

Forced Labour Indicators

The International Labour Organization (ILO) defines forced labour as any form of work or service that is extracted from an individual under the threat of penalty and without their voluntary consent. To aid in the identification of forced labour situations, the ILO has developed eleven indicators that serve as key markers. Detecting instances of these forced labour indicators can be confusing and challenging.

Below is a simple summary of each of the ILO indicators. This includes a description, an example and potential sub-indicators related to each category.

The goal of this document is to provide useful information to support the identification of forced labour risks in a company's operation and supply chains.

To prioritise and assess the severity of each indicator, they are divided into four rating categories ranging from 2 to 5, with five being the most concerning rating.



While all of the indicators are important and relevant, it is crucial to note that manufacturing brands will raise more concern as the rating increases. This rating system allows you to effectively evaluate the risks associated with forced labour and take appropriate actions accordingly.

Abuse of Vulnerability:



When an employer or a third party (i.e.: recruitment agency) takes advantage of a worker's vulnerable position. This often happens to migrant workers who are not speaking the local language.

Example

A migrant worker is recruited to take a job in a foreign country. Before leaving his home country, he signs an agreement in his own language. Upon arriving at the host country, he is told to sign a contract in the local language that he doesn't speak. When he says he can't sign it, they threaten to send him back with a penalty fee. With no other choice he signs the contract which includes clauses on working hour limits and wages that are less than his original agreement. This contract cheats him out of a portion of his wages and benefits.

Potential Indicators



Do workers have knowledge of the local language?



Do workers have knowledge of local laws?



Do workers have limited livelihood options?



Do workers belong to a minority religious or ethnic group?



Do workers have a disability?



Do workers have other characteristics that set them apart from the majority population?



Do workers depend on the employment for multiple things, including the job, housing, food, and work for their relatives?

Deception:



Deception relates to the failure to deliver what has been promised to the worker, either verbally or in writing. The promised payment and conditions of work do not materialise, and workers find themselves trapped in abusive conditions without the ability to escape.

Example

A migrant worker was offered the job as a tailor in a garment factory. She willingly agreed to do this job because it was consistent with her experience and skills. On her first day, she discovers that she will not be doing the job that was offered; instead, she would be working as a cleaner. In addition, she was originally promised that she would be given a private room on the worksite. But upon arrival, she was forced to stay in a shared dormitory that was overcrowded and unclean.

Potential Indicators



Do workers receive information that offers free and informed consent related to their work conditions?



Do workers receive clear and concise information related to their working conditions?



Do workers have clear and concise information related to their wages and when they would be paid?



Do workers know the type of work they will be doing?



Do workers know what their living conditions would be?



Do workers know the job location and the identity of the employer before arriving?

Rating

2

Rating

2

Excessive overtime



Forced labourers may be obliged to work excessive hours or days beyond the limits prescribed by national law or collective agreement. They can also be denied breaks and days off, having to take over the shifts and working hours of colleagues who are absent, or by being on call 24 hours a day, 7 days a week.

Example

During their ten-hour shift, workers within a shoe factory are not given any breaks. In addition, during nearly every work shift, they are forced to continue working for several hours beyond their scheduled time. If they complain or refuse to do this work, they are told they'll have their pay cut or they'll lose their job.

Potential Indicators



Do workers work more overtime than what is allowed under national law?



Do workers have to work excessive over time under some form of threat (e.g. of dismissal, wage reduction, physical punishment, etc.)?



Do workers earn at least the minimum wage?

Rating

2

Isolation



This indicator relates to victims of forced labour who are isolated in remote locations and denied contact with the outside world.

Example

A worksite on a palm oil plantation is in an area that is not easily accessible. Since public transportation is unavailable, the workers are unable to leave the site very often. With no cell phone signal, they have very little contact with the outside world. While the site office has Wi-Fi for the plantation manager, he refuses to offer this to the workers.

Potential Indicators



Do workers know where they are located?



Do workers have access to transportation if they chose to leave the worksite?



Are workers kept behind closed doors?



Do workers have access to their mobile phones or other means of communicating?



Do workers have access to communication methods to contact with their families?



Do workers reside in a location that is informal and not registered?

Rating

3

Retention of Identity Documents



The retention by the employer of identity documents or other valuable personal possessions is an element of forced labour if workers are unable to access these items on demand and if they feel that they cannot leave the job without risking their loss. Without the identity documents, the worker may not be able to obtain other jobs or access essential services and may also be afraid to ask for help from local authorities or NGOs.

Example

A workers' passport is stored in a locked safe within the supervisor's office. Whenever she needs to retrieve her passport, she must approach one of the staff members who has the key to unlock the safe. She does not feel comfortable requesting access to her passport. On several occasions, she was told she couldn't have it. There was no reason given.

Potential Indicators



Do workers always have access to their identity documents?



Do workers have lockers or other safe locations to store their identity documents and/or valuable personal possessions?



Does the employer hold on to these documents? If so, why?



If documents are withheld, can a worker retain the document at any time?

Withholding of Wages



When wages are systematically and deliberately withheld to compel a worker to remain or if this is used to deny a worker the opportunity to change employers, this can point to forced labour.

Example

A worker at a seafood packing factory regularly has her wages withheld. This sometimes happens for several months. She is told that she will receive the payments if she increases her shrimp peeling targets. This often occurs during the peak season to ensure that workers do not accept jobs at other factories.

Potential Indicators



Are there irregular payments of wages made to workers?



Are there delayed payments of wages made to workers? If so, for how long?



Is an explanation for irregular and/or delayed payments offered to employees?



Are there cases where a worker never receives payment?



Are delayed payments used to keep an employee working at a worksite?

Rating

3

Rating

4

Restriction of Movement



Restriction of movement occurs with workers who are locked up and guarded to prevent them from escaping, at work or while being transported.

Example

Workers at a toy factory are taken by a bus to their dormitories after each shift. This compound has high walls and is regularly locked. They are not allowed to leave unless the supervisors give their approval. This approval is never offered.

Potential Indicators



Do workers have the freedom to enter and exit the work premise without restrictions?



If not, do workers face restrictions related to protection of their safety and security in hazardous work sites?



Do workers need to request prior permission from a supervisor to attend a medical appointment?



Do workers have their movements controlled inside the workplace by surveillance cameras or guards?



Do workers have their movements controlled outside the workplace by agents of the company who accompany them when they leave the site?

Rating

4

Abusive Working and Living Conditions



Forced labour victims are likely to endure living and working conditions that workers would never freely accept. Abusive living conditions often represent an “alert” to the possible existence of coercion that is preventing the exploited workers from leaving the job. Working conditions and accommodation can be degrading, dangerous and dirty.

Example

The factory dormitory is filled beyond capacity; twenty people occupy a space that should only house six workers. The workers are forced to eat and sleep on the same floor. They do not have access to drinkable water at night. There is only one shared toilet.

Potential Indicators



Is work performed under conditions that are degrading (humiliating or dirty) or hazardous (difficult or dangerous without adequate protective gear), and in severe breach of labour law?



Would living conditions be described as substandard?



Would living conditions be considered overcrowded and unhealthy, without any privacy?



How many toilets are available for workers in the living space?

Rating

4

Debt bondage



Debt bondage exists when labourer are forced to work to pay off a debt incurred or sometimes even inherited. This debt can arise from wage advances or loans to cover recruitment or transport costs or from daily living or emergency expenses, such as medical costs. In some cases, debts can be compounded because of manipulation of accounts, especially when workers are illiterate. In some cases, employers make it difficult for workers to escape from the debt, by undervaluing the work performed or inflating interest rates or charges for food and housing. Because this debt is used to hold a person in place, it is considered an indicator of forced labour.

Example

A migrant worker accepts a job in a nearby country. As part of the recruitment process, he is forced to pay US\$1,500 for this job. After signing the contract, the additional fees and interest raise the amount to US\$3,000 over time. For two years, he works to pay back the money owed. He is told that he cannot leave until this debt is covered. Since there is no money going to his family, he is forced to borrow even more money.

Potential Indicators



Do any workers have debt related to their employment?



If so, who owns this debt?



Are indebted workers allowed to resign from the worksite or is the debt holding them in place?



Do workers have access to the data related to the debt repayment?



Do workers understand the debt fees and interest rates?

Physical and Sexual Violence



Forced labourers, their family members and close associates may be subjected to actual physical or sexual violence. Violence can also be used to force a worker to undertake tasks that were not part of the initial agreement, such as to have sex with the employer or a family member or, less extreme, to undertake obligatory domestic work in addition to their “normal” tasks.

Example

At an electronics factory, workers are verbally abused and sometimes even hit by their supervisors for not achieving the target of the day. Some of the female workers are regularly sexually harassed by their line manager. They are told that if they say anything about this, they will lose their job.

Potential Indicators



Are workers forced to take drugs or alcohol to get them to do something?



Is violence ever used as a disciplinary measure to force people to work?



Are workers ever physically assaulted?



Are workers ever sexually assaulted?



Have any workers been kidnapped to force them to work?

Rating

5

Rating

5



Victims of forced labour may suffer intimidation and threats when they complain about their conditions or wish to quit their jobs. The credibility and impact of the threats must be evaluated from the worker's perspective, taking into account his or her individual beliefs, age, cultural background and social and economic status.

Example

A worker refuses to work overtime. As a consequence, the employer evicts him from the dormitory. He is told that he will be given access to the dormitory only if he works overtime and meets production targets whenever asked. If not, he will be forced to find a place to stay at his own expense.

Potential Indicators



Are workers ever threatened with any form of physical violence?



Do threats made against workers include denunciation to the immigration authorities?



Are threats made related to loss of wages or access to housing or land?




Are threats made related to sacking of family members, the possibility of worsening of working conditions or withdrawal of "privileges" such as the right to leave the workplace?




Are insults used to undermine workers as a form of psychological coercion, designed to increase their sense of vulnerability?




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