Prohibiting Discrimination Against Migrants in the Workplace

Work and Migration

- There are 164 million international migrant workers.
- 270 million people have either voluntarily moved or been forcibly moved from their home country or state, and are considered international migrants. This is an increase of over 50 million since 2010.
- 3 in 5 international migrants have migrated to seek employment. Migrant workers are at particular risk of experiencing discrimination based not only on their citizenship status, but also if they are racial, ethnic, or religious minorities.
- Migrant workers are in a particularly vulnerable position during times of economic downturn or crisis.
- Migrants may be ineligible for government unemployment benefits and other support programs within the social security system, making them particularly vulnerable to job loss during a time when jobs are scarce.
- Dangerous situations and economic conditions that make it impossible to meet even basic needs can make it untenable for migrants to return to their home country.
- Undocumented migrants may be at increased risk of abuse and exploitation due to fears of being detained in dangerous conditions or deported.
- Beyond these, there is the danger of rising nativist rhetoric that often accompanies economic crises.
- Anti-discrimination laws can counter harmful stereotypes and provide avenues for workers to seek redress.

Ensuring Protection from Discrimination at Work

- Only a minority of countries guarantee some protection from discrimination at work on

About the Data

This fact sheet presents findings from the following article:

Protections in Specific Areas

- Around the world, migrants are at risk of exploitation and abuse. Low wages are particularly common and affect migrants’ economic security, as well as potentially undermining wages more broadly.
  - Only 23% of countries guarantee equal pay for migrants; 19% do so based on foreign national origin.
  - There is significantly lower protection for migrants than for other groups. Overall, 86% of countries guarantee equal pay at work to at least one social group.
  - For migrant workers whose legal status is tied to their employment or who are ineligible for unemployment benefits, protection from discriminatory dismissal is particularly important.
  - Few countries explicitly guarantee protection from discrimination in termination based on migrant status (21%) or foreign national origin (27%).
  - Migrants are also vulnerable to harassment at work, which can significantly impact their health and well-being.
  - Only 14% of countries legally prohibit harassment based on migrant status, and 14% do so based on foreign national origin.

- Legal protections alone are not enough without effective enforcement mechanisms, as workers may not report discrimination due to fear of retaliatory action.

- Only a minority of countries provide any protection from retaliation for reporting discrimination based on migrant status (24%) or foreign national origin (25%).

Is there at least some explicit legislative protection from workplace discrimination based on migration status?

Source: WORLD Policy Analysis Center, Discrimination at Work Database, 2016

ABOUT THE METHODOLOGY

This analysis relies on a systematic review of original legislation and statutory guarantees extended to the private sector as of August 2016 for all 193 United Nations member states. It excludes instances where case law has extended the application of more general prohibitions to specific areas of work and to cover additional social groups. Updates of these data are currently in progress.

Further details on full methodology can be found at: https://www.worldpolicycenter.org/topics/equal-rights-and-discrimination/methods.

ABOUT WORLD

The WORLD Policy Analysis Center (WORLD) aims to improve the quantity and quality of globally comparative data on policies affecting health, development, well-being, and equity.

With these data, WORLD informs policy debates; facilitates comparative studies of policy progress, feasibility, and effectiveness; and advances efforts to hold decision-makers accountable.

CONTACT US

Website: worldpolicycenter.org
Email: world@ph.ucla.edu