Organising migrant workers

A UNISON BRANCH HANDBOOK
Migration is one of the most hotly disputed issues facing our society and yet the debate is often very unbalanced. Large sectors of the media routinely make unfounded claims that are often racist by declaring that we are being swamped by a deluge of foreign workers. This stokes up public fears and scant attention is given to the very real contribution migrant workers have made to the economy of this country, to the provision of public services and to our culture.

Encouraged by this media frenzy, many politicians compete to be tough on migration, by promising to cut the numbers of migrants, while they skate over the commitment made by successive governments of both persuasions to free movement of labour within the European Union (EU). At the same time, the government applies increasingly harsh rules to migrants from outside the EU and fails to make adequate provision for migrants from within the EU.

UNISON’s position is clear. We reject any attempt to divide workers with simple slogans like ‘British jobs for British workers’ or any other attempt to segregate and isolate migrant workers. The problem with migration is not migrant workers, but greedy and exploitative employers, unfair migration laws, and a lack of support for migrant workers and their families. UNISON believes that migrants have the same rights as all other workers: to be treated fairly, with dignity and with respect.

As the UK’s largest public service trade union, UNISON has a unique insight into the crucial role migrant workers play in maintaining and delivering essential public services. We know that where migration places an added burden on public services, the answer is to provide more resources. It is not to blame the migrant workers.

Our answer is to welcome migrant workers to the UK and to welcome them into UNISON; to campaign for their rights to fair and equal treatment at work; and to campaign with them for equal access to public services and the other benefits of being members of our society.

Recruiting and organising is UNISON’s number one priority, but if we exclude migrant workers from our efforts we will have already failed – not just migrant workers – but our own members as well.

There is much to do, but I am confident that together we can ensure that migrant workers have a home in our union.

Dave Prentis
General secretary
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreword</td>
<td>1</td>
</tr>
<tr>
<td>Overview</td>
<td>3</td>
</tr>
<tr>
<td>Introduction</td>
<td>4</td>
</tr>
<tr>
<td>A note on immigration status</td>
<td>6</td>
</tr>
<tr>
<td>Right to work</td>
<td>8</td>
</tr>
<tr>
<td>Rights at work</td>
<td>9</td>
</tr>
<tr>
<td>Tackling the myths about migrant workers</td>
<td>10</td>
</tr>
<tr>
<td>Myths about migrant workers</td>
<td>11</td>
</tr>
<tr>
<td>Key tasks at regional and branch level</td>
<td>15</td>
</tr>
<tr>
<td>Mapping</td>
<td>17</td>
</tr>
<tr>
<td>The language barrier</td>
<td>20</td>
</tr>
<tr>
<td>Breaking through the language barrier</td>
<td>21</td>
</tr>
<tr>
<td>Bargaining</td>
<td>24</td>
</tr>
<tr>
<td>Campaigning</td>
<td>26</td>
</tr>
<tr>
<td>UNISON’s welfare and migrant worker tax services</td>
<td>28</td>
</tr>
<tr>
<td>Key contacts</td>
<td>30</td>
</tr>
<tr>
<td>Glossary of terms</td>
<td>35</td>
</tr>
</tbody>
</table>
This handbook is a supplement to UNISON’s other organising materials. It addresses the specific challenges faced when organising migrant workers.

It includes key information on the ideas and issues that organisers need to consider and address.

Organising migrant workers is not new work for UNISON, but this handbook collates the best of our organisers’ knowledge in order to share good practice.

Materials for a half-day workshop based on this handbook are available from regional education officers. They are aimed at branch officers and reps, and are suitable for branch development days or as short separate activities.

UNISON has recently established a Migrant Workers’ Organising Knowledge Bank (“the bank”). It will be a living store of information and ideas contributed primarily by organisers, who have successfully helped organise migrant workers. Its aim will be to share information and good practice and will include: organising plans, successful bargaining and campaigning initiatives, as well as contact information on partners in organisations outside UNISON.

The bank will be maintained by UNISON head office. Organisers at branch and regional level should send their contributions to their regional migrant workers’ contact who will forward them on to the bank. This will ensure regions are also able to pick up on potential cross-regional organising opportunities.

Access to the bank is also through the regional migrant workers’ contact.

This is an important tool in our work and will help spread good practice. However, its success will be dependent on the input from organisers.

UNISON is also considering other options to further develop and improve accessibility of the bank by integrating it with other information systems, such as the Bargaining Information System (BIS), and the Sharepoint document and information management system being trialled at head office.
A migrant worker is someone who has come from abroad to work in the UK.

The UK has a very long tradition of demanding the labour and skills of migrant workers to sustain our economy. But there has also been a long tradition of hypocrisy. While we have needed and relied on the contribution of migrant workers, we have rarely acknowledged or welcomed them.

Today, with expansion of the EU and migration becoming even more common, the issue is being used by the right-wing media to stir up hatred and racism and also by many politicians pandering to popular prejudice. This enables employers to exploit migrant workers whose unfamiliarity with our laws, language, and culture make them particularly vulnerable.

The trade union movement itself has not always been a good friend to migrant workers, often mistakenly viewing them as willing help-mates to employers seeking to cut wage rates and other terms and conditions.

UNISON can be proud that it has always had a progressive outlook on the immense contribution migrant workers make to our economy, public services, culture, and communities. This outlook has been instilled through the union’s commitment to equality and justice; its determination to deliver effective recruitment and organisation throughout the public services; the calls raised by our own membership for migrant workers to be welcomed into UNISON; and for anti-migrant worker laws, regulations, attitudes and propaganda to be challenged.

But the situation is complex across the UK. For example, in Scotland there is a great deal of effort and resources being invested in encouraging inward migration to replenish a labour force severely reduced by a dwindling population. This contrasts strongly with England where politicians often seem to be falling over one another to be seen to be tough on immigration.

UNISON also recognises the international dimension to labour migration and supports the International Trade Union Confederation (ITUC) and the International Labour Organization’s (ILO) “rights-based approach” to migrant workers (see Key contacts).

UNISON’s organising approach recognises that it is only through collective effort that sustainable solutions can be found to these problems. However, the challenges faced in organising migrant workers mean that the standard approach needs to be adapted to address these particular issues.

Migrant workers are no different from other workers in wanting fair pay, terms and conditions, a safe and healthy working environment, and to be treated fairly, with dignity and respect. Like other workers, they want a say in the workplace and a chance to influence policy decisions in the wider world.

And, like UK workers, migrant workers are not a homogeneous group, purely defined by their relationship to the economy and their immigration status. Naturally there may be issues of nationality and language, but just as with UK-born workers, gender, race, sexual orientation and gender identity, disability, age and faith may have implications for organising.

We know from anecdotal evidence that many workers who are members of minority groups come to the UK because it is seen...
as a more tolerant society than their own. Their hopes can be dashed not just by public prejudice, but by having to rely on their own migrant community for support, where the prejudices they sought to escape may still prevail.

UNISON acknowledges that migrant workers may well find the UK more progressive than their own country in its acceptance of diversity and in challenging discrimination. UNISON would not offer membership to those actively seeking to ‘import’ values contrary to the union’s values of equality and fairness for all, but will work with those who may need information, advice and support about our approach.

UNISON sees a clear difference between a group of migrant workers who may be experiencing new and progressive attitudes for the first time and, for example, settled migrant workers in management who hold on to prejudices and discriminatory beliefs.
Immigration status is a particularly complex issue. Different rules apply depending upon where a migrant worker comes from and the Immigration and Asylum Act 1999 made it unlawful for anyone to provide unregulated immigration advice or immigration services.

Immigration advice can only be given by a person who has had the appropriate training and holds the necessary licence from the Office of the Immigration Services Commissioner (see Key contacts).

For more detailed information, seek advice from the organisations listed in Key contacts.

Where legal advice is needed on immigration that affects someone’s right to work, the case should be referred through the regional office to the Employment Rights Unit at UNISON head office.

It is important to know whether the workers you are seeking to organise have permission to work in the UK, because it seriously affects their rights. It is also important to note that immigration status is not necessarily fixed. For example, a person’s status can change as their application to work in the UK progresses.

At the time of writing, the government is implementing a points-based approach to replace the existing work permit system.

Workers from the European Economic Area (EEA) are almost certain to be entitled to work here, although they may have had to register on the Workers’ Registration Scheme first. There are specific restrictions on some nationalities, such as workers from Romania and Bulgaria.

An individual who is aged 16 or over, who is subject to immigration control (someone who does not hold a UK, EU or EEA passport) cannot legally work in the UK unless:

*that person has been given valid and subsisting leave to be in the UK by the government and that leave does not restrict them from taking the job in question or the person comes into a category where employment is also allowed.*

For a full list of who may take up employment in the UK without a work permit, see Right to work section.

**EEA nationals**

With the exception of Bulgaria and Romania, citizens of any country in the European Economic Area (EEA) are entitled to work in the UK without special permission and without a work permit. The EEA consists of the following countries:

Austria
Belgium
Bulgaria
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Iceland
Ireland
Italy
Swiss citizens also have the right to work in the UK, although Switzerland is not in the EEA.

Latvia
Liechtenstein
Lithuania
Luxembourg
Malta
Netherlands
Norway
Poland
Portugal
Romania
Slovakia
Slovenia
Spain
Sweden
UK
Migrants from eight of the 10 countries that joined the EU on 1 May 2004 are required to register with the Home Office under the Accession State Worker Registration Scheme, if they plan to work for a UK employer for more than one month. The countries are: the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.

Since 1 January 2007, Romanians and Bulgarians have had the right to travel throughout the EU, but the government has placed restrictions on employing workers from these countries.
Migrant workers’ rights to work are subject to their immigration status.

There are a number of different categories of migrant workers who have varying rights to work in the UK. The main categories are:

- nationals from the European Union or European Economic Area (EEA) who have a right to travel, live and work in the UK
- accession state nationals, who have the right to travel, live and work in the UK by registering with the Home Office for the first year of employment
- nationals of all other countries: who require a work permit
- Commonwealth-working holidaymakers: individuals between the ages of 17-30 who can work in the UK for up to two years
- nationals of Switzerland and British overseas territories, who require clearance to enter the UK but do not require a work permit
- students from outside the EEA who can work part time
- overseas students who work under the Seasonal Agricultural Workers’ Scheme for a limited time
- the Sector Based Scheme addresses labour issues in food manufacturing
- the Highly Skilled Migrant Programme – some industries with a shortage of highly skilled workers have been granted work permits, including health services, computer services, managerial service, and financial services.

These categories are subject to change as the government (and future governments) introduce new laws or amend existing legislation.

UNISON must also be mindful of the immigration status of migrant workers and the union’s ability to recruit and represent workers who are in an ‘irregular’ (or in government terminology – ‘illegal’) situation. Such workers may be:

- migrants who are in an irregular situation because they entered the country illegally
- migrants who entered the country legally but lose their regular status because they have overstayed or changed or left their employer
- those who ‘become irregular’ because of changes in legislation or government rules.

In line with current UNISON policy, the union supports a change in the law to regularise the status of migrant workers, regardless of how they came to be in an irregular situation. In dealing with specific cases, organisers may wish to explore other avenues to seek to regularise a worker who has ‘lost’ their immigration status. Whatever a worker’s immigration status, UNISON believes they have the right to be treated fairly, with dignity, and with respect.

It remains to be seen how the recently introduced fines for businesses employing undocumented workers (up to £10,000 per worker) will impact on the present situation.
Regular or 'legal' migrant workers in the UK may often be unaware of their rights at work, and this lack of knowledge makes them vulnerable to exploitation.

The Trades Union Congress (TUC) produces a downloadable leaflet in 11 languages for people coming to work in the UK giving information about their legal rights and includes useful links to sites providing advice such as Citizen’s Advice.

The leaflet covers key issues as follows:

- **Welcome to the UK**
- **Starting work in the UK**
- **National Insurance and tax**
- **Worker or employee?**
- **Your rights as a worker**
- **Working time rights**
- **Agriculture**
- **Health and safety protection**

- **Protection from discrimination**
- **Union membership**
- **Special rights for agency workers**
- **Additional rights for employees**
- **Enforcing your rights**
- **Useful organisations.**

This information is also available at: www.tuc.org.uk/international/index.cfm?mins=288

Health and safety protection is dealt with in more depth in a leaflet produced jointly by the TUC and Health and Safety Executive available at: www.tuc.org.uk/h_and_s/index.cfm?mins=403

A guide for health and safety organisers working with migrant workers is available at: www.tuc.org.uk/extras/safetymw.pdf
Tackling the myths about migrant workers

In seeking to organise migrant workers, it is essential you have information to hand that enables you to respond to misleading propaganda that encourages mistrust, fear and hatred. On the next pages are some of the most common myths about migrant workers, with UNISON’s response. As a trade union with more than 1.3 million members in public services, UNISON knows how important migrant workers are to the economy. UNISON also welcomes migrant workers as individuals, just like its other members: people who want to work, live their lives, make friends, raise their families, and make a contribution to the UK.

Britain has a long history of encouraging migrant workers to come to its shores and take on the jobs that no-one else can or will do. Each new group of migrant workers is accompanied by scare stories, half-truths, distortions, and downright lies.

Such propaganda is expected from malicious racists and may be absorbed by people ignorant of the facts. But today there is a more sophisticated attack on migrant workers from the right-wing press and politicians seeking the populist vote.

For example, early in 2008, one of the Daily Mail’s journalists issued an appeal for:

“...anonymous horror stories of people who have employed Eastern European staff, only for them to steal from them, disappear, or have lied about their resident status. We can pay you £100 for taking part, and I promise it will be anonymous, just a quick phone call.”

It is not difficult to imagine the outcry there would have been if “Eastern European” had been substituted with, for example, “women”. When an established newspaper can get away with openly soliciting for such scaremongering stories, it is essential that the truth is heard.
Myths about migrant workers

Break the lies and tell the truth

Myth no.1: ‘We are being swamped with migrant workers’

On purely statistical terms, the most recent figures available show that in 2006:

- 400,000 people left the UK for a year or more
- 591,000 people arrived to live in the UK for a year or more
- 157,000 of those who arrived came here to study.

By any measure, a difference of 191,000 people is not swamping. It is less than a third of 1% of the total population.

But the issue here is not so much statistics – although these are important – so much as perception. With all the negative coverage the issue gets, it’s not difficult to see why some people are lulled into thinking we are being “swamped”.

The British cannot lay any claim to being a “pure bred” race. Throughout history, Britain has attracted migrants from different parts of the world and many citizens have origins in other countries. Meanwhile, more than 5.5 million Britons live outside the UK.

UNISON believes that “swamping” is an emotive term exploited by racists to whip up fear and avoid any measured debate about migration.

Myth no.2: ‘We don’t need migrant workers’

This is simply not true. For example, migrant workers make up:

- 19% of social workers (22,000)
- 16% of care workers (105,000)
- 11% of housing/welfare workers (19,000)
- 10% nursing assistants (23,000)
- 8% of education assistants (29,000).

In the building trade, the Federation of Master Builders estimates that some 87,500 new builders are needed every year – and they simply can’t be provided by the UK labour market alone.

It’s the same story with our caring services, hospitality trade, farming industry, food packing and preparation, and a host of other industries too.

The UK has a falling birth rate and an ageing population. If we don’t bring in migrant workers, the work won’t get done. And without enough people working, there won’t be enough people paying tax, so taxation will increase for everyone.

UNISON believes that migrant workers make an essential contribution to our economy; they arrive fully qualified, they pay tax, and they spend their income in the UK. And of course, we also benefit through their work in our public services, and in their contribution to our culture.
Myth no.3: ‘Migrant workers cause unemployment’

Migrant workers are most prevalent in areas where the most jobs are available. Migrant workers come here to work and to earn a living. What sense does it make for them to go looking for work where there are dole queues?

Underlying these arguments is “the lump of labour fallacy”. This is the idea that there is a set amount of work to go round, and that if you increase the number of workers, unemployment must go up and wages must come down. But that just doesn’t stack up. Immigration actually increases the size of the economy. As production increases, so does the demand for extra support goods and services.

That’s not to mention the taxes and National Insurance that are paid into our economy as well.

Migrant workers actually add large levels of entrepreneurship and self-employment, thereby creating new jobs for the UK workforce. This can also act as a spur to local people to start their own business, giving further impetus to economic growth.

UNISON has looked at the facts and believes that unemployment is not caused by migrant workers, but by global trends in production and investment.

Myth no.4: ‘Migrant workers undercut our wages’

Migrant workers do not take jobs at a lower wage than someone else doing the same job. The myth is not comparing like with like. What has happened is that migrant workers tend to work in the lower paying industries. This means their average pay as a group – when compared with the average pay of UK workers – is lower. Migrant workers are not ‘undercutting’ wages. They are simply working in lower-paid jobs. Migrant workers also work in high-paying business jobs in the City and in the professions.
Of course there are migrant workers who are exploited by unscrupulous employers just out to make a quick buck by flouting employment laws and by not even paying the legally required national minimum wage. All too often migrant workers find themselves the victims of employers who exploit their lack of understanding of the UK’s laws.

UNISON says that we need better legal protection for ALL workers to ensure they are paid correctly, without unlawful deductions, and that all workers are treated fairly.

Myth no.5:
‘Our public services can’t cope with the influx of migrant workers’

Let’s remember that without migrant workers we wouldn’t have the benefit of our public services to start with. And as net tax contributors, they make an important financial contribution to the economy too – putting more money into the public coffers than they take out. Also the vast majority of migrant workers from Europe are healthy young adults without dependants, so it is unlikely that they will be a heavy burden on the NHS or our education system.

The evidence suggests that many workers from the “A8” Eastern European countries return home well before retirement age, and therefore put very little strain on the government purse in respect of providing services into their old age. A report from the Institute for Public Policy Research (IPPR) found that amongst migrant workers from the Czech Republic: 48% stayed for a couple of weeks; 42% for a few months; 22% for a few years; and just 11% for the rest of their lives.

It is also common to blame migrants for ‘queue jumping’ public housing or receiving priority treatment on waiting lists. However this is not backed up by the facts. A study by the Equality and Human Rights Commission revealed that new migrants made up less than 2% of the total number of people in social housing throughout the UK and that around 90% of those living in social housing were born in the UK.

It is important to recognise that there are places that experience some pressure on their public services – especially in smaller, rural towns where migrant labour is often needed to support the local agricultural industry. But such pressure is not the “fault” of migrant workers – it is the UK’s failure to invest properly in providing social infrastructure in such communities.

UNISON believes that improving investment in public services is the answer to dealing with such pressure. Migrant workers should not be scapegoats when they are so badly needed.

Myth no.6:
‘Migrant workers come to Britain as it’s a soft touch for benefit scroungers’

The clue is in the name: migrant workers.

Migrant workers come to the UK because they want to work. Often they can earn better wages here than in their home
country and they often send money home to support their families. It’s clearly an economic relationship at heart, and mutually beneficial, with spin-offs for both parties in economics, understanding and culture.

Many migrant workers return home after two years or less. If we are to believe migrant workers are benefits cheats and the UK is such a “scrounger’s paradise” why do they ever leave?

UNISON believes the UK’s prosperity is dependent on successfully bringing migrant workers here to address our labour shortages.

Myth no.7: ‘Migrant workers mean increased crime’

This is not true, according to the Association of Chief Police Officers. Peter Fahy, Chief Constable of the Cheshire constabulary and co-author of a study on the subject said:

*Migration has had a significant impact on UK communities in past years, but while this has led to new demands made on the police service, the evidence does not support theories of a large scale crime wave generated through migration. In fact, crime has been falling across the country over the past year.*

UNISON says that reports of large-scale crime waves associated with migrant workers are racist scare stories aimed at causing community strife.

Myths about migrant workers, a shortened version of this information is available as a leaflet (stock number 2702) from stockorders@unison.co.uk or through the online catalogue at: www.unison.org.uk/resources. You can also download it from www.unison.org.uk/acrobat/17352.pdf
Key tasks at regional and branch level

Here is a list of key tasks at regional and branch level that provide a framework for developing effective recruitment and organisation of migrant workers.

Key tasks for the Regional Management Team

1. Identify an officer as the regional migrant worker’s contact with responsibility for:
   a) co-ordinating the region’s organising work with migrant workers
   b) acting as the contact point for the Migrant Worker’s Unit and the Migrant Workers’ Organising Knowledge Bank.

   This officer’s contact details should be published on the Migrant Worker’s Organising Knowledge Bank, and passed on to branches.

2. Identify and allocate resources necessary to:
   a) Encourage and enable migrant worker activists to participate effectively in a regional migrant workers’ network, including provision of a forum.
   b) Develop a regional map of migrant worker employment, including migrant worker communities, social and faith groups.
   c) Develop an accessible directory of key partners in other agencies and migrant worker groups and inform branches how they can contribute to and access this information.

3. Work with key regional contacts to identify region-wide bargaining and campaigning opportunities.

4. Add a link to the national migrant workers’ web pages from your regional web page. Publish the name and contact details of your region’s migrant workers’ contact and also information about key local support and advice agencies.

5. Ensure migrant workers’ voices are heard in regional publications.

6. Review the region’s achievements and report successes and challenges for inclusion on UNISON’s national Migrant Workers’ Organising Knowledge Bank.

Key tasks for the regional committee (or equivalent)

1. Establish a position on the regional committee (or equivalent) for someone who is responsible for working with the migrant worker contact. (This may initially be held by an existing member of the committee, but the ultimate aim must be for this position to be held by a migrant worker.)

2. Identify key migrant worker activists and encourage their participation in all regional decision-making processes and forums.

3. Consider how to promote participation in the regional migrant workers’ network and forum.

4. Review the regional development plan to identify the potential for work on organising migrant workers.
Key tasks for the branch committee

1. Establish a position on the branch committee for someone who has responsibility for co-ordinating branch organising and recruitment work with migrant workers. (This may initially be held by an existing committee member, but the ultimate aim must be for this position to be held by a migrant worker.) Advise the regional office of this member’s contact details and publish them in branch communications.

2. Begin the process of ensuring branch mapping includes migrant workers and build this into the branch development and organising plan with appropriate resources, identifying key migrant worker communities, social, and faith groups.

3. Develop a network of key contacts in the workplace and in the community. Establish a directory, which is available to branch activists for the purpose of creating organising plans.

4. Establish a migrant workers’ network in the branch.

5. Work with migrant worker members to identify key opportunities and issues for bargaining and campaigning.

6. Identify key migrant worker activists and encourage their participation in all branch decision-making processes and forums.

7. Review the branch development and organising plan, and feed back your experience to your regional migrant worker’s contact.
Mapping

Mapping is the process by which organisers identify the location of their members and prospective members and key information about them. This information is used to assist in the targeting of key workplaces or groups of workers for recruitment and organising initiatives.

Mapping migrant workers includes the standard information about job, gender, race, age, hours of work, terms and conditions of employment, etc. However it should also include details like nationality and language. This information is especially useful in, for example, developing networks of migrant workers with a common language.

Mapping migrant workers

In some cases, migrant worker members and potential members may prove difficult to locate and map.

- The employer may be reluctant to release information about how many migrant workers they employ, their locations, and the kind of work they are involved in. This may be simply through a lack of proper record-keeping, or may be for more serious reasons. For example, they may wish to prevent trade union organisation or be anxious about the public perception of their employment of migrant workers.

- The workers themselves may be reluctant to identify themselves because of the negative attitudes of their employer, fellow workers or the community, or because of their immigration status. It could also be because they identify not only as migrant workers, but also as members of a group discriminated against on other grounds, such as gender, race, sexual orientation, gender identity, disability or age.

- They may be suspicious of trade unions because of bad experiences in their home countries. Workers from Eastern Europe may have experience of trade unions as corrupt arms of the state. Workers from South America will be aware that trade union activists are often the target for violence by corrupt regimes and big business.

- There may be “hard-to-find” or “hidden” workers in temporary or agency work and/or with irregular work patterns, including seasonal work, or those engaged for short one-off projects.

It is therefore important to bring together information from a range of sources and, in doing so, to establish a network of key partners. They will usually be able to assist, not only in the geographical mapping, but also with advice about relevant national and cultural issues. There may well be a network of this kind already in existence. Good places to check on this are the local Regional Development Agency (the body responsible for local economic development initiatives, including labour force matters, such as the need for migrant labour), local authorities and voluntary sector organisations.

It should also be noted that migrant workers may misunderstand our approach or miss out on opportunities to get involved, if we are unable to deal with any language barriers effectively.
Sources of information for mapping migrant workers

In the workplace:
- migrant workers
- branch officers and stewards
- members
- the employer
- other trade unions.

It is unlikely that all the information you need will be available through these sources. It is therefore important that you look to work with agencies used by migrant workers or locate venues where they meet outside of work in the community.

In the community:
- migrant worker organisations
- community organisations and clubs
- faith groups/places of worship
- charities
- advice agencies
- places of education (especially relating to language classes)
- Regional Development Agency (RDA).

Don’t forget that many of these organisations may have UNISON members working for them. In addition, you probably have members who work as volunteers for charities, or who attend relevant places of worship. Developing partnerships with
such organisations through members can be an important approach and may encourage members to participate in UNISON activity.

The RDAs (and their Scottish, Welsh and Northern Irish equivalents) have responsibility for regional economic development and regeneration. They are responsible for considering their region’s needs for migrant labour, and some have already established partnerships designed to provide information and support for migrant workers.

Most of these organisations are listed in phone directories. Information is also available from local authorities and advice agencies, such as Citizen’s Advice or your local law centre. Some may be quite informal groups and so may not be found so easily.

In developing partnerships with migrant workers, organisers will also come across many campaigns, including anti-racism, immigration, and migrant workers’ rights. These all have potential for demonstrating UNISON’s wider support for migrant workers. However it is important to note that the union’s guidelines, Democracy in UNISON, advise on who it is appropriate to campaign with, and the need to keep your regional office informed of any joint branch work or region-wide campaigning.

The internet can also be a source of information. For example, a simple search for ‘migrant workers Liverpool’ comes up with a number of results. You may not always find detailed information on groups, but you may be able to identify key groups and individuals already engaged in working with migrant workers.

It is important to ensure that UNISON maintains a presence where migrant workers come together. This could be through providing posters and leaflets in appropriate languages, or organising regular advice ‘surgeries’, perhaps alongside other agencies.

**Other information**

For further information about campaigning and working appropriately with different groups, see our guidance: *Democracy in UNISON*

www.unison.org.uk/acrobat/13305.pdf
Many, but not all migrant workers, will have some difficulty communicating in English.

All sorts of racist assumptions might be made about someone's intelligence, lifestyle and attitudes on the basis of their first language and/or limited skills in English.

In fact it is not unusual to find a migrant worker taking a job for which they are overqualified solely to give themselves the opportunity to acquire sufficient English for the field in which they are qualified.

However, a limited ability to communicate in English can have a severely debilitating effect on being able to properly understand an employment contract, rules, instructions, and notices. In the worst situations, for example, this could lead to serious health and safety breaches. It can also lead to feelings of exclusion because of an inability to engage socially with co-workers who only speak English.

It is important to recognise that the impact of the language barrier goes far further. It affects a migrant worker's ability to understand information outside of the workplace – from simple transactions in shops through to accessing housing, education and social benefits.

This can be a source of enormous frustration and stress for the limited English speaker. It can have a knock-on effect for the migrant's work and their relationships with co-workers and employers, as well as a knock-on effect on their home and family life, because they are unable to provide effectively for basic needs.
What UNISON is already doing

It is important to be realistic about what UNISON can provide in the way of addressing the language barrier. Our expertise is as a trade union – organising, campaigning, negotiating, and representation. Our resources are not sufficient to provide a fully multi-lingual service. However, key materials are available in languages other than English and UNISON can also help direct workers to other organisations that offer assistance in the appropriate language. (See Key contacts.)

UNISON is developing a dedicated migrant workers’ section on UNISON’s website where key information and information about other support organisations will be available in a range of languages.

UNISON is also starting ESOL (English for Speakers of Other Languages) courses for members around the UK in conjunction with the Workers’ Educational Association. This is an important resource and should be widely publicised as a benefit of joining UNISON. For more information on the ESOL course, please contact your regional education officer or regional learning and development organiser.

UNISON materials

UNISON provides the following key membership materials in other languages, which are available through the online catalogue:

- the leaflet, ‘10 good reasons to join UNISON’ (stock number 2130)
- a membership application form (stock number 1088)

These materials are published in English and Welsh and are also available in the following languages:

Albanian    Arabic
Bengali    Chinese (Mandarin)
Czech    Farsi
French    Gujerati
Hindi    Polish
Portuguese    Punjabi
Russian    Somali
Spanish    Turkish
Urdu

This list of languages and the documents available, are subject to amendment and are updated as required.

Breaking the language barrier at meetings

These are the key questions to be asked when preparing meetings where there are likely to be language barriers:

- What language(s) other than English are used?
Are there one or two people in the group who can interpret effectively and accurately – and for ALL members of the group?

Is there a person outside of the group who can interpret and is available?

How much extra meeting time is needed for interpreting one language? For two or more languages?

What materials are available in the relevant languages?

When there is no-one in the group who can act as interpreter, other people who could be considered include:

- a branch member with the necessary language skills
- a volunteer from a migrant workers’ community organisation, club, or faith group
- a volunteer from an advice agency
- a regional office contact who can help or advise on possible sources of interpreters.

To secure the services of an interpreter, it may help to hold the meeting at a migrant workers’ community centre, club or place of worship. As well the increased chances of finding an interpreter at such a venue, it also raises UNISON’s profile among other migrant workers.

As a last resort, a paid-for interpreting service might be considered, but this is not cheap.
Breaking the language barrier in publicity

Before translating material, consider the following:

- Does it need translating?
- Is your document or something similar available elsewhere? Can it be communicated more effectively through discussion at a meeting?
- Can it be used again?

Translation can be expensive (around £100 per 1,000 words at 2008 prices, depending upon the language and the amount of technical language involved). Is there a way of generalising the material, so it can be easily used on other occasions? Can you share it with another organiser in the branch/outside the branch/at regional level/other campaigners.

How will you do it?

Who will translate the material? How will you check the quality of the translation?

What will it cost?

Again, if it is campaigning material, consider if you can share the cost with others working on the same campaign.

If you make the decision to have a document translated, make sure you use a reliable translator. Documents should not simply be run through a web-based translation service without the result being proof read by a native language speaker, if at all possible.

If your branch has a website, make sure it links to the migrant workers’ pages on the national UNISON website.

It is strongly recommended that any publicity includes a reference to the independence of UNISON from employers, the government, and business interests. This is because of the possible negative perception of trade unions amongst migrant workers arising from experiences in their country of origin.

Remember if you produce material in other languages, it is important to be clear that the branch is not able to offer a fully multi-lingual service. Suggest that enquiries should be made through someone who can communicate in English.

Finally, if material does get translated, please send an electronic copy of it (stating the language it is in) along with an English language version to your regional migrant workers’ contact for their organising information and for inclusion in the Migrant Workers’ Organising Knowledge Bank.
The negotiating agenda offers the chance – not just to raise migrant workers’ issues – but also to involve migrant workers directly in the process. This is not just about getting their voices heard, even though this is important. It is also about empowerment and encouraging participation in the union’s activities.

Bargaining to break the language barrier

The bargaining agenda can be used to take up language issues with the employer. As well as providing for the language needs of migrant workers, it also brings in issues of staff development and service provision.

Key issues that could be raised under the bargaining agenda include:

- health and safety guidance in other languages
- information and advice, for example, a welcome pack with details about key local services, produced in a range of relevant languages
- paid time off and course costs for language courses. These could be:
  (a) English language for those with limited English language skills
  (b) other languages for staff working alongside migrant workers or coming into contact with service users with limited English
- introduction of a voluntary interpreters’ list, with possible interpreter’s allowance
- plain English documents, contracts and signage.

Bargaining to break other barriers

Other bargaining opportunities include:

Combating racism

Employers’ employment and service delivery policies should explicitly include the need for migrant workers to be entitled to protection from racism and to have access to anti-racist training and events, etc. This sends two important messages: one to those who believe that migrant workers are ‘fair game’ for racist behaviour; and one to migrant workers, who may be unaware of their rights to speak out against racism.

Access to education and training courses

Migrant workers should be provided with support to attend a range of courses. As well as those designed to acclimatise them to living in the UK, they should include rights at work, housing, education, and other social benefits. In addition, they should be offered education or training that allows them to develop their knowledge and skills in their chosen line of work.

Leave arrangements

Migrant workers’ home countries may be thousands of miles away and the conventional two weeks’ summer holiday or the typical one day’s leave to attend a family funeral, for example, may be inappropriate to their situation. Bargaining could include a claim for the right to accrue leave entitlement and hold it over for a year.
to enable a longer holiday – an arrangement which should not be restricted purely to migrant workers. Equally a claim could be submitted for leave entitlement to be ‘front-loaded’ – making it unnecessary to have long initial periods accruing an entitlement to leave before being able to take it.

Please ensure that any agreements negotiated are sent to your regional migrant workers’ contact for onward transmission to the Migrant Workers’ Organising Knowledge Bank.
It is not for organisers to impose campaign issues, but it is their role to make sure that issues are identified. Campaigning issues should arise ‘organically’ through talking with workers and discussing any problems. However migrant workers, in particular, may be reluctant to initiate discussions around problems at work – either through fear of repercussions or through lack of understanding of their entitlements as workers.

Some common problems have already been identified by migrant workers as potential campaign issues, and organisers could use some of these topics to raise questions about whether these are causing difficulties.

**Language courses**

UNISON continues to campaign and make representations about the reduction in the number of ESOL courses available for migrant workers. Alongside the bargaining agenda for improved language facilities in the workplace, it is important that pressure is kept up on this issue.

**Health and safety**

It is essential that health and safety information and instructions are made available in the appropriate languages. The tragic deaths of 21 cockle-pickers in Morecambe Bay in 2004 was just one example of how unscrupulous employers fail to ensure adequate protection for their workers. This infamous case, led to a high level campaign that resulted in the creation of the Gangmasters’ Licensing Authority – a regulatory body.

**Workplace immigration checks**

Checks may be carried out by immigration officials or employers at any time. Such checks can be alarming, insensitive, and intimidating, and can be used to bully and harass workers.

**Changes in immigration status**

Immigration status can change for a number of reasons, including a change in government regulations. This was the case when the government changed the regulations in 2007 around the “shortage occupation list”. This resulted in thousands of senior care workers being threatened with having their work permits withdrawn.
Defence campaigns

UNISON has a long history of supporting campaigns to defend members (and/or their families) threatened with issues like deportation. Establishing a local campaign with a broad base of support can be a useful way of raising the profile of the case and the issue more generally. Such campaigns must always be run with the informed consent of the individual concerned, and in consultation with the regional office. More information on campaigning with groups outside UNISON can be found in the guidelines, Democracy in UNISON.

Living wage campaigning

UNISON has had success in organising and winning living wage campaigns, which can have a significant impact on the income of low paid migrant workers.

Please ensure that information about successful campaigns is sent to your regional migrant workers’ contact for onward transmission to the Migrant Workers’ Organising Knowledge Bank.
For many migrant workers, there may be issues beyond the workplace for which they need support, for example, helping with registering for National Insurance, taxation, housing, education, etc. In particular, access to public funds is limited for new migrants, so financial support is especially important.

UNISON has its own welfare department – a potentially attractive benefit for migrant workers – which can advise and refer members to the appropriate agencies. The benefits of the welfare service may also provide a basis for recruitment activity.
UNISON welfare

www.unison.org.uk/welfare

This service offers a unique confidential advice and support service for UNISON members and their families, including:

- debt advice
- listening and support
- financial assistance
- breaks and holidays
- personal advice.

There are many ways that UNISON welfare can support migrant workers, for example, by providing weekly financial assistance to cover basic living costs such as food and fuel for up to six months. This can be an important benefit for those, for example, ineligible for state benefits, pending a decision on immigration status.

Other support on offer includes:

- assistance for travel to appointments for a maximum of six months
- bereavement breaks – travel abroad can be considered in cases where a well-being break is sought and where the deceased (dependant or parent) was resident in another country.

UNISON welfare can also take account of dependants in the home country and money sent overseas when assessing an application.

A full copy of the criteria and forms for these services can be downloaded from the welfare pages on the website.

Confidential discussions with a national caseworker are available on 020 7551 1620.

UNISON welfare also provides a debtline service giving confidential advice and support. This is accessible by phone on 0800 389 3302 (8am to 9pm Monday to Friday and 9am to 1pm Saturdays) or email: help@debtclinic.co.uk

More information about this service is available at: www.unison.debtclinic.co.uk

UNISON migrant worker tax service

www.twdreturns.co.uk

This service makes sure that migrant workers are paying the correct amount of tax and that any tax already paid in error is returned as soon as possible.

Using this service ensures that all the necessary paperwork is completed and all correspondence with HM Revenue & Customs is dealt with. The fee for the service is £50, and it comes with a guarantee that unless there is a tax refund of at least £50, either as a cheque or by paying less tax from wages, the difference will be refunded up to a maximum of £25.

More information is available by calling 0800 058 2211 (English speaking staff only).
Key contacts

Trade unions

**UNISON**
Tel: 0845 355 0845
Textphone: 0800 0 967 968
[www.unison.org.uk](http://www.unison.org.uk)

**Communications**
For news stories/organising stories
Email: infocus@unison.co.uk
For communications advice, contact your branch or regional communications officer.

**Learning and organising services**
(including ESOL courses):
[www.unison.org.uk/laos](http://www.unison.org.uk/laos)

**Legal**
For legal advice, contact your regional office.

**Migrant worker tax service**
Advice on tax for migrant workers.
[www.twdreturns.co.uk](http://www.twdreturns.co.uk)

**Migrant workers unit**
[www.unison.org.uk/migrantworkers](http://www.unison.org.uk/migrantworkers)
Email: labourmigration@unison.co.uk

**Overseas nurses’ network**
[www.unison.org.uk/healthcare/nursing/overseas](http://www.unison.org.uk/healthcare/nursing/overseas)

**Regional contact information**
[www.unison.org.uk/about/regions](http://www.unison.org.uk/about/regions)

**Welfare**
Confidential discussions about welfare issues at a national level: 020 7551 1620.

Debtline service: 0800 389 3302
(8am to 9pm, Mon to Fri, and 9am to 1pm Saturdays)
Email: help@debtclinic.co.uk

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**Trades Union Congress (TUC)**
Tel: 020 7636 4030
[www.tuc.org.uk](http://www.tuc.org.uk)

**TUC Commission on Vulnerable Employment**
Tel: 0207 467 1204
[www.vulnerableworkers.org.uk](http://www.vulnerableworkers.org.uk)
The TUC Commission to look into and advise on the issues surrounding vulnerable employment.

**workSMART**
[www.worksmart.org.uk](http://www.worksmart.org.uk)
Advice from the TUC on a wide range of work-related issues.

**International Trade Union Confederation (ITUC)**
[www.ituc-csi.org](http://www.ituc-csi.org)
The ITUC promotes and defends workers’ rights and interests, through international cooperation between trade unions, global campaigning and advocacy within the major global institutions.
Employment

**ACAS**

Helpline Mon to Fri, 8am to 6pm:
08457 47 47 47
For Minicom users: 08456 06 16 00
www.acas.org.uk

The Advisory, Conciliation and Arbitration Service is a public body that promotes good workplace relations. Its national helpline can answer employment questions and provides general advice on rights at work for employees and employers.

**Employment Agency Standards Inspectorate**

Enquiry line 0845 955 5105
(Mon to Fri 9:30am to 4.30pm)
www.berr.gov.uk/employment/employment-agencies

The Inspectorate is part of the Department for Business, Enterprise and Regulatory Reform (BERR), which carries out routine inspections of agencies and investigates complaints about agency conduct.

**Gangmasters’ Licensing Authority (GLA)**

To report concerns about gangmasters:
0845 602 5020
Email: intelligence@gla.gsi.gov.uk
www.gla.gov.uk

The Gangmasters’ Licensing Authority (GLA) regulates those who supply labour or use workers to provide services in agriculture, forestry, horticulture, shellfish gathering and food processing and packaging.

**Health and Safety Executive (HSE)**

Infoline: 0845 345 0055
www.hse.gov.uk

Infoline is the HSE’s public enquiry contact centre and provides access to workplace health and safety information, guidance and expert advice.

**International Labour Organization (ILO)**

www.ilo.org

The International Labour Organization (ILO) is a UN agency that brings together governments, employers and workers of its member states in common action to promote decent work throughout the world.

**National Insurance**

www.dwp.gov.uk/lifeevent/benefits/ni_number.asp

Information and advice about applying for a National Insurance number.

**National Minimum Wage**

www.direct.gov.uk/employment

Information about starting work, the minimum wage, tax and benefits.

**Recruitment and Employment Confederation (REC)**

www.rec.uk.com/home

Some agencies (usually the better ones) are members of the REC, which sets standards for its members.
General

Citizens’ Advice Bureau
www.citizensadvice.org.uk
Free, confidential, impartial and independent advice on debt and consumer issues, benefits, housing, legal matters, employment, and immigration through local offices.

www.adviceguide.org.uk
Online CAB information and guidance including frequently asked questions in seven languages and fact sheets to download.

Equality and Human Rights Commission (EHRC)

Helpline England: 0845 604 6610
Helpline Wales: 0845 604 8810
Helpline Scotland: 0845 604 5510

www.equalityhumanrights.com
Information and advice on human rights, equality and overcoming discrimination.

Government and other agencies

Financial Services Authority (FSA)
www.moneymadeclear.fsa.gov.uk
General advice about financial products and services. Contains useful information on areas such as opening a bank account and the options available to migrant workers for providing proof of identity.

Foreign and Commonwealth Office
www.fco.gov.uk
Website includes comprehensive list of foreign embassies and commissions etc in the UK.

Home Office Borders and Immigration Agency
www.bia.homeoffice.gov.uk
Responsible for securing the UK’s borders, enforcing immigration and customs regulations. Also considers applications for permission to enter or stay in the UK, citizenship and asylum.

Office of the Immigration Services Commissioner (OISC)
www.oisc.gov.uk
An independent public body set up under the Immigration and Asylum Act 1999, responsible for ensuring that all immigration advisers fulfil the requirements of good practice.
Regional Development Agencies

The RDAs (and their Scottish, Welsh and Northern Irish equivalents) are responsible for regional economic development and regeneration, including the need for migrant labour. Some have already established partnerships designed to develop information and support for migrant workers.

North West
www.nwda.co.uk
Migrant Workers’ North West:
www.migrantworkersnorthwest.org

Yorkshire
www.yorkshire-forward.com

North East
www.onenortheast.co.uk

West Midlands
www.advantagewm.co.uk

East Midlands
www.emda.org.uk

East of England
www.eeda.org.uk

South West
www.southwestrda.org.uk

London
www.lda.gov.uk

South East England
www.seeda.co.uk

Wales
www.wales.gov.uk

Scotland
www.scottish-enterprise.com

Northern Ireland
www.investni.com

Campaigning and support organisations

Federation of Poles
Tel: 020 8741 1606
www.zpwb.org.uk

The recognised representative organisation of the Polish ethnic group residing in the UK. Available in English and Polish.

Joint Council for the Welfare of Immigrants
Tel: 020 7251 8708
www.jcwi.org.uk

An independent national voluntary organisation, campaigning for justice and combating racism in immigration and asylum law and policy.

Migrant Gateway
Tel: 020 7288 1267
www.migrantgateway.eu

A two-way international resource for information, advice and guidance. Since 2006, Migrant Gateway services have supported and signposted people moving to live and work in Europe and people who work with them.

Migrants Rights’ Network
www.migrantsrights.org.uk

An organisation working for a rights-based approach to migration, with migrants as full partners in developing the policies and procedures which affect life in the UK.
Multikulti

www.multikulti.org.uk

An independent body providing information, advice, guidance and learning materials in community languages.

Multikulti also maintains a register of local and national agencies which offer services to communities in: Albanian, Arabic, Bengali, Farsi, French, Somali, Spanish, Turkish.

Oxfam

www.oxfam.org.uk

Works predominantly abroad, but in the UK, focuses on ensuring that people have sufficient income to live on, public attitudes to poverty, and gender and race equality.

Refugee Council

London advice line: 020 7346 677
Yorkshire and Humberside advice line: 0113 386 2210
East of England advice line: 01473 297 900
West Midlands advice line: 0121 234 1950

www.refugeecouncil.org.uk

The Refugee Council works with asylum seekers and refugees giving direct help and support, and also to ensure their needs and concerns are addressed.

The Scottish equivalent body is at: www.scottishrefugeecouncil.org.uk

The Runnymede Trust

www.runnymedetrust.org

An independent voluntary funded organisation that promotes a successful multi-ethnic Britain.

Shelter

Free helpline: 0808 800 4444
www.shelter.org.uk

Provides advice on housing rights and campaigns on housing issues.

Show Racism The Red Card

England and Wales: www.srtrc.org

Scotland: www.theredcardscotland.org

An anti-racist educational charity, which aims to combat racism through positive role models, who are predominately but not exclusively footballers.
## Glossary of terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td><strong>A2 nations</strong></td>
<td>Bulgaria and Romania, who joined the EU in January 2007</td>
</tr>
<tr>
<td><strong>A8 nations</strong></td>
<td>Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia, who all joined the EU in May 2004</td>
</tr>
<tr>
<td><strong>Asylum seeker</strong></td>
<td>Those who apply for protection under the United Nations Convention on the Status of Refugees</td>
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<tr>
<td><strong>EEA</strong></td>
<td>European Economic Area – the countries of the EU, plus Iceland, Liechtenstein, and Norway</td>
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<tr>
<td><strong>EHRC</strong></td>
<td>Equality and Human Rights Commission</td>
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<tr>
<td><strong>ESOL</strong></td>
<td>English for Speakers of Other Languages (educational courses)</td>
</tr>
<tr>
<td><strong>EU</strong></td>
<td>European Union – An economic and political partnership between 27 European countries: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK</td>
</tr>
<tr>
<td><strong>GLA</strong></td>
<td>Gangmasters Licensing Authority – a body regulating those who supply labour or use workers to provide services in agriculture, forestry, horticulture, shellfish gathering and food processing and packaging</td>
</tr>
<tr>
<td><strong>Migrant worker</strong></td>
<td>Someone who has come from abroad to work in the UK</td>
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<tr>
<td><strong>Migrant Workers' Organising Knowledge Bank</strong></td>
<td>UNISON’s Migrant Workers’ Organising Knowledge Bank is a living store of information and ideas. Its aim will be to share information and good practice and will include: organising plans, successful bargaining and campaigning initiatives, as well as contact information on partners in organisations outside UNISON</td>
</tr>
<tr>
<td><strong>OISC</strong></td>
<td>Office of the Immigration Service Commissioner</td>
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<tr>
<td><strong>Refugee</strong></td>
<td>A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of their nationality, and is unable to or, owing to such fear, is unwilling to avail themselves of the protection of that country</td>
</tr>
<tr>
<td><strong>Regional Development Agency</strong></td>
<td>Regional organisations leading regional economic development and regeneration. There are equivalent organisations in Northern Ireland, Scotland, and Wales (see links section above)</td>
</tr>
<tr>
<td><strong>Undocumented worker</strong></td>
<td>A migrant worker in the UK who does not have documents confirming a legal right to work</td>
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