring process. This includes:

- Any costs associated with applications, recommendations, hiring, or placement, and any administrative, overhead, and processing costs.
- Fees paid to any parties, including an employer, an agent, a sub-agent, or an intermediary.
- Pre-departure charge.
- Legal requirements such as deposits and/or bonds.
- Costs associated with documentation, approvals, and/or permits.
- Transportation costs (including taxes and other fees).
- Arrival, orientation, and onboarding.

### The EPP in practice

Employers should **audit their recruitment agencies and sub-agents**.

At each stage of the recruitment process, the **worker should be told not to pay any money**, and informed of how to report if they are asked to.

During onboarding, workers should be asked if they have paid money for their recruitment and reimbursed where this has been demonstrated, with an appropriate agent sanction.





## 1. d. Policies and procedures: Action

### 1. Policies

### 2. SCM

### 3. Contract and Transparency

### 4. Travel

### 5. Grievance

### 6. Restitution

#### Actions:

- **Align company commitments to the EPP** and the ILO definition of recruitment fees and related costs, and communicate the same to internal and external stakeholders.
- Ensure **periodic checks** are implemented to ensure that employees, business partners, and service providers are following company policies, risk mitigation measures, and action plans.
- **Investigate any allegations** or potential breaches of policy and take corrective actions.
- Include employment policies and procedures in the **induction processes**. Ensure that policies are in languages understood by the workers. Maintain records of training.
- Ensure there are opportunities and **platforms for workers to raise their concerns** or enquire about employment policies.
- Establish **a plan to repay workers** who have been charged fees.
- **Take action against recruitment agencies** that charge workers fees, such as recovering funds that have been charged to workers.

#### Do the company's (existing) policies have provisions or components that:

- 1) Set out the employment contract details such as the minimum wage, daily or weekly working hours, and workers' rights at all stages of employment?
- 2) Outline a free and fair recruitment process?
- 3) State all recruitment fees and related costs will be borne by the employer and not passed on to the worker?
- 4) Explain the complaint reporting procedures for workers and explains how to address concerns faced during recruitment? (for a grievance procedure)
- 5) Prohibit discrimination on the basis of race, gender, age, religion, sexual orientation, or other protected characteristics during recruitment?
- 6) Outline the monitoring of the recruitment process to ensure that agencies comply with the fair recruitment international standards?
- 7) Check for employment contract changes to ensure that no changes are made that disadvantage or endanger the worker, or diminish the rights or wages in the original contract?
- 8) Describe the repayment of recruitment fees and related costs (to workers who paid these fees)?

#### Additional checks:

- 1) Are the company policies enforceable in all service agreements between the labour recruiter and its business partners, including agents, sub-agents, and subcontractors?
- 2) Are copies of the policies given to workers when they join the company, and are they in a language that the workers understand? If not, are the policies explained to them in a language they do understand?



# 1. e. Policies and procedures: Tools

## 1. Policies

## 2. SCM

## 3. Contract and Transparency

## 4. Travel

## 5. Grievance

## 6. Restitution

### Tool 1: Recruitment Policy Template [click here](#)

The recruitment policy template outlines the main aspects of a fair recruitment policy such as a “zero recruitment fees” policy, measures to prevent the confiscation or retention of workers’ personal documents, and a process for handling recruitment fees claims and grievances.

It should also include elements about recruitment fees reimbursement, investigation and validation of all claims of recruitment fee payment, calculation for repayment amount, and reimbursement of workers who paid fees.

This document acts as a **base and should be referenced throughout the recruitment journey** to protect the rights and dignity of the workers and prevent exploitation.

The image displays three overlapping pages from a Recruitment Policy document. The top page is titled "Recruitment Policy" and contains the following text:

**Recruitment Policy**

This addendum forms an integral part of the HR policy of [Company Name] and is binding to all companies listed under [Company Name]. The modification to the recruitment policy under clause 3 of the revised HR policy shall be effective from [Date].

**Changes in the recruitment policy**

- Effective [Date] all companies under the [Company Name] management shall adopt a “zero fees” policy in line with the relevant rules of the ethical recruitment standards and the “Employer Pays Principle”.
- Each company shall ensure that the authorized recruitment agents in the country of origin of the candidates shall not charge any recruitment or processing fees including any upfront deposits or security payments for the provision of recruitment services.
- Prohibits the confiscation or retention of the workers passport or other personal documents by the local agents.
- The recruitment agencies in the country of origin of the candidates shall not use any sub-agents without prior written approval from the HR department.
- All candidates shall be informed in advance that [Company Name] is responsible for the payment of all recruitment or processing fees relating to the recruitment of workers and that no candidate shall pay any fees or gifts towards his employment or selection in course of his employment to any representatives of [Company Name] or the authorized recruitment agents of [Company Name].
- The authorized local agents shall ensure that any job advertisements placed by the local agent for recruiting workers includes a statement to the effect that no recruitment or processing fees shall be charged to candidates for the employment for any companies under the [Company Name] management.
- The HR department representatives shall clearly inform the worker in a language they understand the nature of the role and the working and living conditions in [Country of Destination], including the risks of the work to be performed and that the worker is not required to pay any recruitment or processing fees.
- Upon the arrival of the candidates in [Country of Destination], the workers welfare representatives shall carry out an interview with the workers and obtain the information required as per the company’s new starters checklist.

The middle page contains the following text:

authorized local agents for recruitment fees by [Company Name] only after the HR department has verified if all candidates have met the guidelines provided by [Company Name].

conduct another round of interviews with the workers related to the procedures upon completion of their probation period.

substantial proof for fees charged to the workers, it shall provide the following payments of the authorized recruitment agents and shall submit the same to the [Country of Destination].

**Reimbursement of unauthorized service fees shall be implemented:**

The HR Department shall submit report of complete investigation and investigation report to the candidates within 15 days of arrival of candidates.

15 days from date of receipt of the report to conduct their own investigation and respond with justification or mitigation measures including methodology for valid claims.

Based on the information provided from the Agent the client shall verify the information and provide the same to the candidates.

The service fees for the cumulative claims raised by the candidates shall be the ending amount of the service fees due to the Agent.

60 days from date of receipt of initial investigation report to the HR department to reimburse the recruitment fees from the unauthorized third party based on the investigation report.

conduct another round of interviews to re-establish the validity of the recruitment process and share the secondary investigation report.

Based on the investigation report, the unauthorized fees charged to the candidates to the direct agents shall be reimbursed and submit proof of reimbursement to Agent.

The bottom page contains the following text:

amounts due to the Agent minus the cumulative amounts due to the candidates on behalf of the Agent.

Investigation Report.



## 2. a. Screening, contracting and monitoring recruiters (SCM) : Recruitment Agent

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

**When direct recruitment is not possible, use the following process to select an ethical recruiter.**

### A. Screening

- Create a **preferred supplier list** of recruitment agencies.
- Choose **reputable agencies** that are fully licensed by local authorities.
- Look for **case studies and testimonials** from candidates and clients.
- Select agencies that are **honest, communicative, and employ transparent** procedures.
- Ensure **agencies respect applicable laws and fundamental principles** and rights at work, and that they have policies and procedures against forced labour, abuse, and coercion.

### B. Vetting

- Use **questionnaires** and open-source research.
- Request **recommendations** from trusted sources.
- Ask for **supporting documents and evidence** of commitment to fair recruitment principles.
- Request all **licences** in the country of origin and operation.
- Check **past records** for any criminal litigation or claims.
- Set **clear standards and expectations** before engaging with the agency.

### C. Contracting

- Use a **service agreement** with recruitment agencies to require compliance on human rights and working conditions.
- **Prohibit agencies from passing recruitment costs** on to candidates and engaging in bribery or corruption.
- Advertise jobs in candidates' **native languages** with a "no-fee" statement.
- Set processes for candidate sourcing and screening, and **data protection and confidentiality**.

### D. Monitoring

- Ensure the recruitment agent is **responding to queries promptly** and professionally.
- Ensure the agent is **complying with all relevant laws**, including those related to data protection and equal opportunities.
- Provide **feedback** to the recruitment agent on their performance, including any issues or concerns that arise, and ensure they take **appropriate action**.
- Conduct an **audit/performance assessment regularly** to check compliance and methods of hiring candidates.
- **Interview workers** and ask the recruitment agency for records and contents of inductions.



## 2. b. Screening, contracting and monitoring recruiters (SCM): Actions

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Actions

- **Monitor the recruitment practices of recruitment agencies and labour suppliers** through assessments and audits. Take strict measures against any breaches of the company's free recruitment and human rights policies.
- In the agreement with recruitment agencies, include a **clause to prohibit the engagement of informal or unlicensed labour suppliers and sub-agents**.
- Explicitly prohibit worker-paid recruitment fees and related costs within the company's internal policies, code of ethics, and supplier code of conduct. **Ensure that workers are reimbursed for any recruitment fees and related costs** they are found to have paid.
- **Require a breakdown of recruitment fees and related costs** (specifying costs to be paid by each party) in bids submitted by recruitment agencies and in subsequent agreements with contract winners.
- **Ensure representatives from the company are physically present** along with the recruitment agency representatives during candidate interviews.

### Selection: Does the company have a recruitment policy and procedure that:

- 1) Includes a process for due diligence of recruitment agencies?
- 2) Is clearly communicated to candidates during the recruitment process and recommunicated to workers upon arrival?

### Vetting: Does the company conduct due diligence to check whether:

- 1) The recruitment agency is currently party to any litigation or has prior history of violations of contracts, laws, and/or international standards?
- 2) The recruitment agency has all valid commercial registration, trade licence certificates and approvals to operate and recruit manpower in the country of origin and operation?

### Contracting: Has the company made a formal agreement with the recruitment agency that:

- 1) States that recruitment must be conducted in accordance with the company's recruitment policy and fair recruitment principles?
- 2) Outlines the consequences of breaching any of its terms and conditions?

### Monitoring: Does the company monitor the recruitment practices of its recruitment agencies to:

- 1) Ensure corporate governance and ethical practices in its operations are followed by recruitment agencies and their sub-agents? (By, for example, monitoring recruitment drives with sending representatives.)?
- 2) Ensure compliance of the recruitment agency with policies and procedures to promote fair recruitment and protect the rights of candidates through appliance of clauses and deduction if workers have paid fees?



## 2. c. Screening, contracting and monitoring recruiters (SCM): Tools

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 2: Fair recruitment costs responsibility matrix [click here](#)

This tool outlines the responsibilities of the employer, recruiter, and candidate for various recruitment-related costs, with the aim to ensure transparency and fairness in the recruitment process.

It clarifies what **constitutes a recruitment-related cost, and who performs what action, across 21 items**. It ensures that all operational costs of the agency are covered, including profit margin, and leads to the operational implementation of the EPP.

### Tool 3: Recruitment services agency agreement template [click here](#)

The service agreement can be used as a **reference template for contracting a recruitment agency** and may be modified to suit the scope of work, applicable laws of the country, and other contractual requirements.

Recruitment Service Charge and Fees Responsibility Matrix				
Note for Employers and Service Providers				
The fair recruitment costs responsibility matrix is not exhaustive and may not cover all possible recruitment cost scenarios. The responsibility for recruitment costs may vary depending on the situation or case. We encourage open communication and negotiation between all parties to ensure that recruitment costs are fairly and transparently allocated.				
SL	Recruitment service description	Recruitment cost responsibility		
		Employer	Recruiter	Candidate
1	Recruitment Fee (This includes all associated costs that the recruiter would have to pay to recruit a worker on behalf of the employer)	✓		
2	Administrative Fees	✓		
3	Sub Agencies/Associate Agency Fee		✓	
4	Advertisement Cost		✓	
5	Local Transportation cost for candidates to appear for the Trade Test/Interview			✓
6	Passport costs (issuing and renewal)			✓
7	Trade Test/Interview Center Fees		✓	
8	Medical certificate		✓	
9	Visa Application	✓		
10	Immigration/Employment Bureau Fee		✓	
11	Biometric Cost		✓	
12	Insurance Fee		✓	
13	Service/IT Tax		✓	
14	Insurance Fees		✓	
15	Government Deployment Induction		✓	
16	Pre-Deployment Domestic Travel & Accommodation Cost for Candidates		✓	
17	Joining Tickets for the Candidates	✓		
18	Overseas Travel Cost for Client Interview Delegation	✓		
19	Domestic Travel Cost for Clients Interview Delegation	✓		
20	Domestic Hotel Accommodation/Food Cost for Clients interview Delegation	✓		
21	Cost of Communication toolkits	✓		

**RECRUITMENT SERVICES AGREEMENT**

This recruitment services agreement (the "Agreement") is entered into this <Date>, by and between:

A – <Name>, a company duly registered and validly existing under the laws of <Country>, having its registered office at <Address>, and its main offices at <Address>, (hereinafter referred to as the "Client", duly represented by <Name>, acting in his capacity as <Designation>;

AND

B – <Name>, a company duly registered and validly existing under the laws of <Country>, having its registered office at <Address>, and its main offices at <Address>, duly represented by <Name>, acting in his capacity as <Designation>, hereby referred as the "Recruiter".

The Client and the Recruiter being hereinafter, where the context requires, referred to, collectively, as "Parties" and, individually, as "Party".

**PURPOSE OF SERVICE AGREEMENT**

Recruitment is the first point of contact between a company and its future employees. Selecting the right human resources significantly influences the successful performance of an organization.

<Client>, has demonstrated for a long time its corporate responsibility to improve workers' welfare. Part of the company's human rights due diligence obligation means that we understand the circumstances under which migrant workers could become victims of forced labour. A major cause of forced labour in today's global supply chains is the charging of recruitment fees to migrant workers. As a result, <Client>, gives special attention to recruitment processes and ethical recruitment.

<Client>, strictly commits to a "Free Recruitment" policy, in line with international human rights recommendations and best practices, while meeting local requirements in <Country>. It means that migrant workers shall not pay for their employment. All costs associated with recruitment, travel and processing of migrant workers is covered by the employer from their home/community to the workplace.

Recruitment agencies are paramount actors in the recruitment process. By signing this agreement, the recruitment agency commits to abide by <Client>, "No fee" policy and to respect it during all the steps of the process.

The terms and conditions governing this Agreement are set forth hereunder.

[Client's initials] [Recruiter's initials]



## 2. d. Screening, contracting and monitoring recruiters (SCM): Tools

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 4: Recruitment agency inspection checklist [click here](#)

The Recruitment agency inspection checklist is a template that aims to ensure that recruitment agencies comply with ethical and responsible recruitment practices before/after the recruitment drive. It **helps employers and service providers decide whether or not to engage with an agency.**

The checklist covers various aspects of corporate governance, policies and procedures, management of third-party agents, candidate sourcing and screening, costs of recruitment, job offer and personal data protection, as well as feedback and grievance mechanisms.

CHECKLIST  
RECRUITMENT AGENCY INSPECTION SHEET

Report Ref: \_\_\_\_\_ Date: \_\_\_\_\_ By (name / position): \_\_\_\_\_

Agency (Name): \_\_\_\_\_ Agency (Country/City): \_\_\_\_\_

Agency Address: \_\_\_\_\_

Agency Representatives: (name, position, email, phone) \_\_\_\_\_

Audit (Date / Time): \_\_\_\_\_ Performed by:  Employer  Subcontractor (name): \_\_\_\_\_  Self-assessment or  Lower tier

Auditors (Name): \_\_\_\_\_ Position: \_\_\_\_\_ Phone: \_\_\_\_\_

Initial Audit Date: \_\_\_\_\_ Initial Audit Score: \_\_\_\_\_ Latest Audit Date: \_\_\_\_\_ Latest Audit Score: \_\_\_\_\_

Compliance Rate / Audit Score: 85% Total Non-Conformities: 0 As per results, next audit required in: One Week

Status: High Risk Outcome: \_\_\_\_\_

Audit Criteria: Audit recruitment agency for compliance with national labor laws, ethical recruitment practices, and protection of migrant workers' rights in reference to the ILO Forced Labour Indicators and additional SEDEX indicator.

Item No.	Forced Labour Indicator	Requirement for Recruitment Agents	Complaint (YES/NO/NA)	Findings	Remarks
<b>1. Corporate governance</b>					
11	Management systems failure	The agent shall have valid agency trade licence and commercial registration.			
12	Management systems failure	If any, the agent shall provide certification from non-governmental third party.			
13	Management systems failure	If any, the agent shall provide valid trade licence and commercial registration for all sister companies and/or branches.			
14	Management systems failure	The agent shall provide evidence that it is authorized to perform recruitment services in all countries of its operation. If the agent's sister company/branch performs recruitments services on its behalf, the agent shall provide the same.			
15	Management systems failure	The agent shall provide its organisation chart. Note: Omer/CEO, any relevant information.			
16	Management systems failure	The agent shall provide its code of business conduct.			
17	Management systems failure	The agent recruitment operation policy and procedure shall include relevant legal requirements and internal management controls.			
<b>2. Management of Third party (Sub-Agent, Individual)</b>					
2.1c	Failure	best practices and at a minimum annually.			
3.1	Management systems failure	The agent shall maintain a register of all third party agents that details, name, sourcing and destination country. Note: agents used for Employer.			
3.2	Management systems failure	The agent shall maintain copies of trade licence and commercial registration of third party agents.			
3.3	Management systems failure	The agent will have formal agreements with each of its third-party (labour recruiters, sub-agents, individuals) agents and oblige compliance to ethical recruitment			
3.4	Debt bondage	The agent's contract with third-party agents shall define and describe the recruitment expenses incurred throughout the recruitment stage, clarifies the agent's contract with third-party agents shall include terms such as: - Prohibiting charging of recruitment fees, security deposit, or bonds to candidates.			
5.4	Debt bondage	The agent shall provide receipts for any monies the agency paid to third parties associated with the recruitment process (i.e. accommodation, local authorities,			
<b>6. Job offer, Personal documents, and Personal Data Protection</b>					
6.1	Deception	The agent shall issue the official (translated) offer letter to selected candidates and verbally explain in a language understood by the candidate.			
6.2	Deception	The agent shall inform candidates on a reasonable time frame to accept or reject the Supplier/Employer's job offer.			
6.3	Deception	The agent shall issue a copy of the signed offer letter to the candidate.			





## 3. a. Transparent access to accurate information and employment contracts: Introduction

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Why is transparency important?

- Transparency and access to accurate information refer to **the principles of openness and availability of reliable and truthful data** or knowledge.
- Transparency ensures that information is readily available and accessible to those who need it, and that decision-making processes are clear and accountable.
- Access to accurate information ensures that **workers have the necessary knowledge to make informed decisions** about their lives and work.
- In general, transparency and access to accurate information contribute to the promotion of democracy, good governance, and the protection of human rights.
- **Inclusion** is an important part of transparency because it ensures that all individuals, regardless of their background, can participate fully in decision-making processes and have equal access to information.

### Importance of contract transparency:

- Inaccurate information or misleading statements during the recruitment process can mean that candidates accept a job and conditions that they did not expect and can damage an employer's reputation.
- It can also create a negative experience for candidates. Understanding the recruitment process and being prepared for each stage can reduce anxiety and stress. Employers must ensure that all information provided to candidates is accurate and up-to-date.
- Employers should be transparent about their recruitment process, including the relevant selection criteria and the recruitment timeline.
- All candidates must also have access to accurate information about all terms and conditions of migration and employment, including the job description, salary, benefits, and working conditions.
- Employers should provide this information in a clear and concise manner to avoid any misunderstandings or misinterpretations.



## 3. b. Transparent access to accurate information and employment contracts: Introduction

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Avoiding contract substitution:

- Employers and recruitment agencies should provide workers with written employment contracts and offers of employment. These should conform to minimum standards for pay and conditions and translated into a language the worker understands. Any changes in employment terms should only be made with the worker's full consent.

### Contract substitution is a risk associated with employment offer and contracts:

- **Contract substitution** is the practice of changing the terms of employment to which the worker originally agreed, either in writing or verbally.
- A lack of **contract transparency** puts candidates at risk. Many workers do not know the process for raising a complaint in cases of employment offer or contract violation, and they can be left with recruitment debt and no means of returning home.

### Importance of orientation:

An orientation provides critical information and supports migrant workers in integrating into their new work and living environment and avoid exploitation, abuse, and discrimination. The employer's orientation is crucial for migrant workers because it helps them understand their rights, responsibilities, and the terms and conditions of their employment.

### Key benefits include:

- Orientation is essential for recruitment in promoting employee well-being and performance.
- Recruitment agencies and employers should provide comprehensive pre-departure and post-arrival orientation on employment terms, legal rights, and responsibilities.
- Migrant workers may be unfamiliar with local norms and laws. An orientation and a buddy system can help these workers.



## 3. c. Transparent access to accurate information : Actions

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Actions

- Provide **clear and accessible information**. Ensure that all information related to the terms and conditions of employment - including wages, benefits, and working conditions - are provided to workers in a clear and accessible format, in the worker's native language, before they accept the job offer.
- Recruiters must monitor sub-agents and **ensure transparency in information provided** to jobseekers.
- Provide **access to legal support** and advice to workers. This includes providing information on workers' rights, avenues for redress, and access to legal representation.
- Ensure that workers' **personal information is kept confidential and protected**. This includes ensuring that personal information is only used for its intended purpose and is not shared with third parties without the worker's consent.
- **Regularly communicate with workers**. Have open communication channels.

### Transparency towards candidates

- 1) Do migrant workers have access to accurate information about their rights and working conditions, including their entitlement to minimum wage, working hours, and leave?
- 2) Have migrant workers been provided clear and transparent contracts, outlining the employment terms and conditions, including pay and benefits?
- 3) Have migrant workers been provided with access to a grievance mechanism to raise any concerns or complaints they may have?
- 4) Has the organisation created a WhatsApp/chat group or provided a hotline number for workers to access as part of the grievance mechanism?
- 5) Have migrant workers been provided with adequate training and support to enable them to perform their jobs safely and effectively?
- 6) Have measures been put in place to ensure the privacy and confidentiality of migrant workers' personal information?
- 7) Have measures been put in place to ensure that migrant workers are not discriminated against based on their race, ethnicity, religion, or nationality (equal pay for equal work)?
- 8) Have measures been put in place to ensure that migrant workers have access to affordable and safe housing, including the provision of on-site accommodation where necessary?
- 9) Have measures been put in place to ensure that migrant workers have access to social protection, including health insurance, unemployment benefits, and pensions?
- 10) Have measures been put in place to ensure that migrant workers have access to financial services, including bank accounts and remittance services?

### Transparency towards recruiters:

- 1) Does the organisation provide advice on the methods used by the recruiter to contact the candidates?
- 2) Does the organisation transparently communicate the working and living conditions to the recruiters?



## 3. d. Transparency in employment contracts: Actions

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Actions

- Contractually oblige all suppliers and recruitment agencies to **provide workers with translated written employment offers and contracts**, as well as a verbal explanation and discussion of the employment terms and conditions, especially for illiterate workers.
- Ensure that workers' agreements to the terms and conditions of recruitment and employment is **voluntary and free from deception or coercion**. Job seekers should be allowed adequate time to read, consider, and accept the terms and conditions of employment before signing.
- **Give on-site orientation to workers** regarding their rights and responsibilities in a language that workers can understand. The orientation should include the distribution or display of materials for reference after the session.
- Ensure that the initial employment contract signed by the migrant worker prior to departure is **not substituted at a later stage** for another employment contract with less favourable conditions.

### Does your company...

- 1) Ensure that all workers are provided with a signed copy of their offer letter and contract, in a language they read and understand, prior to deployment?
- 2) Have a system to verify that the recruitment agency has clearly informed workers of their rights in the country of destination and the terms and conditions of their employment (such as audits or inspections of recruitment agents during this process)?
- 3) Interview new workers regarding their understanding and expectation of the terms and conditions of their employment and working conditions? (For example, as part of the orientation process.)
- 4) Have a policy prohibiting the substitution of original contract provisions with those that are less favourable to the worker?
- 5) Have safeguards to ensure that any changes to the employment contract are made with the knowledge and consent of the worker?
- 6) Maintain a record of workers' documents, including but not limited to copies of passports, visas, national IDs, medical insurance cards, and employment offers and employment contracts?
- 7) Verify that the candidate's salary, working conditions, and duties stated in the employment contract match those outlined during the recruitment process?



## 3. e. Transparent access to accurate information and employment contracts: Tools

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 5: Employment offer [click here](#)

The employment offer template can be used by employers and service providers to ensure transparency, fair and ethical recruitment practices when offering employment to migrant workers.

The template includes **guidelines to prevent discrimination and ensure transparency and clarity**. It also outlines the terms and conditions of the job, including salary, benefits, working hours, and other relevant details.

**Repatriation should be covered no matter the reason of departure**, and it should be agreed if it is covered by the recruitment agency (for example, during probation period) or the employer (after probation period, for example).

Guidelines for Service Providers and Employers

When creating employment offers for migrant workers, it is important to ensure that you are following fair recruitment and employment practices. Here are minimum guidelines for service providers and employers to follow:

- **Advertise the job position:** Advertise the job position in a variety of places to ensure that it reaches a wide audience. Make sure that the job advertisement clearly states the job requirements and qualifications necessary for the position.
- **Avoid discrimination:** Do not discriminate against any job applicant based on their race, nationality, religion, gender, age, or any other characteristic that is not relevant to the job position. Your recruitment process should be based on the job requirements, skills, and qualifications.
- **Provide clear information:** Make sure that all job applicants, including migrant workers, have access to clear and accurate information, in a language that they understand, about the job position, requirements, and working conditions. This should include information about salary, benefits, working hours, and any other relevant details.
- **Ensure transparency:** Be transparent about the recruitment process, including the selection criteria and decision-making process. This will help to build trust with job applicants and ensure that the recruitment process is fair.
- **Avoid recruitment fees:** Do not charge recruitment fees to job applicants, especially migrant workers. This is illegal in many countries and can lead to exploitation.
- **Ensure legal compliance:** Ensure that your recruitment practices are compliant with all relevant laws and regulations, including immigration laws, labour laws, and anti-discrimination laws. This will help to protect both the employer and the job applicant.
- **Provide support:** Provide support to migrant workers during the recruitment process and after they are hired. This can include assistance with visa applications, language support, and information about their rights and responsibilities.
- **Provide a written offer letter:** Provide a written offer in a language the worker understands, that outlines the terms and conditions of the job, including the salary, benefits, working hours, and any other relevant details. Ensure that the offer is clear and easy to understand.

By following these guidance notes, Service Providers and Employers can ensure that their recruitment practices are fair and ethical, and that they are providing equal opportunities to all job applicants, including migrant workers.

Employment Offer

I hereby confirm our offer of employment to you in the capacity of **[Role/Designation]** on the following conditions:

- Duration: 3 months
- Salary: Dhs. xxxxx/- per month.
- Benefits: Dhs. xxxxx/- per month.
- Working Hours: Dhs. xxxxx/-per month
- Transportation: [Company Provided /Allowance Amount]
- Accommodation: [Company Provided /Allowance Amount]
- Probation: 30 days per each 12 months of service.
- Travel: A return economy class air ticket to [City Name] will be given after the completion of 12 months of service.
- Medical Insurance: For self through the Company provided medical insurance subject to Company policy.
- Legal: As per the [Destination Country] Law.
- Working Hours: The normal working hours will be 8 hours per day, and six days a week.
- Repatriation: As per the [Destination Country] Law.
- Country: As per the [Destination Country] Labour Law.
- Work Location: [Country/Countries of work]
- Passport: If you wish you can request to keep your passport with the company for the duration of your employment. You can request to have your passport back any time and company will return the passport within maximum 24 hours of your request. In case of an emergency passport will be returned within maximum of six hour or less.

By signing this offer, you agree to the terms and conditions of employment. Your employment/termination of his service shall be bound by **Articles [XX]** of the [Country] Law. All other terms and conditions of employment shall be as per the [Company Name] policy. Please confirm your acceptance of our offer by signing this letter.

I have read and understood the terms and conditions of the offer and I agree to a **ZERO FEE** employment policy. You are requested to inform me if you have paid or were forced to pay any fees/ favour to any person or other third-party, in connection with this offer of employment. This will have no impact on your job offer and your information will be kept confidential.

Accepted by you to **[Company Name]**.

Signature: \_\_\_\_\_ [Worker's Name]

Signature: \_\_\_\_\_ Worker's Signature



## 3. f. Transparent access to accurate information and employment contracts: Tools

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 6: Employment contract [click here](#)

The employment contract template sets out the terms and conditions of employment between an employer and employee.

This template helps employers and service providers to clearly **define the rights and responsibilities of both parties**, including job duties, compensation and benefits, probationary period, annual and sick leave entitlements, work hours, overtime, and termination.

It also includes provisions for confidentiality and non-disclosure, as well as repatriation upon termination of the agreement.

**Guidelines for Service Providers and Employers**

Here are some guidelines for employers and service providers when developing an employment contract for migrant workers, as well as a reminder that employment contract terms can differ from country to country:

- **Review Applicable Laws:** Before developing an employment contract for migrant workers, it is important to review the applicable laws and regulations related to employment in the country where the employment will take place. This will help ensure that the employment contract is ~~in accordance with~~ local laws and regulations.
- **Consult with Legal Experts:** Employers and service providers should consult with legal experts who are familiar with the local laws and regulations related to employment in order to develop an appropriate employment contract.
- **Include Essential Clauses:** The employment contract should include essential clauses such as the job title, job duties, compensation, benefits, work hours, annual leave entitlement, sick leave entitlement, overtime, termination, repatriation, confidentiality and non-disclosure.
- **Consider Local Customs:** Employers and service providers should consider local customs and practices when developing the employment contract. For example, in some countries, it is common for employers to retain employees' passports, while in other countries this practice is illegal.
- **Translate the Contract:** Employers and service providers should translate the employment contract into the language(s) spoken by the employee(s) to ensure that they fully understand the terms and conditions of their employment.

**Main Clauses to be Included:**

- **Job Title and Job Duties:** The employment contract should clearly state the job title and job duties of the employee.
- **Compensation and Benefits:** The employment contract should specify the employee's compensation and benefits, including salary, bonuses, health insurance, retirement benefits, and any other benefits provided by the employer.
- **Work Hours and Overtime:** The employment contract should specify the employee's work hours, including the number of hours per day and per week, and any applicable overtime provisions.
- **Annual Leave Entitlement:** The employment contract should specify the employee's annual leave entitlement, including the number of days of leave and any conditions for taking leave.

**Employment Contract**

(“Agreement”) is made and entered into between [Name of Company], a [Company Name], having its principal place of business at [Address], (hereinafter referred to as the “Employer”), and [Name of Worker], (hereinafter referred to as the “Employee”) with a mailing address at [Address], (hereinafter referred to as the “Employee”) with the Employer.

The Employer hereby employs the Employee and the Employee agrees to work for the Employer in [Location]. The Employee's place of work shall be at [Location], unless otherwise specified in writing. The Employee's duties shall include, but not be limited to, [Job Duties].

The Employee shall be employed on a probationary period for a period of [Number of Months] months from the start date of [Start Date]. During the probationary period, the Employee's performance will be reviewed. Both parties may terminate this Agreement at any time during the probationary period.

The Employee shall be paid a basic salary of [Amount] per [Period], payable on [Pay Date]. The Employee shall also be entitled to [Benefits, e.g. health insurance, vacation time, sick leave, public holidays, and company policies and [Country] laws].

The Employee shall work a maximum of [Number of Hours] hours per day and [Number of Hours] hours per week. Overtime work, if necessary, shall be paid in accordance with applicable laws and regulations. The maximum number of hours shall be determined by the Employer and may be changed by the Employer. Overtime work, if necessary, shall be paid in accordance with applicable laws and regulations.

The Employee shall be entitled to [Number of Days] days of annual leave per year, in accordance with applicable laws and regulations. The Employee must give reasonable notice to the Employer before taking annual leave.

coming you to [Company Name].

[Employer Name] [Worker's Name]

Worker's Signature \_\_\_\_\_



## 4. a. Pre-departure and travel: Introduction

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

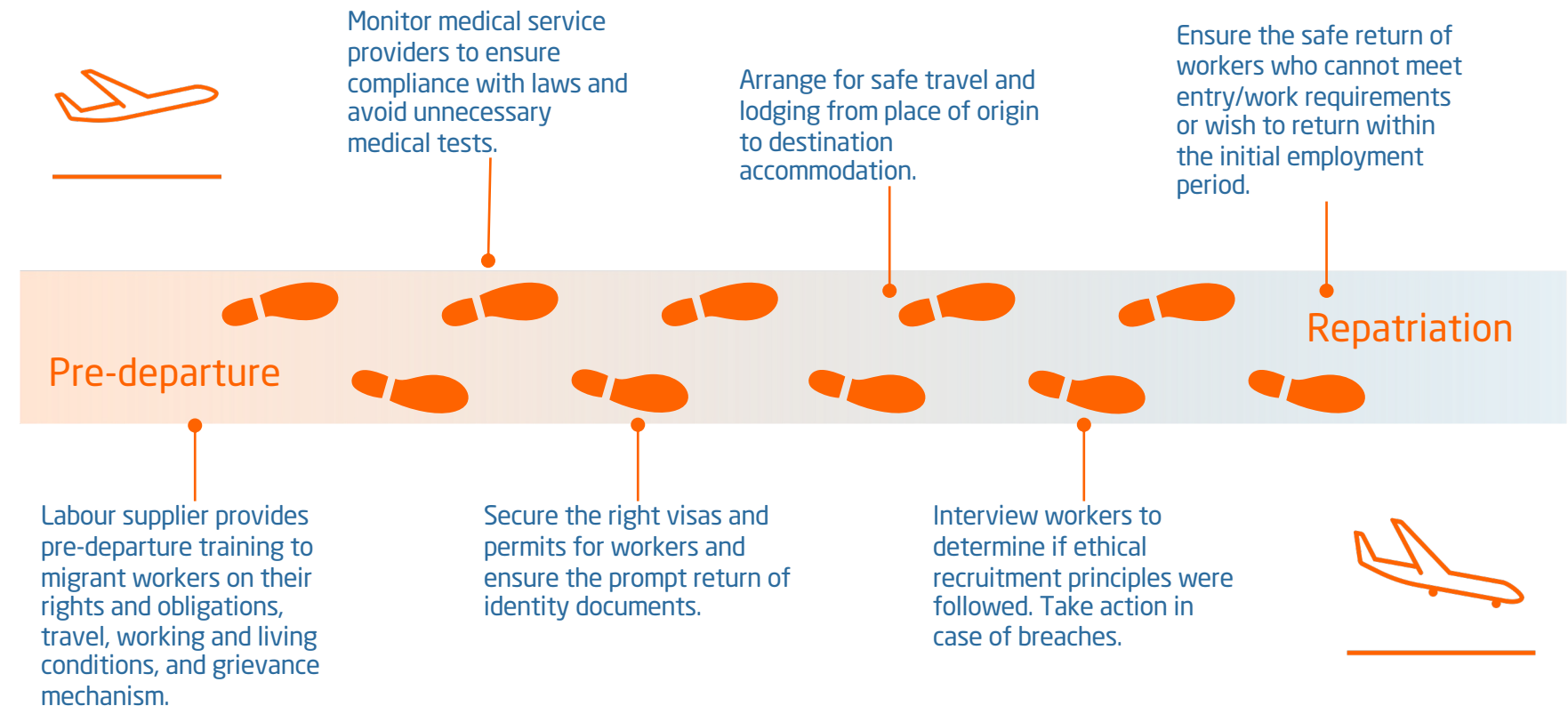
5. Grievance

6. Restitution

### Personal documents during travel

- Workers' contracts and identity documents should **not be confiscated, destroyed, or forcefully retained** by the employer. Doing so is considered an indication of forced labour.
- Employers can request worker's personal documents to obtain employment contracts, work permits, and employment visas, but these **must be returned to the worker after use**.
- If the employer keeps personal documents for safekeeping, the worker must **provide consent**.
- The employer must provide appropriate **locker facilities in any employer-provided accommodation**, as workers have the right to retain their personal documents without violating company policies or receiving disciplinary action.
- The employer **should not challenge workers' right to terminate the employment contract** at any time due to the company's personal document policy.

Ensuring migrant workers' safety when travelling to their destination country of employment is key. Here are some considerations for employers:





## 4. b. Pre-departure and travel: Actions

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Actions

- Incorporate **provisions on passport retention** into relevant company policies. As part of the employment induction programme, the service provider can include this provision on passport retention and communicate it in a language understood by the workers.
- Ensure that workers' **written consent is obtained** before retaining their personal documents.
- Where personal documents are retained, ensure that the company has assigned representatives to release personal documents within **24 hours** of a worker's request, or within **6 hours** in an emergency.
- Check the passport lockers on the company premises, where possible. Workers' personal documents given to the employer for **safekeeping must be stored in a fire-proof safe.**
- Ensure that the company adheres to the **data protection laws** in the country.

### Personal documents policy

- 1) Does the company have policies and procedures that prohibit the confiscation of workers' personal documents, including passports, work permits, and bank cards?
- 2) Do workers have access to their personal documents at all times?
- 3) Are personal documents requested by the employer only for the purpose of obtaining visas and permits for employment?
- 4) Does the company provide necessary arrangements in the accommodation facility (where applicable) for workers to store their personal belongings?

### If workers' personal documents are held by the organisation for safekeeping:

- 1) Are workers fully informed that they are entitled to keep their own documents without sanction?
- 2) Is workers' consent obtained in writing before retaining their personal documents?
- 3) Is the process explained to workers in a language they understand?
- 4) Are personal documents returned to workers upon request, without any conditions?
- 5) Does the company have a system in place for the secure storage, handling, and return of documents?





## 4. c. Pre-departure and travel: Tools

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 7: Passport consent form [click here](#)

In **exceptional circumstances** where workers may need to leave their passports with the employer, the worker shall sign a passport consent form. The passport consent form will document the worker's agreement for the passport to be held by the employer for a defined period.

The form provides two options for workers to choose from: to keep their passport themselves or leave it with the employer for safekeeping. If the worker chooses to leave their passport with the employer, **the form provides authorisation for the employer to keep the passport safe and secure** and outlines the procedures for returning the passport to the worker upon request or in the event of an emergency.

#### Guidelines for Service Providers and Employers

When creating a Passport Consent Form for Workers, it is important for service providers and employers to consider the following guidelines, at a minimum:

- **Keep the form simple:** The consent form should be simple and easy to understand. The form should be written in clear and concise language so that workers can easily understand what they are consenting to. The forms should be multi-lingual, both in the language primarily used by the company and one in the worker's native language.
- **Provide clear instructions:** The form should include clear instructions on how to fill it out and what information is required. Workers should know where to submit the form and who to contact if they have any questions.
- **Explain the purpose:** The consent form should clearly explain the purpose of the request for the passport information. This includes why the information is needed and how it will be used.
- **Ensure confidentiality:** The form should include a statement on confidentiality and assure workers that their passport information will be kept confidential. Workers should feel comfortable providing their passport information knowing that it will not be shared with unauthorized parties.
- **Provide a withdrawal option:** The form should provide an option for workers to withdraw their consent at any time. This ensures that workers have control over their passport information and can revoke consent if they choose to do so.
- **Allow for alternative options:** The form should provide an option for workers to either keep their passport with themselves or with the company for safekeeping purposes only.

By following these guidelines, employers and service providers can create a Passport Consent Form for Workers that is transparent, accessible, and compliant with data protection laws. This ensures that workers feel comfortable providing their passport information and that their privacy and confidentiality are protected.

#### Passport Consent Form for Workers

I, **[Worker Name]**, holder of Passport No. **[Passport Number]** hereby declare that I am fully aware of my rights with regards to the safekeeping of my passport while employed with **[Company Name]**.

I would like to select the following option in the box that corresponds to your preference:

I wish to keep my passport with myself for safekeeping while I am employed with **[Company Name]**.

I wish to leave my passport with **[Company Name]** for safekeeping while I am employed with **[Company Name]**.

If I choose to leave my passport with **[Company Name]** for safekeeping, I hereby authorize **[Company Name]** to retain my passport and keep it in a safe and secure location. I understand that **[Company Name]** will take all necessary steps to ensure the safety and security of my passport and that it will only be used for the purpose of facilitating my employment and related processes.

I understand and agree that **[Company Name]** will return my passport to me as soon as possible upon termination (within 24 hours or a maximum of 3 hours in case of an emergency, or in the event that my employment is terminated). In the event that I choose to leave my employment with **[Company Name]**, my passport is in their safekeeping. **[Company Name]** will return my passport to me within **[Number of Days]** days from the date of termination.

I understand that I have the right to revoke this consent at any time by providing written notice to **[Company Name]**.

I understand that my passport information will be kept confidential and will only be used for the purposes outlined in this form. **[Company Name]** will not share my passport information with any third parties and will take all necessary steps to protect my privacy and confidentiality.

Now, I acknowledge that I have read and fully understand this consent form and I hereby consent to the safekeeping of my passport by **[Company Name]** or to retain my passport with myself for safekeeping.

Worker: \_\_\_\_\_

Date: \_\_\_\_\_



## 5.a. Grievance mechanisms and remediation: Introduction

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### What is a grievance mechanism?

- Grievance mechanisms provide **formal and informal ways for workers to report cases** of unfair recruitment, such as recruitment fees or deception about working conditions, and seek redress. They give a channel for workers to voice their concerns and seek solutions when their rights are violated.
- For suppliers, implementing a robust grievance mechanism can help **to identify and address labour abuses in their supply chains, mitigate reputational risks, and improve relationships** with buyers and other stakeholders. A well-designed grievance mechanism can also help to prevent labour disputes and improve labour-management relations.
- Accessibility of the grievance mechanism is critical, and employers may consider providing multiple channels **including email, a hotline number, SMS, WhatsApp, and other means of communication**. In addition, the worker's relatives or civil society organisations should be able to raise complaints on the workers' behalf.
- **External grievance mechanisms** are provided by government entities (labour office) and non-government bodies, such as civil society organisations and human rights institutions. These entities can support the employer's internal grievance mechanisms and remediation process.
- It is a **legal requirement** in many countries to provide workers with a confidential mechanism to report a grievance. Employers must have a policy that allows workers to report grievances confidentially and without fear of retaliation.

Establish grievance  
mechanism and  
reporting procedure



Communicate  
grievance  
mechanism



Convey  
resolution to  
workers



- **Communication is important**
- Grievances mainly result from poor company-employee communication.
- A reporting procedure can also benefit employers to escalate issues, avoid costly disputes and damage to reputation, as well as improve labour relations.

### Grievance mechanisms don't work when...

- The process is not communicated.
- No fair process is in place for resolving disputes.
- Managers are not trained to handle grievances.
- Resolutions are not communicated.
- There is fear of reprisal for reporting grievances.



## 5. b. Grievance mechanisms and remediation: Implementation

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Principles of implementing an effective grievance mechanism:

#### Legitimate

Build trust with stakeholders (i.e., workers).

- In **designing the mechanism**, consult workers from various backgrounds (culture, gender, age, language) and external sources (NGOs).
- During recruitment, **educate workers** on their rights and the grievance mechanism in a language or manner that the type of worker can understand.
- **Maintain confidentiality** of workers' information.

#### Accessible

Provide multiple channels to allow all stakeholders to submit grievances.

- Create physical (collection box) and electronic (email, hotline, SMS, apps, online platform) channels.
- Consider alternatives such as direct reporting to a representative or a third party.
- **Note potential barriers in access** such as Wi-Fi access, illiteracy, complicated apps.

#### Predictable

Establish clear procedures and timeframes.

- Define roles, responsibilities, and procedures.
- Set deadlines for each procedure.
- **Define criteria for the scope** of grievances and possible solutions.
- Implement a **monitoring system**.

#### Equitable

The process is inclusive, and all parties have access to information.

- Provide access to information/advice that is simple and considers potential communication barriers.
- Plan for grievances from workers with specialised needs, such as women and other marginalised groups.

#### Transparent

All parties are informed and updated of progress.

- Inform the worker of the process.
- Provide regular updates to the worker and others involved with the case.
- **Reassure the worker** repeatedly on confidentiality.
- **Consider additional support** such as legal, consular, or counselling.

#### Respects rights

Remediation and outcome are in line with human rights.

- Consider human rights in establishing internal guidelines for remediation.
- Ensure the review of the grievance and remediation includes **human rights impacts**.

#### Engagement-based

Incorporate a feedback system into the grievance mechanism.

- Provide a means for all stakeholders to **report issues with the mechanism**.
- Engagement and dialogue are the means to address and resolve issues with the mechanism.
- Worker representatives can be involved solving the issues.

#### Continuous learning

Monitor and improve based on feedback and lessons learned.

- Review grievance management periodically
- Set indicators like number of grievances, time taken to resolve it, and level of satisfaction of affected individual.



## 5. c. Grievance mechanisms and remediation: Actions

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Actions

- Establish **clear and written remediation policies** that respect the human and labour rights of all workers during their entire recruitment journey.
- **Implement a confidential grievance mechanism** incorporating the principles of an effective mechanism, including multiple channels for reporting.
- Ensure that workers raising a grievance **do not face any form of retaliation**, reprisal or wage deduction.
- Create and deliver **awareness training** for workers on how to use the company's grievance mechanism, for example, as part of the orientation process.
- A **management system**, with well-defined actions for the process's internal governance, should accompany any grievance mechanisms put in place.
- In the event that workers are still dissatisfied with the resolution after exhausting internal channels, they should have **access to conciliation, labour courts, or the relevant government authority** in the country of destination.
- Ensure that the grievance mechanism is **accessible to all stakeholders** (workers, recruiters, and employer and others potentially impacted by the company).

### Does the company grievance mechanism...

- 1) Have reporting channels that are available to candidates and understood by all workers, including subcontractors / suppliers?
- 2) Include provision for a dedicated HR team who are trained and qualified to resolve grievances and conflicts, particularly complaints related to harassment and discrimination?
- 3) Have a grievance resolution process that includes effective communication with the concerned worker and involvement of senior management?
- 4) Include provision for an interpreter, worker representative, or a female grievance handler, if the worker requires?
- 5) Have a system to implement a two-way communication mechanism, such as a worker committee, between itself and its workers to learn more about their concerns and disputes?
- 6) Use a confidential process for workers to raise grievances or report concerns or non-compliances without fear of penalty, dismissal, or reprisal of any kind? Provide awareness training for workers on the grievance resolution process, including how a worker can escalate their dispute to the relevant legal authorities?
- 7) Have an internal appeal system for unfavourably resolved complaints or disciplinary actions?
- 8) Ensure that the grievance mechanism does not prevent access to other judicial or non-judicial remedies that might be available under national laws?
- 9) Have a process for reviewing grievance mechanisms regularly, including grievance log and remediation records, ensuring that procedures and management systems are up to date and in line with internal policies, national laws and international guidance?



## 5.d. Grievance mechanisms and remediation: Tools

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 8: Grievance form [click here](#)

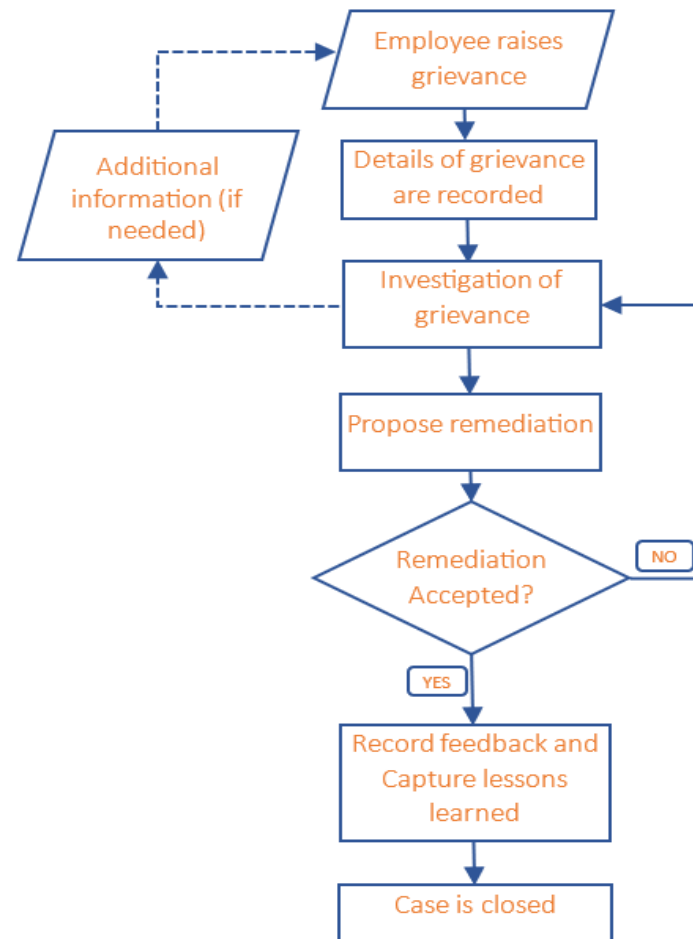
The grievance form template provides instructions and details for employees to file grievances related to **working conditions, compensation, and welfare** in the organisation.

### Tool 9: Grievance flow chart [click here](#)

The grievance flow chart template may be used as a **visual guide to receiving and handling grievances**. It can also be used to communicate the grievance-handling procedure to workers.

Further [guidance](#) on grievance mechanisms can be found on the International Organization for Migration (IOM) site:

- **Tool 10:** IOM fair and ethical recruitment due diligence toolkit guide [click here](#)
- **Tool 11:** IOM DD grievance and remediation monitoring tool [click here](#)
- **Tool 12:** IOM DD grievance and remediation management tool [click here](#)



**Guidelines for Service Providers and Employers**

Creating a Grievance Form for workers to raise their grievances and concerns is an important part of fair recruitment practices. Here are some guidelines for service providers and employers to follow when creating such a form:

- **Keep the form simple:** The grievance form should be simple and easy to understand, and it should not be overly complicated. The form should be written in clear and concise language so that workers can easily understand what they are required to do.
- **Provide clear instructions:** The form should include clear instructions on how to fill it out and what information is required. Workers should know where to submit the form and who to contact if they have any questions.
- **Include multiple ways to submit the form:** Provide multiple ways for workers to submit the form, including online, email, or in person. This ensures that workers have a variety of options and can submit the form in a way that is most convenient for them.
- **Ensure confidentiality:** The form should include a statement on confidentiality and assure workers that their information will be kept confidential. Workers should feel comfortable raising their grievances and concerns without fear of retaliation.
- **Allow for anonymity:** The form should provide an option for workers to submit their grievances and concerns anonymously. This can help workers feel more comfortable raising concerns, particularly if they fear retaliation.
- **Provide a response time:** The form should include a response time for when workers can expect to hear back from the employer or service provider. This provides transparency and reassurance to the workers that their concerns will be addressed in a timely manner.
- **Include a follow-up process:** The form should include a follow-up process to ensure that the worker's grievance or concern has been addressed and resolved. This can include a feedback mechanism or a check-in to ensure that the worker is satisfied with the outcome.

By following these guidelines, employers and service providers can create a Formal Grievance Form that is transparent, accessible, and fair, allowing workers to raise their grievances and concerns with confidence.



## 6. a. Repayment of recruitment fees: Introduction

### 1. Policies

### 2. SCM

### 3. Contract and Transparency

### 4. Travel

### 5. Grievance

### 6. Restitution

#### Repayment of recruitment fees

- Employers shall primarily have policies and procedures that **prevent** workers from paying any recruitment fees and related costs. However, in the event that workers did pay recruitment fees, the **remediation** is to repay the amount.

#### Why is it important to repay?

- Repayment matters to workers.** Repayment of recruitment fees and costs can ameliorate or even remove entirely situations of severe debt bondage that contribute to forced labour and modern slavery-like situations.
- Repayment sharpens focus on more ethical recruitment in the future.** The substantial shock of a repayment serves to stimulate companies, employers, and supply chain actors towards more concentrated and serious efforts to get ethical recruitment right.

#### Guidelines for reimbursement policy and process

- Incorporate a recruitment fee reimbursement policy into the company's recruitment policy and identify recruitment costs based on recruitment practices.
- Employer and service providers must have formal and legally **binding agreements with recruitment agencies that oblige reimbursement of fees workers** paid during recruitment. This will allow for recruitment agencies to fully or partially cover reimbursement.
- Develop a calculation method for repayment amount that considers:
  - the average fees paid per worker based on specific identified criteria (sourcing country, recruitment year, job description, gender)
  - historic and current currency exchange rates
  - inflation and interest to offset the opportunity cost
- Develop and maintain a **contingency fund** in the event that a worker paid recruitment fees greater than the average amount or, when a former worker claims for reimbursement.

#### Guidelines for repayment of recruitment fees and costs

- Investigate the recruitment fees and costs paid by workers.
- Identify eligibility for repayment.
- Calculate the repayment amount based on:
  - the actual value of fees paid.
  - costs that factor in interest, inflation, the exchange rate, and opportunity cost, as determined by rigorous and reliable data collection methods.
- Draw up a timeline for repayment.
- Engage and communicate with migrant workers.
- Verify payment.

[Impactt Principles and Guidelines for the Repayment of Migrant Worker Recruitment Fees and Related Costs](#)



## 6. b. Repayment of recruitment fees: Actions

1. Policies

2. SCM

3. Contract and  
Transparency

4. Travel

5. Grievance

6. Restitution

### Actions in case workers have paid fees

- Establish **a plan** for the repayment of recruitment fees to workers who have been charged these fees. This plan should be fair and transparent taking into account the worker's financial situation.
- Provide **clear and accurate information** to workers about the repayment plan, including the amount of money that will be repaid and the timeframe for repayment.
- Develop a system for **tracking and documenting the repayment of recruitment fees to workers**. This can include maintaining records of repayments made and providing workers with **receipts** or other documentation to confirm that they have received their funds.
- Ensure that all workers are treated fairly in the repayment of recruitment fees. This includes ensuring that workers who have been charged fees but who have since left their jobs are still **eligible for repayment**.
- Take legal action against recruitment agencies that charge workers recruitment fees (as a last resort). This can include recovering any funds that have been charged to workers.

### Does the company have relevant policies and procedures in place that....

- 1) Establish its commitment to remediating recruitment fees payment that details the process and timelines?
- 2) Explain workers eligible for reimbursement of recruitment fee payment that includes employed workers, former workers, and subcontractor/supplier workers.
- 3) Describe the calculation method used to obtain the repayment amount, which considers the following:
  - Average fees paid per worker category (i.e., country of origin, gender)
  - Historic and current exchange rates, and inflation that includes opportunity costs
  - If relevant, include interest from loans taken to cover costs of recruitment
  - Bank fees and tax implications should be taken to make sure they are covered by the employer
- 4) Define the timelines and method of recruitment fee repayment?
- 5) Outline the investigation of recruitment fees and costs workers paid?
- 6) State workers (who reported paying fees) are consulted during investigation and updated on outcome?
- 7) Describe the verification method for repayment of recruitment fees (to workers)?



## 6. c. Repayment of recruitment fees: Tools

1. Policies

2. SCM

3. Contract and Transparency

4. Travel

5. Grievance

6. Restitution

### Tool 13: Recruitment fee investigation checklist [click here](#)

The Recruitment fee investigation checklist is designed to gather information about the recruitment process and verify recruitment fees potentially paid by job applicants.

It can be applied at different stages: **before, during or after recruitment.**

### Tool 14: Recruitment fee reimbursement policy [click here](#)

The recruitment fee reimbursement policy is a sample policy that employers may use as the basis for their reimbursement policies.

**Evidence of recruitment fee payment is not required for reimbursement of fees.** Workers are rarely able to provide evidence as recruitment agents rarely provide the workers with receipts or any proof of payment. The common practice is for recruitment agencies in the worker's home country to provide receipts only for the amounts that are legally permitted by the country. The information shared by workers indicate the actual recruitment fees paid by them. As such, organisations need to interview batches of workers and the average amount found in these interviews should then be reimbursed.

Checklist  
 RECRUITMENT FEE INVESTIGATION SHEET

Report Ref: \_\_\_\_\_ Date: \_\_\_\_\_ By (name / position): \_\_\_\_\_

For the attention of the interviewee:  
 - Agreeing to participate in this interview must be done voluntarily.  
 - It is assured that the data provided by you shall be kept secure and used only for understanding the recruitment practices of your company and associated third-part recruitment agents.  
 - Your identity will be kept anonymous, unless you have explicitly given consent for your personal information to be provided. Your participation in today's interview will not have any repercussions.  
 - You do not have to answer any questions that you do not want.  
 - You may stop the interview at any time, and you will not be asked why you do not want to answer or why you want to stop the interview.

Employer (Name):	Employee (Nationality):
Employee (Name):	Date of Arrival (in country):
Employee (Job position):	Date of joining (Employer):

Interview (Date): \_\_\_\_\_ Performed by:  Employer  Third-party (name): \_\_\_\_\_  Self-assessment  Lower tier assessment

Interviewer (Name): \_\_\_\_\_ Interviewer (Position): \_\_\_\_\_

Ref#	QUESTIONS	COMMENTS / ANSWERS (mark appropriate option)
1	How were you recruited for this position?	1. From your home country 2. From another source country 3. Local recruitment Country Name: _____ Company Name: _____
2	How did you find out about the job opening?	1. Company 2. Recruitment Agency 3. Sub-agent 4. Existing employee 5. Family 6. Friend 7. Newspaper 8. Social media 9. Others (specify): _____
3	What is the name and contact number of the agency's and sub-agents in your district/town/city that you were	
13	How did you source the funds to pay the fees?	Other: _____ Available evidence: <input type="checkbox"/> YES <input type="checkbox"/> NO
14	What was the interest rate or percentage, if any, on the sourced funds?	<input type="checkbox"/> None <input type="checkbox"/> 0-25% <input type="checkbox"/> 26-50% <input type="checkbox"/> 51-75% <input type="checkbox"/> 76-100% Provide exact percentage, if known: _____
15	If you took a loan to pay your fee, have you repaid it?	<input type="checkbox"/> Yes <input type="checkbox"/> No Estimated pending months: _____ Pending amount (local currency): _____
16	How long did it take to recover the fee paid and how?	Estimated months: _____

*This interview sheet shall not be communicated with the employer and shall not be attached to any report (It remains confidential)*

	Name	Date	Signature	Comments (phone number...)
Employee				
Interviewer				



## Additional resources

### Recruitment best practices

- [Guidance Tool for Construction Companies in the Middle East, ILO, 2019](#)
- [An employer's guide to fair recruitment, International Organisation of Employers, November 2021](#)
- [Case Studies for the Procurement of Labour Recruiters' Services, IOM, 2022](#)
- [Promoting Fair Recruitment And Employment Practices - Code Of Conduct, WEC, \(n.d.\)](#)
- [Promising practices for fair recruitment, ILO, 2021](#)
- [NYU research brief, less than one percent: low cost, responsible recruitment in Qatar's construction sector, NYU Stern Center for Business and Human Rights, 2019](#)
- [Fair and ethical recruitment due diligence toolkit, IOM, 2022.](#)
- [Establishing fair recruitment processes: An ILO online training toolkit, ILO, 2021.](#)
- [Fair Hiring Toolkit: Tools, Guidance, and Approaches to Support Responsible Recruitment, Verite Fair Labor, \(n.d.\)](#)

### International principles and guidance

- [Dhaka Principles For Migration With Dignity, IHRB, \(n.d.\)](#)
- [Migrant Worker Guidelines For Employers, IOM, 2021](#)
- [General Principles And Operational Guidelines For Fair Recruitment, ILO, 2019](#)
- [UN Guiding Principles on Business and HR, UNHRC, 2011](#)
- [The Iris Standard, Iris Ethical Recruitment, 2019](#)
- [Six Steps to Responsible Recruitment, IHRB, \(n.d.\)](#)
- [Responsible Recruitment Gateway, IHRB, 2017.](#)

### Other guidance

- [Zero Tolerance for Contract Substitution, Open Working Group on Labour Migration & Recruitment, \(n.d.\)](#)

### Remediation and reimbursement

- [Guidance on the Repayment of Worker-paid Recruitment Fees and Other Related Costs, The Consumer Goods Forum, 2022.](#)

### Recruitment fees

- [Migrant Worker Recruitment Fees The Increasing Debt Burden, IHRB, \(n.d.\)](#)

### Indicators

- [ILO Indicators of Forced labour, ILO, 2012.](#)

## References

### Tools from member companies:

- The tools provided in this document are copyrighted by respective member companies of the B4IG coalition. B4IG's Working Group on Fair Recruitment - **VINCI, Unilever, L'Oréal, Sodexo, Schneider Electric, Mars, and Danone**- shares these instruments and learnings to support other companies, B4IG members and non-members, to implement and exercise effective methods to progress and ensure respect for human rights within their value chains.

### International labour standards and guiding principles on fair recruitment, as well as relevant human rights standards:

- UN Guiding Principles on Business and Human Rights, UNHRC, 2011.
- Dhaka Principles, IHRB, (n.d.).
- The IRIS Standard, Iris Ethical Recruitment, 2019.
- General Principles and Operational Guidelines for Fair Recruitment, ILO, 2019.
- Migrant Worker Guidelines For Employers, IOM, 2021.
- World Employment Confederation Code of Conduct: Promoting Fair Recruitment and Employment Practices, WEC, 2017.
- Impactt Principles and Guidelines for the Repayment of Migrant Worker Recruitment Fees and Related Costs, Impactt Limited, (n.d.)

