

# union rights



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# Voices out of the Shadows: Migrant Women Workers from Senegal

Migrants often recognise the potential benefits of belonging to a union but remain unaffiliated: is it for migrant workers to make the first move, or unions?

Young and recently widowed mother-of-three, Toulaye<sup>1</sup> moved to Italy in 2010 to look for work. Back in her native Senegal, sexual harassment by her boss and a bullying culture forced her to quit a prestigious job in the finance sector. With her qualifications not being recognised in Italy, she turned her hand to whatever she could find; mostly in the care sector. Toulaye was frequently blackmailed by one employer, only too aware of her staff's undocumented status. When Toulaye refused her sexual advances, she found herself out on the street and denied six weeks' of backdated wages. Years later, after Toulaye successfully navigated the labyrinthine Italian immigration system, the harassment still didn't desist. An employer installed cameras everywhere, including the shower. In order to keep him on side, Toulaye's agency advised her not to pursue the matter.

This is the first of many stories collated in a 2021 report foregrounding the myriad experiences of migrant women from West Africa. It's with the sad recognition that accounts like Toulaye's are all too common, that *Testimonies of Migrant Women Workers in Senegal* came about.

An 8-month long collaborative effort between Germany's Friedrich-Ebert-Stiftung (FES) foundation, RSMMS (The Trade Union Network for Mediterranean Sub-Saharan Migration) and Senegal's inter-trade union action on migration (CARISM), the project was greatly influenced by the adoption in 2019 of the International Labour Organisation's Convention 190 (C190) - and Recommendation 206 - on violence and harassment in the world of work. Grassroots civil society campaigning has already been instrumental in driving changes to Senegalese legislation on sexual assault. As well as criminalising rape and paedophilia, Law 2020-05 makes reference to harassment and 'indecent behaviour'.

In light of these recent victories, the research aims to buttress campaign efforts for ratification and full implementation of C190 in the Sahel countries, including by the Réseau National des Femmes Syndicalistes du Sénégal (RENAFES, English: *The National Network of Women Trade Unionists of Senegal*).

'This work is a valuable contribution by women trade unionists; principled activists who combine solidarity with workers in the field' says Naima Hammami, Deputy Secretary General of the UGTT (Tunisian General Labour Union) on behalf of the RSMMS. *A far cry from slogans and declarations of principle, the...publication highlights the violence and*

*harassment that women in general, and migrant women in particular, endure'.*

The advent of C190 was not the only motivating factor. In search of data around the living and working conditions of migrants, FES Tunisia discovered there was a dearth.

*'The results showed the necessity of paying more attention to migrants' situation who, because of their isolation, are out of the state's reach and often remain hard for unions and associations to access' says occupational safety and health consultant Fambaye Ndoye, author of the report.*

Whilst acknowledging the realities of the pandemic, the research team remained undeterred. Comprised of academics and legal professionals, they found innovative ways to reach the women. With the help of contacts on the ground, the RSMMS put researchers in touch with potential interviewees. The use of WhatsApp proved highly pragmatic. All the women interviewed had the application. They could communicate discreetly with the team whilst at work. For those who did not have access to wi-fi, data was provided.

Of course, this purely online medium came with challenges, such as long lapses of contact. Interviews had to be conducted piece-meal. There were technical problems and often poor sound quality.

More challenging still, not all the women were forthcoming. Some subjects were considered off-limits and interviewees would refuse to continue. For those who did open up, researchers noticed a reluctance to discuss the extent of their emotional trauma. The vast majority of those interviewed would only do so under the cloak of anonymity. These brief accounts are nonetheless rich and poignant.

After a relatively happy stint working for a family in Spain, Awa was convinced by a friend to move to Saudi Arabia in 2012. It's a depressingly familiar story of smugglers and wage theft, only for Awa to be burdened furthermore by invented debts. Domestic workers' rights evaporate once they cross the threshold of their employers. *'You become the... family slave'* Ama laments. She's not merely referring to the merciless workload. She speaks of domestic workers being 'sold' after having a verbal altercation with their boss.

According to the ITUC 2020 Global Rights' Index, the Middle East and North African region (MENA) is the worst in the world for working people, with exceptionally high incidences of labour rights' violations or no guarantees at all. (Incidentally, Saudi Arabia was omitted from the 2020 study as it was in the process of making legislative changes).

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It's not just within the MENA or European regions that these migrant women have encountered harsh treatment and discrimination.

Anne moved from Congo to Senegal where she has suffered psychological abuse and experienced xenophobia. Following unsuccessful job searches in her native Senegal, Sophie moved to Mauritania where exploitation awaited her.

Kiné relocated from the Gambia to Mauritania. Like Sophie, she has experienced stark racism in the former French colony. She once intervened when an employer was physically abusing a 10-year old domestic worker.

Tired of the abusive nature of the work herself, Kiné finally quit to become a food vendor. In the past year, like many in the informal sector, business has been blighted in the wake of the pandemic.

Mame, now based in Spain, made a similar switch from domestic work as a result of the appalling conditions...

*'A friend who worked as a domestic for 3-4 years kept being fired after six months and then rehired six months later – so her boss didn't have to give her a permanent contract. But you can't do anything about such abuse.'*

Mame's move into the informal sector was also fraught. The Spanish CCOO union helped her secure space on the beach, after she and others were routinely chased away. Despite her trade also suffering during the COVID19 crisis, Mame's experience has been different from her compatriots. Thanks to her regular migration status, she is entitled to state support.

Latifa has not been so fortunate. Born in Dakar to a Senegalese mother and Moroccan father, she moved with her French husband to Morocco in 2006. Despite her father's nationality, she has struggled to obtain a residence permit owing to the strict regulations. Migrant women are at a greater disadvantage, having their applications refused more frequently than their male counterparts. Their only recourse is the precarious informal sector.

Being darker skinned, according to Latifa, also makes it harder to obtain decent work. Moroccans refer to Sub-Saharan Africans as if they are not from the same continent, she observes.

The Association for Senegalese in Tangiers is a welcome source of solidarity. The women's experiences aren't uniformly harrowing.

On moving to Spain, Sokhna received support from the CCOO to help improve her language skills. Overall she has enjoyed decent working conditions and a good relationship with the family by whom she's employed.

Zeyna's relocation to France has also been generally positive. After an unhappy first experience, she changed her recruitment agency. She's paid on time and receives bonuses on national holidays and overtime. Zeyna remains resilient and even charitable when faced with casual racism, especially working with those who have psychological or behavioural disorders. *'You can't spend all your time*

*answering them'* she reflects *'I accept it – not for lack of dignity but out of maturity'*.

Beyond these more encouraging examples, the report attempts to inject some optimism elsewhere. It is noted with relief, that certain participants have not been subjected to physical and/or sexual violence. The bar is already set so low. Still, it is but cold comfort. In the course of the study, researchers noted that when women did refer to incidents of physical or sexual violence, it usually only happened to 'a friend'.

*'The loneliness of these women touched me, especially'* Fambaye confides *'Many of them couldn't share their experience because of fear or not wanting to relive these painful events'*.

There are nonetheless moments of genuine hope, such as the news that the smuggling ring responsible for Awa's ordeal have been disbanded. The system might not yet be dismantled but at least, one less group is in operation.

On the trade union front, there is a demoralising lack of direct engagement amongst the women.

Domestic worker Ndella, is one of the exceptions. She applauds the UNSAS union of Senegal for organising domestic workers. She is also well-informed about the protections afforded to domestic workers by ILO Convention 189; of which 2021 marks the 10th Anniversary.

By contrast, the vast majority of the women are completely unaware of ILO instruments. And whilst recognising the importance and potential benefits of belonging to a union, they largely remain unaffiliated. The report reflects on how this impasse can be broken; whether it's for migrant workers to make the first move or unions. Where possible, pre-departure awareness-raising initiatives around union membership and international labour standards, is forwarded as a possible solution.

However, considering that certain destination countries make union participation extremely difficult, it would be even more difficult to organise undocumented migrant workers.

In the period between 2019-2020 for example, 100 percent of governments in the MENA region violated the right to strike; 97 percent in the rest of Africa. In Europe it was as high as 74 percent.

If most of the women as yet remain unaffiliated to a union, civil society organisations such as the Senegalese Solidarity Fund are a lifeline. All the more so when support from formal channels is lacking. Those women who gathered the courage to approach their country's ambassadors, for instance - at the risk of revealing their undocumented status - were refused assistance.

The report calls for embassies to provide legal support for all migrant workers, irrespective of status. In line with RSMMS and other trade union networks<sup>2</sup> championing migrants' rights, the report also advocates ready access to social protections - regardless of migration status - better coordination of

Experiences aren't all bad: on moving to Spain, Sokhna received support from the CCOO union to improve her language skills, and has overall enjoyed decent working conditions

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