

MIGRANTS AT WORK

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Migrants At Work Immigration And Vulnerability In Labour Law

Laurie Berg



Migrants At Work Immigration And Vulnerability In Labour Law:

Migrants at Work Cathryn Costello, Mark Freedland, 2014-10-30 There is a highly significant and under considered intersection and interaction between migration law and labour law Labour lawyers have tended to regard migration law as generally speaking outside their purview and migration lawyers have somewhat similarly tended to neglect labour law The culmination of a collaborative project on Migrants at Work funded by the John Fell Fund the Society of Legal Scholars and the Research Centre at St John's College Oxford this volume brings together distinguished legal and migration scholars to examine the impact of migration law on labour rights and how the regulation of migration increasingly impacts upon employment and labour relations Examining and clarifying the interactions between migration migration law and labour law contributors to the volume identify the many ways that migration law as currently designed divides the objectives of labour law privileging concerns about the labour supply and demand over worker protective concerns In addition migration law creates particular forms of status which affect employment relations thereby dividing the subjects of labour law Chapters cover the labour laws of the UK Australia Ireland Israel Italy Germany Sweden and the US References are also made to discrete practices in Brazil France Greece New Zealand Mexico Poland and South Africa These countries all host migrants and have developed systems of migration law reflecting very different trajectories Some are traditional countries of immigration and settlement migration while others have traditionally been countries of emigration but now import many workers There are nonetheless common features in their immigration law which have a profound impact on labour law for instance in their shared contemporary shift to using temporary labour migration programmes Further chapters examine EU and international law on migration labour rights human rights and human trafficking and smuggling developing cross jurisdictional and multi level perspectives Written by leading scholars of labour law migration law and migration studies this book provides a diverse and multidisciplinary approach to this field of legal interaction of interest to academics policymakers legal practitioners trade unions and migrants groups alike

Taking Vulnerabilities to Labour Exploitation Seriously Letizia Palumbo, 2024-10-21 This open access book intends to contribute to the debate on migrant labour exploitation by exploring the extent to which the EU and the European countries provide a standard for protecting migrant workers It moves from a socio legal and theoretical perspective and builds on critical studies on vulnerability exploitation trafficking and migrant labour regimes along with relevant feminist theories including theories on social reproduction while also drawing on extensive fieldwork By mobilising the concept of situational vulnerabilities the book critically investigates the assemblage and interaction of factors creating and amplifying migrant workers vulnerabilities to exploitation in the key sectors of agriculture and domestic work The aim is to highlight how situations of vulnerability to exploitation are generated and exacerbated by relevant legal and policy frameworks underlining and questioning the tensions continuities and ambiguities between different regimes such as the regimes regulating labour migration and those intended to combat severe exploitation

While at national level the focus is on relevant Italian legal and policy instruments and approaches the book also offers a comparative look at those adopted in the UK This critical analysis considers labour exploitation both in its systemic dimension and as a continuum It sheds lights on how forms of exploitation are associated with different situational vulnerabilities produced by the interplay of personal and structural factors in line with a gender and intersectional approach By engaging an analysis of the ways in which the concepts of exploitation and vulnerability are addressed and formulated in various international European and national legal and policy instruments the study reveals the limitations and ambiguities of applicable legislation and policies The book is a great resource for students and academics in the field as well as legal practitioners and policymakers interested in human rights migration studies labour rights labour exploitation and gender related issues

Handbook on Globalisation and Labour Standards Elliott, Kimberly A.,2022-03-15 This comprehensive Handbook explores the complex and volatile debate over globalisation and labour standards It offers key insights into the impact of globalisation on workers the obligations of corporations and international legal bodies in protecting workers rights and maximising the opportunities offered by international trade and investment

Migrant Labour and the Reshaping of Employment Law Bernard Ryan,Rebecca Zahn,2023-04-20 This book examines the implications of labour migration for employment law regimes in highly developed countries It adopts a comparative approach with some chapters providing thematic overviews of the challenges posed by migration for employment law and others addressing the main effects of migration upon employment law in particular countries The context of the book is the increased importance of actual and potential migration to the labour markets of highly developed countries Resident migrants share of the labour force has increased markedly since the early 1990s with the International Labour Organisation estimating that in 2013 there were 112 million migrant workers in the 58 highest income countries who made up 16% of the workforce In addition non resident workers have increasingly become part of the labour available for employment in other states often on a temporary basis as posted or agency workers This evolving labour market context has led to a series of challenges for and effects upon employment law

Temporary Labour Migration in the Global Era Joanna Howe,Rosemary Owens,2016-11-17 In the global era controversies abound over temporary labour migration however it has not previously been subjected to a sustained socio legal analysis on a comparative basis critiquing the underpinning concepts conventionally accepted as fundamental in this area This collection of essays aims to fill that void Complex regulatory challenges arise from temporary labour migration This collection examines these challenges and the extent to which temporary labour migration programmes can be ethical equitable and efficacious and so deliver decent work for workers Whilst the tendency for migration law to divide labour law s worker protective mission has been observed before the authors of the chapters comprising this collection seek not only to interrogate why and how this is so but to go further in examining the implications and effects of a wide range of regulatory mechanisms on temporary labour migration

Vulnerability, Exploitation and Migrants Gary Craig,Louise

Waite, Hannah Lewis, Klara Skrivankova, 2015-09-30 Globalization the economic crisis and related policies of austerity have led to a growth in extreme exploitation at work with migrants particularly vulnerable This book explores the lives of the growing numbers of severely exploited labourers in the world today questioning how we can respond to such globalized patterns of extreme inequality **Migrant Rights at Work** Laurie Berg, 2015-06-26 Public debates about the terms of membership and inclusion have intensified as developed economies increasingly rely on temporary migrant labour While most agree that temporary migrant workers are entitled to the general protection of employment laws temporary migrants have by definition restricted rights to residence full social protections and often to occupational and geographic mobility This book raises important ethical questions about the differential treatment of temporary and unauthorised migrant workers and permanent residents and where the line should be drawn between exploitation and legitimate employment Taking the regulatory reforms of Australia as a key case study Laurie Berg explores how the influence of immigration law extends beyond its functions in regulating admission to and exclusion from a country Berg examines the ways in which immigration law and enforcement reconfigure the relationships between migrant workers and employers producing uncertain and coercive working conditions In presenting an analytical approach to issues of temporary labour migration the book develops a unique theoretical framework contending that the concept of precariousness is a more fruitful way than equality or vulnerability to evaluate and address issues of temporary migrant labour The book will be of great interest to scholars and practitioners of immigration law and employment law and policy *International Labour Review* ,2016 The Right to Work Virginia Mantouvalou, 2015-01-22 The value of work cannot be underestimated in today s world Work is valuable because productive labour generates goods needed for survival such as food and housing goods needed for self development such as education and culture and other material goods that people wish to have in order to live a fulfilling life A job also generally inspires a sense of achievement self esteem and the esteem of others People develop social relations at work which can be very important for them Work brings both material and non material benefits There is no doubt that work is a crucial good Do we have a human right to this good What is the content of the right Does it impose a duty on governments to promote full employment Does it entail an obligation to protect decent work There is also a question about the right holders Do migrants have a right to work for example At the same time many people would rather not work What kind of right is this if many people do not want to have it The chapters of this book address the uncertainty and controversy that surround the right to work both in theoretical scholarship and in policymaking They discuss the philosophical underpinnings of the right to work and its development in human rights law at national level in jurisdictions such as the United Kingdom Australia Japan France and the United States and international level in the context of the United Nations the European Social Charter the International Labour Organization the European Convention on Human Rights and other legal orders **Cross-border Migration and HIV/AIDS Vulnerability in the Thai-Myanmar Border** ,2000 Labour Migration in Europe Volume II

Marco Borraccetti, 2018-09-17 Violence, deception, fraud and abuse have always been commonplace occurrences for migrants not only in their final country of destination but also in their countries of origin and countries of transit. In today's world, the link between mobility and security issues is ever increasing. Acknowledging this, how can we work to protect and improve migrants' rights? Is the protection for migrants offered by the EU sufficient as is, or is a more integrated approach that requires greater cooperation from migrants' country of origin called for? What role can the private sector play in all of this? In this book, Borraccetti brings together contributions that analyse how migrant exploitation can be combatted. All essays focus on the protection and promotion of human rights and pay particular attention to the rights of children and other vulnerable people.

Migrant Labour and the Reshaping of Employment Law Bernard Ryan, Rebecca Zahn, 2023-04-20 The presence of migrant workers has become a central feature of labour markets in highly developed countries. The International Labour Organisation estimates that in 2013 there were 112 million resident migrant workers in the 58 highest income countries who made up 16% of the workforce. Non-resident workers have also increasingly become part of the labour available for employment in other states, often on a temporary basis. This work takes a thematic and comparative approach to examine the profound implications of contemporary labour migration for employment law regimes in highly developed countries. In so doing, it aims to promote greater recognition of labour migration-related questions and of the interests of migrant workers within employment law scholarship. The work comprises original analyses by leading scholars of migration and employment law at the European Union level and in Australia, Canada, Germany, Italy, the Netherlands, Spain, the United Kingdom and the United States. The specific position of migrant workers is addressed, for example, as regards equality of treatment or the position in employment law of migrant workers without a right to work. The work also explores the effects of migration levels and patterns upon general employment law, including the law relating to collective bargaining and remedies against exploitation.

Report on the Review of Laws Relating to the Protection of Vulnerable Migrants from Trafficking and Exploitation, 2016 Labour Migration in Asia International Organization for Migration, 2005 This is the second volume of Labour Migration in Asia. This volume describes and makes an assessment of specific initiatives in selected countries of origin to: 1) protect migrant workers through the regulation of recruitment and setting of minimum standards in employment contracts; 2) provide support services to migrant workers through pre-departure orientation and a welfare fund; and 3) enhance the development benefits of labour migration through training, skills development and remittances. The articles are written by labour migration specialists and practitioners from the countries concerned and have been commissioned by IOM, the Department for International Development and the Asian Development Bank.

Cardozo Journal of Law & Gender, 2005 International Labour Migration International Labour Office, 2010 There are almost 200 million migrants in the world today. The majority of people leaving their home countries are migrating for work, and almost half of them are women. The contribution of these workers is evident, yet many work in unacceptable conditions, denied access to social protection and

their labour rights With its mandate on all labour issues the ILO has built up a wealth of knowledge on migration for employment in terms of both original research and the rich experience of its Members governments employers and trade unions in dealing with migrant workers Drawing on these unique resources this book offers a comprehensive and accessible overview of international labour migration and the ILO s efforts to protect migrant workers through a rights based approach This book gives new insights into the factors that motivate people to seek work outside their country of origin and the significant development effects on both origin and destination countries Exposing the often limited access of migrant workers to their fundamental rights at work the book describes in detail the international norms that have evolved to protect migrant workers and ensure decent work for all It reflects on existing and potential international governance structures and addresses linkages between migration and development The book reviews the ILO s Multilateral Framework on Labour Migration and discusses its role in improving policy making and upgrading international cooperation in the area of labour migration Book jacket

Select Proceedings of the European Society of International Law, Volume 4, 2012 Mariano J Aznar, Mary E Footer, 2016-01-28 This is the fourth in the Series of Select Proceedings of the European Society of International Law ESIL featuring the most important and interesting papers presented at the Fifth Biennial Conference on Regionalism and International Law organised by ESIL and the University of Valencia in 2012 As usual the best papers from that conference have been re written edited and drawn together by the two editors to present a perspective on what is a flourishing forum for the discussion of new ideas and scholarship on international law **Jobs for Immigrants**, 2007

World Report on Child Labour, 2013 World Report on Child Labour International Labour Office, 2012 How can we reduce child labor in the unfavorable circumstances of a global economic slowdown This new flagship report the first in a series to be published annually by the ILO s International Program on the Elimination of Child Labor brings together research on child labor and social protection identifying policies that are designed to achieve multiple social goals This report includes analyses of national child labor trends based on the latest survey data discussions of the role of poverty and economic shocks in rendering households vulnerable to child labor and detailed consideration of income transfers public employment programs social insurance and microcredit initiatives as they have been implemented around the world The report distills a broad range of research in economic and social policy and should be of interest to those looking for ways to combat poverty in the present and reduce its burden on the next generation

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