

Labour Market Enforcement Strategy 2025 to 2026: call for evidence



Department for Business and Trade

Response by the Latin American Women's Rights Service (LAWRS)

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About the Latin American Women's Rights Service (LAWRS)

LAWRS is a human rights, feminist organisation run by and for Latin American migrant women living in the UK. We support women who are exposed to violations of their fundamental human rights, facing violence against women and girls, exploitation in low-paid sectors, trafficking, and/or enduring severe poverty and deprivation.

We also advocate for women's rights, migrants' rights and the rights of ethnic minorities at local, national and EU levels, working with sister organisations in the women, anti-trafficking, immigration and racial justice sectors, to tackle the vulnerabilities faced by Latin American women who are affected by intersectional layers of discrimination.

For further information, please visit our website: www.lawrs.org.uk

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Introduction

LAWRS directly supports Latin American migrant women living in the UK, and employed mainly in three key feminised and low paid areas of the UK's labour sectors: cleaning, hospitality and domestic work. These are sectors characterised by high levels of exploitation and abuse¹, on which we will focus our evidence.

Migrant workers in precarious jobs often face persistent violations of their employment rights, frequently leading to exploitation. Most are unaware of the enforcement bodies or the support available to them. Instead, they rely on community organisations that offer advice in their native languages. When informal resolution is not possible, many avoid pursuing legal action due to limited time and resources. Establishing an enforcement body that is accessible to all and capable of assisting vulnerable workers in seeking remediation would be a significant improvement. However, it is crucial that the needs of migrant workers and those in precarious and low-paid jobs are prioritised from the outset.

A. Employment rights enforcement priorities and governance

1. Briefly, and in no more than 100 words, what do you believe should be the priorities for employment rights enforcement as we transition to the FWA?

Key focuses should include:

- **Enforcing employment rights.** Proactive inspections should be carried out, but it is essential that these are not done in partnership with Immigration Enforcement². Strong protections for migrant and gig economy workers should be put in place. This should also include real penalties for employers breaching the rights of workers, and improved support for workers, in particular those who do not meet the threshold for exploitation but are in need of support to enforce their rights³.

¹ For more information, please see our reports [The Unheard Workforce: Experiences of Latin American migrant women in cleaning, hospitality and domestic work](#) and [Behind Closed Doors: Experiences of Latin American domestic workers in the UK](#).

² [Opportunity Knocks: improving responses to labour exploitation with secure reporting](#), Labour Exploitation Advisory Group (LEAG), 2020.

³ [Systemic drivers of migrant worker exploitation](#), Sehic, A. and Vicol, D., Work Rights Centre, 2023. See also: [Right to Work Checks & Immigration Raids](#), Migrant Rights Network, 2023

- **Providing clear and accessible information for workers** to increase awareness of workers' rights and understanding of what type of support they can expect from the FWA. This must include information in various languages and working alongside community organisations to reach the most vulnerable workers.
- **Providing accessible and safe reporting mechanisms.** Workers should be able to report employment rights violations and exploitation in their own language and without fear of immigration-related consequences⁴. For this, it is crucial that the FWA does not share information with the Immigration Enforcement.
- **Addressing exploitative practices.** Key sectors where exploitation is ripe should be prioritised, such as cleaning, hospitality, and domestic work⁵. Collaboration with organisations who are already supporting workers in these sectors is key. The GLAA's responsibilities as First Responder organisation should be retained and relevant training should be provided for identifying exploitation, trafficking and modern slavery.

2. The FWA will take some time to be set up. What should priorities be for the enforcement bodies before then? What should be FWA medium to longer-term priorities and why?

Immediate priorities for the existing enforcement bodies should include:

- **Strengthening protections for the most vulnerable workers**, in particular migrants and gig economy workers and those working in outsourced services. This should include working collaboratively with community organisations and informative campaigns to ensure workers receive information about their rights in their own languages.
- **Combating wage theft** and supporting workers to recover their unpaid wages. Currently, workers who face violations to their employment rights are unaware of the existence of the different enforcement bodies or where to go for support other than community organisations. More should be done to reach these workers and provide support to recover their unpaid wages and generally enforce their rights.
- **Improving reporting mechanisms** so that workers are able to report employment rights violations and exploitation. Currently migrant workers who face minor violations are

⁴ [Preventing and addressing abuse and exploitation: A guide for police and labour inspectors working with migrant](#), LAWRS and FLEX, 2022.

⁵ See LAWRS reports linked in footnote 1 and these others for instance: [The Invisible Workforce: Employment Practices in the Cleaning Sector](#); [“If I Could Change Anything About My Work...” Participatory Research With Cleaners In The UK](#)

unaware of how or where to report these, as stated above, while those who experience exploitation and modern slavery are very often afraid to report for fear of immigration-related consequences. It is important that enforcement bodies stop all data-sharing with Immigration Enforcement, unless a worker consents to being referred into the National Referral Mechanism (NRM).

- **Conducting proactive inspections in high risk sectors** without immigration enforcement teams. This would require an increase in the number of inspectors⁶ and should include inspections in private households in order to combat exploitation of domestic workers⁷.

Medium to Long-Term Priorities for the Fair Work Agency:

In addition to priorities shared in question 1, the FWA should:

- Establish longer-term plans for addressing structural inequalities and tackling systemic discrimination experienced by women, minorities and disabled workers.
- Carry out periodical informative campaigns and production of useful resources that reflect changing legislation, issues, trends, etc. in various languages.
- Build a culture of compliance that focuses on prevention rather than reactive enforcement.
- Improve avenues for redress for workers whose rights are violated but who do not reach the level of exploitation that would allow them to receive NRM support.

B. Communication and engagement

1. How do you expect stakeholders to be engaged by the FWA and what do you see as the benefits?

⁶ The ILO recommends that Governments employ at least one inspector for every 10,000 workers in the country, to safeguard workers' rights. See:

<https://www.ilo.org/resource/news/ilo-calls-strengthening-labour-inspection-worldwide>

⁷ The labour inspectorate equivalent in the Republic of Ireland has the powers to inspect private homes where these are workplaces. See:

https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/GA70thSession/CivilSociety/Migrant_Rights_Centre_Ireland.pdf

The advisory board supporting the FWA must include stakeholders representing all aspects of the labor market and diverse worker groups. It is crucial that independent experts on the board include representatives of migrant workers and community organisations that support them. These organisations, often trusted by non-unionized migrant workers, provide culturally sensitive, holistic support and are frequently the first to identify emerging labor sector trends that require attention to prevent worker exploitation.

The board should also invite additional experts to contribute evidence on specific issues and hold regular meetings with a broader range of worker-support organisations. This will ensure that evolving challenges and solutions are addressed comprehensively.

Public consultations and focus groups should be integral to the FWA's approach, gathering insights directly from workers, advocacy groups, and representatives of marginalised groups, including women, migrant workers, and gig economy workers. Outreach efforts should involve partnerships with community organisations to educate workers about their rights, the FWA's role, and how to access its support and reporting mechanisms.

By involving a diverse range of voices and perspectives, the FWA can create strategies and initiatives that reflect the realities of those most affected. This approach ensures informed decision-making and secures broader support across sectors.

2. By which channels might awareness of the FWA be increased before and once it is established and why do you recommend them?

The FWA should use a diverse range of tools to ensure all workers are reached. This includes:

- Digital platforms such as a clear and accessible website⁸, which outlines the role of the FWA, the rights of workers, the support that they can expect from the agency and clear steps to follow to lodge a complaint or make an inquiry; social media accounts on all the main platforms, with regularly updated information and campaigns, including paid campaigns to target different groups; online advertising through paid ads on popular websites and search engines.
- Broadcast media to amplify awareness among less digitally active audiences.
- Partnership work with key stakeholders such as community and *by and for* organisations, trade unions, business groups.

⁸ See for example, the Greater London Authority's [Employment Rights Hub](#).

- National and local government announcement platforms, such as council newsletters.

C. Resourcing and prioritisation

1. What should the 3 enforcement bodies be doing now to ensure the FWA achieves sustained and lasting improvements in employer compliance?

The 3 enforcement bodies should be improving practices to ensure a higher level of compliance in high-risk sectors, such as cleaning, hospitality, domestic work, social care, and the gig economy. Inspections must be prioritised in these sectors and penalties for employers who are in breach of the law should be implemented.

Currently Latin American women working in cleaning find that they are unable to enforce their employment rights. Often when they try to, for instance, recover unpaid wages, the company they are working for declares bankruptcy and shuts down, only to re-open later under a different name without consequences. Employers who rely on this practice should be identified and prevented from engaging in such exploitative behaviors through robust enforcement measures. This requires coordinated efforts between enforcement bodies to track companies that repeatedly declare bankruptcy to avoid liabilities. Measures could include:

- Creating a public register of directors linked to businesses with a history of insolvencies tied to employment rights violations.
- Imposing bans or restrictions on directors of such companies from operating new businesses in similar sectors.
- Strengthening penalties for repeat offenders, including higher fines and criminal prosecution for deliberate evasion of workers' rights.
- Proactive investigations into industries like cleaning, where such practices are prevalent, to deter potential violations.

Workers in domestic work are also among the most vulnerable due to the informality of their situation, and the isolation and power imbalances. Strong public facing campaigns targeting

both employers and workers should be developed, to highlight domestic workers' rights, including access to sick pay, minimum wage, and redundancy protections.

Additionally, employer compliance will not improve in high-risk sectors until workers are also able to report violations of their rights. As stated above, currently workers in our community have no knowledge of how to report violations to either of the 3 enforcement bodies, or what the benefit of doing so might bring. In order to improve reporting, outreach campaigns should be developed to provide workers information on their rights and redress mechanisms in their own languages, and assurance that, for those workers who are undocumented or have insecure migration status, no data will be shared with Immigration Enforcement.

3. What are the key labour market non-compliance risks for which the FWA needs to be ready? What is the evidence for this?

Ample evidence has been presented by organisations supporting workers in high-risk sectors. It is essential that the FWA's plans are informed by this evidence as well as evidence from the 3 enforcement bodies.

For more information on the risks present in the key sectors that Latin American workers are employed in, please see our reports: [*The Unheard Workforce: Experiences of Latin American migrant women in cleaning, hospitality and domestic work*](#) and [*Behind Closed Doors: Experiences of Latin American domestic workers in the UK*](#).

D. Moving towards a FWA

2. What would you like to see done differently?

4. In establishing the FWA is there any good practice you would like to highlight from other UK and/or international regulators/enforcement bodies, either in the labour market enforcement space or beyond?

Currently, the enforcement bodies responsible for upholding labour rights in the UK work in close collaboration with Immigration Enforcement. This approach creates significant barriers for vulnerable workers, particularly migrants, who may hesitate to report violations of their

employment rights due to fears of detention, removal/deportation, or other immigration-related repercussions. Without safe reporting mechanisms, workers are left unprotected, and exploitative employers operate with impunity.⁹

For labour enforcement to be effective and inclusive, a clear separation between immigration enforcement and employment rights enforcement must be established. Workers must feel confident that reporting abuse or exploitation will not lead to immigration action against them. Without such assurances, many individuals, particularly those who are undocumented or have insecure immigration status, will remain reluctant to come forward, perpetuating cycles of exploitation and abuse.

Implementing "firewall" policies, which prevent information sharing between labour enforcement and Immigration Enforcement, is a critical step. These policies ensure that workers can report violations safely, enabling enforcement bodies to focus on tackling non-compliance and exploitation. Such a shift would not only protect vulnerable workers but also foster trust in the enforcement system, ensuring fair treatment for all workers and improving overall labour market compliance.

Several countries have successfully implemented policies or practices that separate labour enforcement from immigration enforcement to encourage safe reporting and protect workers' rights and improve labour enforcement and compliance. Examples include the United States, Canada, New Zealand, Australia and Portugal.

Catalina's* story

Catalina was brought to the UK from Latin America in early 2023 to work as a live-in housekeeper and look after two children. She was paid £850 a month. Catalina would wake up at 5 am to start work and never had a clear end to her working day, often going without food.

Catalina was not allowed to leave the house. Her employer took her passport away and the house had camera surveillance in most of the rooms, so she was watched all day. The toilet was the only space with no cameras and this is where she would go to take a break, but even her time there was controlled.

⁹ [Opportunity Knocks: improving responses to labour exploitation with secure reporting](#), Labour Exploitation Advisory Group (LEAG), 2020.

Catalina was unaware of her rights in the UK or where to find help. When Catalina said she wanted to leave, her employer said she could not leave until her employer could go to her home country and bring someone back to replace Catalina. When she threatened to call the police, her employer told her that because she did not speak English no one would believe her. She was told to remember that she was at the bottom of the pile in the UK.

Catalina is undocumented, and this threat made her terrified of the police. Catalina got in touch with LAWRS after a former victim of the employer gave her our number. Catalina did not want us to report the exploitation to the police as she was undocumented and just wanted help to get back home. LAWRS eventually supported her to make a report to the police so that she could escape and be taken to a refuge. When the perpetrator found out that Catalina had escaped, they published posts on social media to try and search for her.

**Name has been changed to protect the woman's identity*