



Connecting the Dots: Preventing Forced Labor by Empowering Workers

Forced labor, a form of human trafficking, is universally condemned yet prevalent in nearly every industry globally. The International Labour Organization (ILO) reports forced labor has grown in recent years – with no region of the world or private sector industry spared – and the majority of forced labor takes place in the private economy, meaning forced labor is connected to global supply chains. These facts demand a re-examination of current efforts to prevent and address forced labor, including the need to elevate the voice and agency of workers and place them at the center of prevention efforts through strategic partnerships. In addition, particular focus should be placed on vulnerable populations, such as migrant workers. ILO research shows the rates of forced labor among migrant workers are higher if migration is irregular or poorly governed, or where recruitment practices are unfair or unethical.

Although prosecuting specific traffickers and assisting individual victims are critical for governments combating forced labor, successful interventions to prevent forced labor require a range of stakeholders willing to visualize and address broader systemic issues centered on worker's labor rights, including those of migrant workers, as well as supply chain power imbalances. For governments, this may require additional resources and oversight of workplaces, especially in key sectors where forced labor is often present; better monitoring of the labor recruitment industry; increased outreach to and protections for migrant workers; and improved screening measures by well-trained officials targeting populations at greater risk of exploitation. For the private sector, it will mean proactively supporting workers and their ability to advocate for themselves, setting clear expectations of suppliers, and rooting out practices that create environments ripe for exploitation.

Worker-led Approaches to Prevent Forced Labor

Over time, policymakers, academics, and other stakeholders have expanded their thinking to encompass worker-led approaches to address the vulnerabilities of workers and prevent forced labor. Such approaches include advancing labor rights and standards – including freedom of association, collective bargaining, and the remediation of labor rights abuses – as well as worker-driven approaches that include migrants. Research has demonstrated workers are most vulnerable to forced labor if they do not know their rights, are excluded from labor protection laws, and lack access to grievance mechanisms. Workers in the informal sector and women and girls, who often face gender-based violence and harassment in the workplace, can be particularly vulnerable. One of the most effective ways to prevent worker exploitation is to guarantee workers' full rights to freedom of association and collective bargaining. Independent and democratic labor unions, led by workers, are best able to represent workers' collective interests at multiple levels, including at the national, subnational, regional, and international levels. Collaborating with local workers, regional international organizations, and global union federations, these unions can reach the most vulnerable workers, organize across a labor sector, and advocate for key policy changes, including responsible migration management. As a result, they are well positioned to engage powerful transnational companies to address forced labor in their supply chains.

According to ILO's Director of the Bureau for Workers' Activities, there have been positive developments over time with unions reaching outside of their traditional base to include the unionization of self-employed workers. Many unions have also expanded to include more informal economy, migrant, and domestic workers, which is key as many of these workers are governed by a variety of working arrangements, including fixed-term and temporary contracts.

This diversification of representation is important as unions allow workers to negotiate for better working conditions, influence the laws and policies that impact them, and remediate labor rights abuses. Unions play a pivotal role in securing legislated labor protections and rights, such as legally entitled wages and benefits, occupational safety and health protections, overtime pay, and medical leave. Union-led efforts help raise the wages for the lowest paid and least skilled workers and lead to fewer hours of unpaid overtime work. Unions play crucial roles in identifying labor rights abuses and enforcing rights on the job. One of the most effective ways to prevent the exploitation of migrant workers is by guaranteeing their right to join unions in destination countries. The multiplier impact is notable, as industries with strong union representation tend to have lower levels of labor rights abuse, the worst forms of child labor, and forced labor.



Where there is an absence of unions, there at least should be effective, secure mechanisms for worker communication and grievances. Governments should strongly encourage employers to provide mechanisms so workers can advocate for their rights, discuss workplace issues of concern and interest, and communicate grievances, even if that takes place outside a formal union mechanism. Such mechanisms are essential to preventing forced labor, as they position workers, including migrant workers, to better protect themselves against coercion, deception, discrimination, and other forms of exploitation.

Promising Practices in Improving Labor Conditions

Several examples stand out as raising labor conditions for workers.

- ***Dindigul Agreement, India***

Indian women and the Dalit-worker led union Tamil Nadu Textile and Common Labor Union (TTCU) signed in April 2022 a historic agreement with clothing and textile manufacturers and major fashion companies to end gender-based violence and harassment at factories in the southern state of Tamil Nadu. This enforceable brand agreement resulted in multinational companies committing to support a worker- or union-led program at certain factories or worksites. An assessment a year later by the multi-stakeholder oversight committee found that the workers are now effectively able to detect, remediate, and prevent gender-based violence and harassment. In addition, the TTCU has conducted peer education training of more than 2,000 workers and management, held more than 30 meetings with management to resolve grievances, and recruited 58 workers as monitors to help remediate gender-based violence and harassment throughout the factory units.

- ***Freedom of Association for Garment Workers, Honduras***

In the decade that has followed Honduran workers signing an agreement with major brand Fruit of the Loom, close to 50 percent of all Honduran garment workers are now employed at a factory where an independent union represents the workforce. As a result of this signed collective bargaining agreement, workers have won increased wages and benefits and witnessed a reduction in verbal harassment and gender-based violence.

- While unionization rates vary considerably across the globe, the ILO notes other encouraging examples. In Uzbekistan, trade unions have organized seasonal workers and facilitated dual affiliation to different unions in other countries. In Moldova, unions have begun to establish agreements with unions in destination countries so that migrants have protection when working abroad. In Benin, Botswana, and Mauritius, trade unions have set up Joint Trade Union Councils, which have drawn up joint declarations, charters, and protocols on the modalities of working together in national social dialogue fora. In Lithuania and Ukraine, unions have established structures of cross-border collaboration to improve the recruitment and representation of truck drivers in both countries.

Overall, research has also shown that unionization has spillover effects that extend beyond union workers. Competition means workers at non unionized firms also often see increased wages and improved workplace safety norms. Union members improve communities through heightened civic engagement and increased voter rates. Unions can also boost business' productivity by giving experienced workers more input into decisions that design better, more cost-effective workplace procedures.

Milestones, Momentum, and Motivation

Over the last several years, government and private sector attention has become focused on resilient supply chains, and there are increasing supply chain transparency and due diligence policies, regulations, and laws globally. In addition, various initiatives have been developed to raise the importance of workers' agency. It is notable that flower-sector leader Bloomia's entire cut-flower supply chain, which encompasses farms in the United States, Chile, and South Africa, will now be certified for human rights protections by the Fair Food Program, pioneers in the worker-driven social responsibility model with its partnerships among retailers, growers, and workers. Combined, the Partnership for Workers' Rights, launched by the United States and Brazil at the 2023 UN General Assembly; the Multilateral Partnership for Worker Organizing, Empowerment, and Rights (M-POWER), which is part of the U.S. Presidential Initiative for Democratic Renewal; and the 2023 U.S. Presidential Memorandum on Advancing Worker Empowerment, Rights, and High Labor Standards present a unique opportunity to proactively advance worker empowerment in the short and long term while simultaneously preventing labor rights violations and abuses, especially forced labor. The independent UN Special Rapporteur on Contemporary Forms of Slavery made a key theme for 2024 the role of trade unions and worker organizations in preventing contemporary forms of slavery.

The timing is ideal for all stakeholders committed to preventing forced labor to fully embrace the importance of supporting, elevating, and improving labor standards, bringing workers' voices to the policy formulation and decision-making table, and working to help the public and private sector enforce rules against unfair labor practices. Governments should take every step to use a whole-of-government approach to advance worker rights and address gaps in labor rights protection and compliance, including for migrant workers; the private sector should see free and fair unions as critical partners in competing in the global economy while protecting workers; and other civil society stakeholders should ensure that workers' voices are incorporated early and often, especially when their equities are at stake.

<https://www.state.gov/reports/2024-trafficking-in-persons-report/>

