



Grievance mechanisms in agriculture

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Overview

Agricultural work relies on cheap and flexible labour, often supplied by migrant and seasonal workers who are at high risk of exploitation and often lack access to operational grievance mechanisms.

Operational grievance mechanisms are systems which record and respond to complaints from workers. They can help provide redress when a worker has been harmed, identify and prevent future risk, and provide critical human rights insights for other business processes, such as due diligence. They can also build trust between workers and employers, making a positive impact with relatively low investment. However, to be effective these mechanisms must be well designed and robustly implemented. According to an assessment by the World Benchmarking Alliance in 2023, only **5%** of companies surveyed could demonstrate workers' trust in their grievance mechanism, and **10%** could ensure user ownership by involving potential and actual users in the mechanism's design.¹

This report highlights the barriers to justice that migrant workers face, both before and after they arrive in Europe, and recommends measures to improve the effectiveness of operational grievance mechanisms.



Project background

In January 2023, the Ethical Trading Initiative (ETI) initiated “*Grievance mechanisms in agriculture*”, an ETI initiative funded by the UK Government’s Modern Slavery Innovation Fund III to increase access to grievance mechanisms for vulnerable workers within targeted agriculture supply chains. It also aims to improve information-sharing about recruitment practices and emerging risks to migrant workers through the creation of a modern slavery prevention network in migrant countries of origin and transit countries.

Bringing together a group of ETI’s trade union, NGO, and company members, the initiative focuses on the agriculture supply chains of UK businesses in Spain and Italy. The UK is the third largest importer of fresh fruit and vegetables in Europe, and a third of its imports come from Spain.² After Germany, the UK is also the second most important export market for the Italian fresh produce sector.³

As part of the initiative, ETI commissioned research to consolidate existing research and update our understanding of the essential factors impacting the availability, awareness, accessibility, and use of operational grievance mechanisms among agricultural workers in our targeted areas. The initiative will build on existing research and use new insights to design and implement a grievance mechanism pilot and develop the new prevention network.

This report summarises the findings of several research outputs commissioned by ETI in 2023:

- Rapid supply chain and grievance mechanism mapping of the Italian agriculture sector, *Partner Africa*.
- Rapid supply chain and grievance mechanism mapping of the Spanish agriculture sector, *Partner Africa*.
- Grievance mechanisms in agriculture: Supporting pre-departure networks in West and North Africa, *Partner Africa*.
- ETI Grievance mechanisms in agriculture, *Oxfam Business Advisory Service (OBAS)*.

Methodology

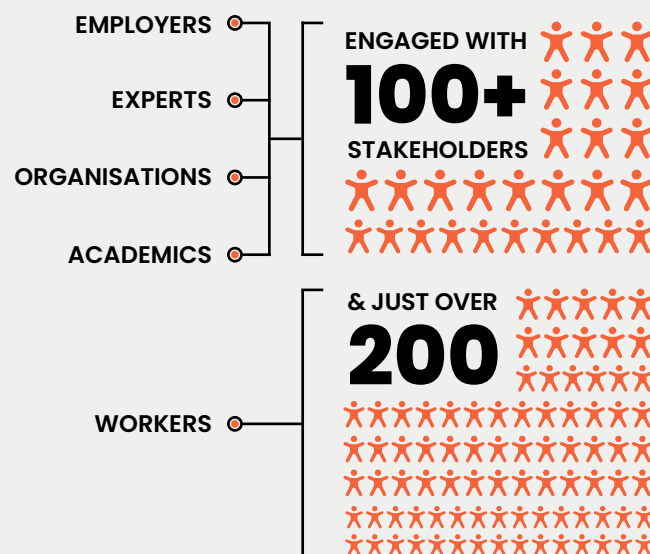
The research methodology combined two approaches:



Desk-based research involving an in-depth analysis of existing literature.



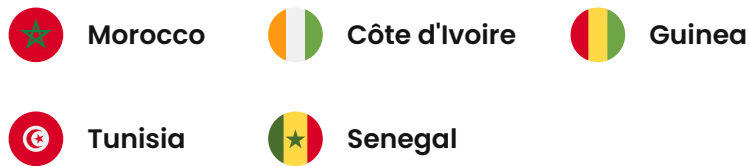
Primary data collection accomplished through interviews and focus group discussions with workers, employers, and other stakeholders.



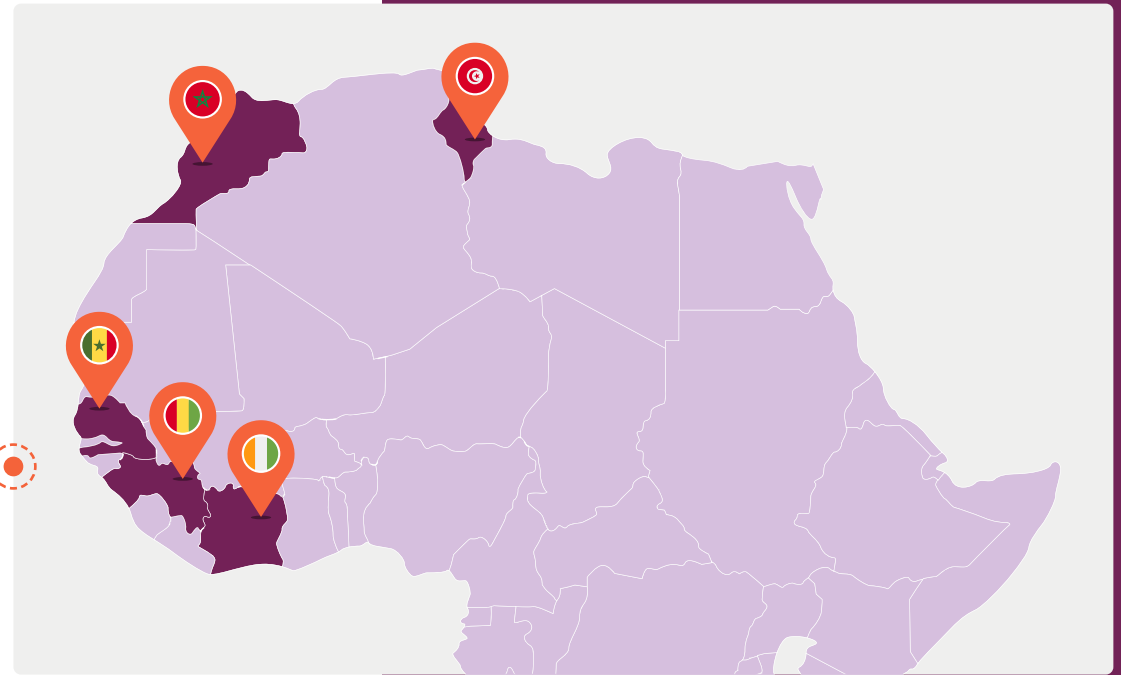
More than 100 stakeholders (employers, experts, organisations, and academics) were individually interviewed or attended moderated roundtable discussions, and just over 200 workers were interviewed or attended a focus group.

Factors leading to migration

Initial research identified a number of critical countries of origin with established migration flows to Europe and links to modern slavery cases in agriculture in Spain and Italy. These included:⁴



Morocco and Tunisia are also transit countries for many Sub-Saharan migrants, i.e. countries that migrants cross on their way to their destination.



Across these five African countries researchers identified main drivers for migration:

- Economic insecurity.
- Lack of job opportunities.
- Political unrest.

Personal and family ties in Europe, coupled with images of an idealised European lifestyle shared via the media and social networks, also play a role in the decision-making process.

Employers are not typically involved in the selection and transportation of candidates from North and West Africa, when recruiting for agricultural work in Europe. The only large-scale formal recruitment channel identified between Europe and North and West Africa was the circular migration scheme between Morocco and Spain, which allows workers to repeatedly migrate between their home and host countries for work on temporary and renewable

contracts. No other largescale recruitment channel involving employers between these regions exists, leaving those looking to migrate no formal channel to take.

For those who decide to travel on the margin of the legal opportunities, looking for a job in Europe is not a priority until they get there, and the search is then influenced by several factors:

- Family and community ties.
- Port of arrival.
- People they meet once in Europe.
- "Opportunities" that arise.
- Previous work experience.

This makes it difficult to target specific potential migrants in West and North Africa according to the work sectors they are likely to join once in Europe, except through formal migration schemes.



"Many underestimate the physical and financial risks, overestimate their chances of successfully reaching their destination."

Migrants face a multitude of challenges and dangers

Especially those attempting to reach Europe by irregular means



GREATER RISK OF ABUSE



MODERN SLAVERY



POOR LIVING CONDITIONS



GREATER RISK OF EXPLOITATION



DISCRIMINATION



LIMITED GRIEVANCE MECHANISMS



"Key stakeholders from civil society organisations, former migrants interviewed and other experts in the five countries recommended that the project make it very clear that it does not aim at deterring people from traveling irregularly but rather tries to provide objective information about the journey and the life and work conditions in destination countries. This is the best way, as recommended by interviewees, to avoid rejection by the target population."

■ Partner Africa, Supporting pre-departure networks in West and North Africa

Migrants attempting to reach Europe by irregular means face a multitude of challenges and dangers, and are vulnerable and exposed to greater risks of abuse, exploitation, and modern slavery, as they do not have access to the same protection and information as those who migrate legally.

Civil society organisations face difficulties reaching individuals operating outside legal frameworks to offer support and advice, also as they are less inclined to seek information about their rights or the risks they face. For many migrants the top priority is to get to Europe, often at all costs.

Organisations interviewed in Tunisia, Morocco, and Côte d'Ivoire confirmed that migrants who leave via irregular routes are often poorly informed about their rights and risks in Europe, relying mainly on word-of-mouth information. Those who migrate via regular routes are often aware of formal working conditions, but there are no structured initiatives to inform them about the risk of abuse, or what grievance mechanisms are available to them.

Research participants indicated that people looking to migrate irregularly would make safer decisions if they were better able to appraise the risks versus rewards of irregular migration. Many underestimate the physical and financial risks, overestimate their chances of successfully reaching their destination and acquiring legal status, and have vague or inaccurate perceptions of what life is like after arrival.

Most funded migration interventions between Africa and Europe focus on deterring potential migrants by highlighting the risks of migrating irregularly, for instance the physical dangers of the journey. Nevertheless, apart from international organisations who are in charge of implementing these programmes, an overwhelming majority of stakeholders interviewed doubt the effectiveness of such campaigns. They are often seen by migrants as an attempt by the "authorities" to put them off leaving. In addition, many initiatives focus on large communication campaigns using the media at the expense of direct contact with families and communities to discuss the issue in more depth.

Another important insight, documented in both interviews and secondary sources, is that the harder the journey gets, the more determined migrants are to continue with it. Interviews with returned migrants and civil society organisations show that hardships endured in the first portion of the journey often increased migrants' will to continue the journey through Europe, as the cost to return home overland is greater than taking the risk to cross the sea to Italy or Spain.

There are currently very few regional networks bringing together local migrant-centred civil society organisations, and where they do exist, most are academic or advocacy-oriented. Among organisations interviewed there is a clear need and a desire for closer cooperation and information sharing about ethical recruitment and labour rights for migrant workers in their countries of origin and transit.

Human rights impacts in arrival countries

Having undergone perilous journeys over land and sea, most often conducted by smugglers, migrants working in agriculture supply chains around the Mediterranean continue to be extremely vulnerable, and tend to lack knowledge about their basic rights. Primary research carried out in Spain and Italy assessed the vulnerabilities facing these workers.

Most are faced with a fragile economic and housing situation, compounded by factors such as their limited understanding of foreign languages, and in some cases lack of identity documents. This makes it impossible for them to assert their rights. Their primary concern is to secure a job that meets their basic needs and supports their families, leading them to accept work regardless of potential rights violations.

Both Italy and Spain have made several international commitments – including ratifying International Labour Organisation (ILO) conventions and implementing EU directives – related to human rights, labour standards, and the rights of workers, as well as the rights of refugees and migrants. Nevertheless, most pruning and harvesting on farms producing fruit, horticultural and vegetable commodities for UK markets, is undertaken by migrant workers who are at high risk of exploitation through illicit recruitment and employment tactics.

The ILO has outlined 11 indicators representing the most common signs of possible existence of a forced labour case:

- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
- Excessive overtime

In some instances, the presence of a single indicator can imply the existence of forced labour while in other cases it is several indicators which, when combined, point to a forced labour case. Being in a vulnerable position or enduring bad working and living conditions do not necessarily equate to the existence of forced labour, but it is when employers take advantage of workers' vulnerabilities that forced labour may arise.⁵ Findings from both Italy and Spain demonstrate that migrant workers are facing situations that make them highly susceptible to modern forms of slavery.



Italy

Italy is one of the main entry points to Europe for migrants who choose to leave their country in search of a better life.

In 2023, a total of **157,301 migrants arrived in Italy, a 50% increase compared to the previous year**. The most common countries of origin included Guinea, Tunisia, Côte d'Ivoire, Egypt, Syria and Burkina Faso.⁶ As the new year begins, more than 1,000 individuals have already arrived on Italian shores in the first days of 2024 through irregular migration channels.⁷ According to the United Nations Human Rights Office of the High Commission (UNHRHC), **between 450,000 and 500,000 migrants work in Italy's agricultural sector**, around half of its total workforce.⁸

Seasonal and logistical factors affect agricultural production, making it challenging for public employment centres to meet the sector's need for a flexible workforce. A common practice, especially in the southern regions, is to recruit and transport workers using illegal third parties, also known as caporalato, a system which relies on the exploitation of the vulnerability of migrant workers, often leading to inhumane living and work conditions.

Another feature of the agricultural sector in Italy is undeclared work, defined by the Italian National Institute of Statistics as either 'black' labour, in which the worker is unknown to authorities; and 'grey' labour, in which the number of working hours declared is lower than the actual amount, or the pay declared is lower than the actual sum.⁹ Most undeclared work is 'grey' labour. According to the Italian Ministry of Economy and Finance, tax evasion for irregular employees in the agricultural sector is estimated to cost the state between €642 million to €1 billion in lost income.¹⁰

In recent years Italy has introduced new laws against labour exploitation and corruption. However, these measures rely on workers coming forward to report and provide evidence of abuse, which many migrants fear doing, given risks of losing their employment or fear of deportation. According to a recent report, fewer than 10% of court cases have been initiated by worker's reports. These laws do not promote a "supply chain approach" that could increase transparency in the agricultural value chain to fight caporalato and labour exploitation.



Interviews with workers in Puglia and Sicily

Factors such as gender, nationality, and lack of documentation contribute significantly to placing workers in a vulnerable situation. This is worsened by the seasonal nature of production and the prevalence of undeclared work.

Migrant workers in Puglia, facing language barriers and transportation challenges, turn to the caporalato system for employment, despite its exploitative nature. Inadequate communication and information provision further isolates workers, forcing them to rely on intermediaries to manage work-related matters.

In Puglia, all those interviewed were migrant workers. When asked about what they liked about their job the majority stated that they only do it for survival. Most of the workers interviewed in Sicily were Italian nationals, in contrast, they mentioned positive aspects of their job, including good relationships with co-workers and supervisors. Their responses paint two different pictures of the circumstances of agricultural work in Italy.¹¹

→ Working hours and pay conditions

Most workers interviewed in Puglia are paid directly by the company (96% of respondents), and the remaining 4% are paid by the Caporale. Some of the workers paid by the company are paid in cash.

Unequal pay as a form of discrimination was not mentioned by the workers interviewed. However, an analysis of the wages mentioned by respondents in Puglia and Sicily shows that non-Italian workers tend to be paid less.

"Company pays six hours per day. If we work more company pays in cash but we do not get to keep that cash. The Caporale supervisor keeps all the extra money."

– AGRICULTURAL MIGRANT WORKER IN PUGLIA

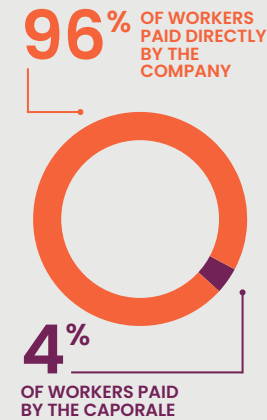
Workers reported working 6 to 10 hours per day, with the duration of the workday dependent on the weather, the workplace, and the product they are working on.

The practice of 'grey contracts' described in the literature was confirmed by the primary research in both Puglia and Sicily.

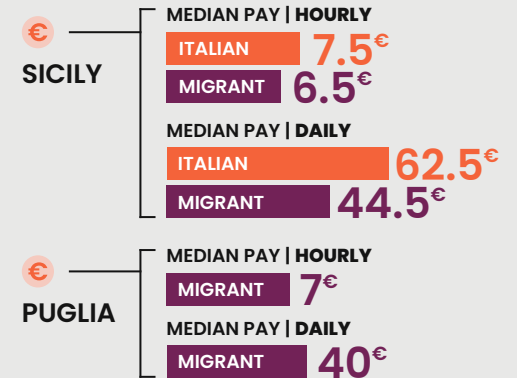
"The payslip often mention I worked 7 or 8 days a month but in reality, I work 28 days per month!"

– AGRICULTURAL MIGRANT WORKER IN PUGLIA

Many workers receive payslips that do not include details of the days they have worked. During a focus group discussion workers revealed that employers intentionally omit the number of days worked from the payslip, in order to avoid paying welfare contributions.



WHO PAYS THE WORKERS



WAGE DISCRIMINATION IN PUGLIA AND SICILY



Workers also explained that they need to show a certain number of workdays to renew their work permit. However, due to employers not indicating the actual days of work in the payslip, many workers are unable to renew their work permit and subsequently become irregular migrants, losing their legal standing.

When asked about overtime, **80%** of the 45 respondents in Puglia mentioned that they are sometimes asked to work extra hours. **71%** said that they always get paid for the extra hours of work, but at the same rate as their normal hours.

"Normally I work 10 hours but sometimes I work 12 hours. But they only pay me for the work I do for 10 hours."

– AGRICULTURAL MIGRANT WORKER IN PUGLIA



→ Discrimination and living conditions

It is difficult for migrant workers to find a place to rent, even for those with valid documents. Most migrants in Puglia live in makeshift camps, known as ghettos. These places lack basic services, such as running water, electricity, or waste disposal. In Sicily, the situation is similar, where workers often stay in unsanitary migrant camps as they cannot find a place to rent and not enough official places have been provided.

Among the workers interviewed in Puglia, **51%** lived in shanty settlements and reported that their living conditions are poor, although some were still satisfied with having a place to live. Their main priority is to earn money to support their families, even if this means living in below-standard accommodation.

"It is cold and dirty, but I can take it."

– AGRICULTURAL MIGRANT WORKER IN PUGLIA

Difficulty finding accommodation is often due to discrimination. A significant portion of interviewed workers in Puglia (**45%**) said that they had faced discrimination based on their ethnicity or nationality. Several women respondents pointed out that being an African woman makes their job particularly challenging due to common prejudices and stereotypes, such as being labelled as thieves by some locals.

"People are not friendly with African people. It is very difficult for an African to rent an apartment."

– AGRICULTURAL MIGRANT WORKER IN PUGLIA

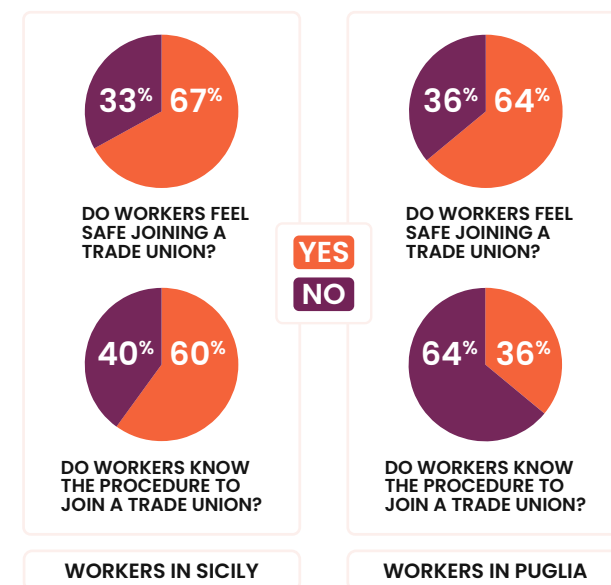
→ Transportation

Workers interviewed mentioned that they find it very difficult to reach their workplace due to lack of transport, even though the province's contractual requirements state that employers should either provide transport or reimburse some of the travel costs. Many workers in the sector are instead transported to farms in overcrowded vans operated by the caporale, which are regularly involved in accidents.¹²

Attempts to solve the issue have included the development of an 'on demand' bus service by **Coldiretti**, the national farmers' association, and three leading trade unions. Workers living near two main settlements around Foggia in Puglia were encouraged to book bus seats using a mobile app. So far, very few migrants have used the service. Further investigation by the researchers showed that the low uptake was due to a lack of information provided to workers, combined with lack of support for the initiative from the companies. Their resistance was due in part to fears that the app would provide workers with a record of their work hours which could be used as evidence to challenge 'grey' contracts.

→ Freedom of association

64% of the workers interviewed in Puglia stated that they felt they could safely join a trade union. However, when asked if they knew the procedure for joining, **64%** of the respondents mentioned that they were unaware. In Sicily, a larger proportion of workers (**67%**) felt they could freely join a union, but **40%** still did not know how to do so. Most of the Sicilian workers lacking this knowledge were migrants.





Spain



Agriculture in southern Spain is crucial for the country's economy; the sector in Andalusia alone employs around 290,000 people.

Intensive agriculture represents as much as **40%** of the autonomous community's GDP.¹³ Estimates suggest **there are around 80,000 to 100,000 workers in Huelva, and approximately 80,000 confirmed workers annually in Almeria**, with potentially more undocumented workers.¹⁴

The growth of the industrialised agricultural sector has increased the need for labour, resulting in the recruitment of North African and Sub-Saharan African migrants. The Collective Management of Recruitment at the Place of Origin (GECCO) scheme was established in 1999 to support the recruitment of cheap labour as it enables employers to hire internationally and grant restricted residency permits. The scheme is frequently used to employ seasonal workers from Morocco, who then face limited opportunities to change employers, restrictions on their visas, and become dependent on employers for accommodation and transport.

There are disparities based on nationality in agricultural labour. Workers from Eastern Europe, Morocco, and Sub-Saharan African nations typically engage in field picking activities, whereas Spanish individuals often occupy roles in packaging plants and managerial positions. At the farm level, permanent workers - often Spanish - employed by high-quality companies and cooperatives experience fewer irregularities compared to migrant workers, particularly those hired through agents.

Spain currently implements several national non-judicial grievance mechanisms, such as the Ministry of Labour Work Inspectorate's anonymous whistleblowing channel, the [OECD national contact point for multinational companies](#), and the national ombudsman. A recent law ([Act 2/2023](#)) enacted in February 2023 mandates that companies with over 50 employees must establish a whistleblowing system (known as "mecanismo de denuncia" in Spanish), yet this law excludes many small family-run farms from its scope.



INTENSIVE AGRICULTURE IN SPAIN



ANNUAL ESTIMATE NUMBER OF WORKERS



Interviews with workers in Almeria, Murcia, and Huelva

Although most interviewed workers reported that they can meet their basic needs with their current salaries, they are highly vulnerable.

Workers' circumstances are complicated by factors such as a limited understanding of Spanish and dependence on employers due to the nature of their contracts. The human rights impacts discussed by workers during the research include discrimination, long working hours without appropriate compensation, poor housing conditions, and verbal abuse.

→ Working hours and pay conditions

A significant number of interviewed workers lacked a basic understanding of their contracts, including details like working hours and salary. In Murcia, 33% of respondents stated that they did not understand many aspects of their contract. To workers in Huelva, the aspect of the job that seemed most unclear was the working hours and days.

In Almeria, workers indicated difficulties in knowing whether their wages were paid on an hourly, daily, or monthly basis. The majority reported receiving their salaries monthly, in line with the collective bargaining agreement.

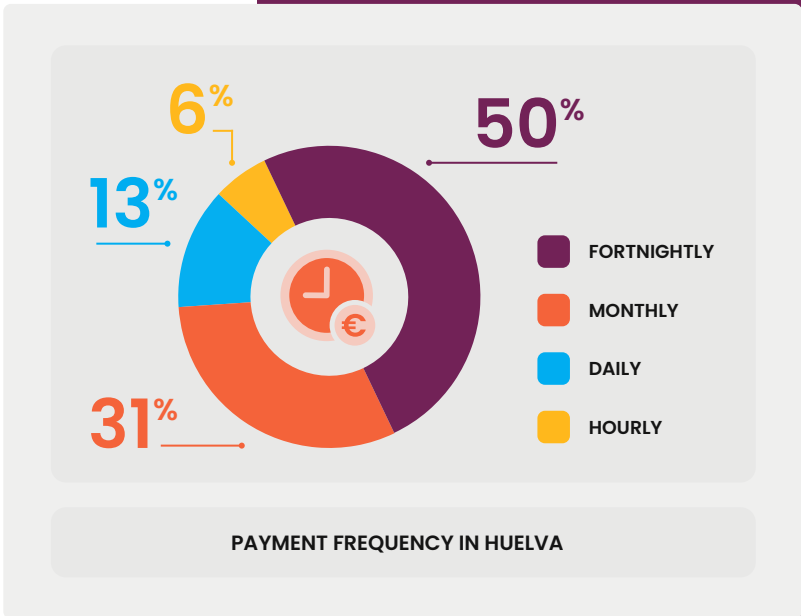


However, specifics regarding this wage amount (which according to the agreement should be a minimum of €1,080 monthly in 2023) were not provided. Nearly 90% of the respondents reported working eight hours daily, but this sometimes dropped to four hours daily, depending on weather conditions or orders.

"We don't count our working hours. Our compensation is determined by a piece-rate system, which means we work until we've completed a set number of pieces. There's no differentiation between standard work hours and overtime hours in this arrangement."

– AGRICULTURAL WORKER IN MURCIA

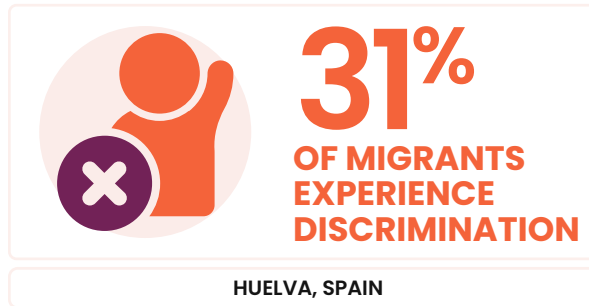
In Huelva there was more variation in the frequency of payments: 50% of respondents received their pay fortnightly, 31% received monthly payments, 13% reported receiving daily wages, and 6% were compensated on an hourly basis. Irregular working hours and varied payment schedules across the regions point to a lack of consistency and clarity in pay systems within the agricultural sector. Additionally, highly variable working hours have implications for workers' income and welfare.





→ Discrimination

The research explored discrimination from various perspectives, considering gender, age, nationality, and trade union membership as potential triggers.



Multiple respondents shared their views on this issue, with the highest engagement in Huelva, likely due to the larger representation of migrant workers in the sample. In Huelva, **31%** of the respondents reported experiencing discrimination linked to their ethnicity, nationality and age. Women workers often face additional challenges, and workers gave accounts of gender-based discrimination and sexual harassment.

→ Living conditions

The research presents a diverse picture of housing conditions in the three regions.

In Almeria, all respondents said that they rent private accommodation, and many live with their families in the village. Similarly, in Murcia, **67%** (both migrant and Spanish workers) live in privately rented housing. Most of these workers reported that the condition of their accommodation is good or liveable. To some extent, the housing arrangements of migrant workers in these two provinces help them to integrate more easily than migrant workers in Huelva.

In Huelva, a majority of respondents (**75%**) reported living in accommodation provided by their employer. These respondents were migrant workers from Morocco, Guinea, Mali and Côte d'Ivoire. All female workers from Morocco also reported paying for their

utility bills (gas, electricity, water). However, these respondents were unclear about the nature of these payments and had the impression that they were actually paying rent. This again highlights the lack of awareness among these workers about their rights and entitlements. All the female workers interviewed in Huelva said that the housing provided was in poor condition, which is consistent with the well-known problem of settlements in the region.¹⁵

→ Freedom of association

Trade union participation is low, especially among the most vulnerable agricultural workers, indicating a restricted ability to exercise their right to freedom of association. Across the three regions, workers face challenges in understanding their rights and fear repercussions from employers on joining a union.

Interviews conducted in Almeria and Murcia indicated that while most workers generally feel safe joining a trade union, many lack understanding about how unions operate, especially migrant workers. A significant portion of respondents in Huelva expressed uncertainty or hesitancy regarding union participation. Some instances of discrimination based on trade union membership were also reported by workers in Almeria and Murcia.

**I can join but
there are going
to be reprisals.**

– Agricultural worker in Almeria

Grievance mechanism availability and effectiveness

Researchers assessed the availability and effectiveness of operational grievance mechanisms and identified barriers to access.

Service providers and employers were interviewed in order to build a picture of the 'ecosystem' of existing mechanisms.



Italy

None of the workers surveyed in Italy were aware of the state-led legal channels available to them to raise concerns.

When asked whether there were channels for them to share their concerns and opinions with their employers, only **25%** of workers in Puglia were aware of such channels, while **35%** said they didn't exist, and **40%** were unsure. In Sicily, on the other hand, **63%** of the workers interviewed were aware of grievance mechanisms, while the remaining **37%** said they did not know if such channels existed. However, of the **63%**, the majority of respondents were Italian, while almost all of those who did not know if such channels existed were migrants.

Among workers who were aware of any grievance mechanisms in both regions, the most common channel for raising concerns was talking to line managers and supervisors. Employers interviewed also mentioned that workers often raise concerns directly. However, all the employers in Puglia admitted that they did not track complaints. One added that in the case of more complicated issues, where agreement cannot be reached, the workers often choose to leave. In Sicily, employers expressed the view that workers do not face significant problems but didn't offer further details to support this belief.

PUGLIA

40%

SAID THEY DID NOT KNOW

35%

SAID THEY DID NOT EXIST

25%

SAID THEY WERE AWARE

SICILY

63%

SAID THEY WERE AWARE

37%

SAID THEY DID NOT KNOW

GRIEVANCE CHANNEL AWARENESS

→ Trade union representation

Workers in both Puglia and Sicily mentioned trade union representatives as a channel for concerns about payslips, contracts, and working hours. In Puglia, almost half of the participating workers also mentioned unions as being the key source for accessing information around their rights.

In Italy, unions receive state funding to provide information, assistance, and mediation related to employment, citizenship, social rights, and housing. However, both unions and local NGOs struggle to reach migrant workers due to their informal nature of employment, communication challenges, difficulty gaining trust, and lack of access to areas where migrant workers live.

Interestingly, while trade unions described the services they provided to migrant workers, they did not explicitly mention that they represented them. This distinction is crucial as it affects the perception of the role of unions and the support that they could provide to migrant worker communities.

→ Reporting a grievance

About half of participating workers in Puglia expressed discomfort in reporting concerns at work. In Sicily, where the majority of participating workers were Italian, higher levels of confidence were observed and **83%** of respondents claimed they were comfortable raising concerns.

Workers were asked about their preferred methods of raising concerns. In Puglia, trade union representatives or mediators were the preferred choice, particularly among women workers. Conversely, in Sicily, workers leaned towards directly communicating with managers or supervisors.

Making contracts, legal information, and grievance mechanisms available in workers' native languages emerged as a crucial way to enable workers to understand their rights and feel comfortable and safe raising concerns. Language proficiency has a substantial impact on workers' well-being, a finding which was underscored by comparing the responses of migrant and native workers. Other research has demonstrated that proficiency in the host country's language is an important factor for the successful labour market integration of immigrants.¹⁶ From this we can draw a logical conclusion that individuals who can access information and effectively communicate in a language they understand, are less likely to experience human rights violations in their work environment.

“

"Language proficiency has a substantial impact on workers' well-being, a finding which was underscored by comparing the responses of migrant and native workers."



Respondents who did not feel safe to report a grievance identified several barriers in accessing and using grievance channels, including:

- Limited understanding of the Italian language.
- Fear of reprisal.
- Discomfort in direct communication with managers and supervisors.
- Uncertainty about the consequences after raising a concern.
- Vulnerability due to lack of legal documentation.



I ask questions to the supervisor. I don't know where the office is, we are in the farms. So, the person you see is the supervisor, who doesn't want you to make trouble in the office, so he is the person to speak.

– Agricultural worker in Murcia



Spain

Despite efforts by multiple stakeholders to implement grievance mechanisms, their impact is limited by poor communication with workers.

All employers interviewed across Almeria, Murcia, and Huelva said they understood and had implemented grievance mechanisms. They reported using visual displays to inform workers about available channels during onboarding. However, while these communications in Murcia and Huelva include languages like Arabic, Bulgarian, French, and Romanian, employers in Almeria exclusively rely on Spanish. Additionally, these visual materials are placed in offices, away from the farm areas where workers operate. This approach has proven ineffective, as none of the interviewed workers had seen these materials.

When asked what grievance channels are available, direct communication with managers and the use of suggestion boxes were mentioned in all three regions. Typically, workers were made aware of these mechanisms when they started in the role or later, by their supervisors or managers.

→ Reporting a grievance

Most respondents expressed a lack of confidence when reporting concerns at work. Similar to the findings from Italy, the data reveals a significant difference between migrant and Spanish workers in this respect. In particular, migrant women workers consistently expressed discomfort across all regions. These findings highlight the need for targeted efforts to address the specific concerns and barriers that migrant workers, particularly women, face in feeling safe and confident to report problems at work.

In all three regions, similar barriers to those expressed in Italy were identified, including fear of reprisals, lack of trust in the system, and fears about losing their jobs if they raised issues. In Almeria and Huelva, participants cited cases of dismissal or suspension after submitting grievances through the company suggestion box. Participants were also reluctant to raise concerns for fear of causing problems. Respondents in Huelva emphasised that workers on contracts organised in their country of origin or transit are completely dependent on their employer. They do not have the possibility to change their employer and therefore fear possible repercussions if they raise concerns.

Most workers cited trade unions as their preferred channel for addressing concerns about their contracts, wages, and working hours. Interestingly, however, workers did not often name trade unions as their primary source of information about workers' rights. In Almeria, the most common source of information on workplace rights was their employment contract. However, when workers were asked if they understood the language in which their contract was written, **56%** said they had only a limited understanding. In Murcia, the main source of information about workplace rights was their manager or supervisor. In Huelva, most respondents relied on family, friends, and colleagues to answer questions about their contract.

Most workers showed a lack of understanding of the specific types of problems that could be reported through the available channels, and very few migrant workers had actually reported a problem.



Respondents identified several standards which would make operational grievance mechanisms more workable:

- Workers expressed a preference for the grievance mechanism to be run by a third party **outside the company** or by an independent worker representative.
- **Anonymity** was seen as essential to encourage openness without fear of reprisal.
- Workers highlighted the ease of using a mechanism if it was run by a colleague or **worker representative**, indicating a level of trust and familiarity in dealing with their concerns.
- The importance of **clear communication** in workers' own languages, with transparent processes and defined timelines, was emphasised. Clarity and accessibility in understanding the process are essential to encourage participation.
- Workers stated the importance of having **female representatives** in the management of the mechanism, possibly indicating a belief in better understanding and addressing gender issues and fostering a sense of comfort and trust among women workers.

Conclusions

The vast majority of migrants are unaware of their labour rights before embarking on their journey to Europe.

The decision to migrate via irregular routes is a personal one, influenced by several factors, including their personal situation, domestic socio-economic context, political unrest, and other external forces. Irregular migrants are often poorly informed about the risks in Europe, relying mainly on information via word of mouth. Those migrating via regular routes tend to be aware of the formal working conditions, but there are no structured initiatives to inform them of the risks of abuse or grievance mechanisms available.

Most funded migration interventions between Africa and Europe aim to deter irregular migration by highlighting the risks, but the effectiveness of such initiatives is questionable.

There are no regional networks of local, migrant-centred civil society organisations in workers' countries of origin or transit, to inform them about ethical recruitment and labour rights. Such information could better prepare and enable them to access their rights once in Europe. Networks like this could fill an important gap, making it easier for prospective migrants to get accurate information before embarking on their journey, and while in transit.

Both Spanish and Italian agricultural sectors are vital suppliers of fresh produce into the UK market while also being important sources of work for migrants coming to Europe in search of a better life. While grievance mechanisms exist in theory, they are practically inaccessible to workers in both countries due to workers' lack of awareness, low level of understanding of their labour rights, and direct employer control over existing channels creating fear of reprisals.

In Italy, migrant workers who face language barriers and transport problems turn to caporalato to find work. Lack of reliable information about their rights or their contracts makes workers even more vulnerable. They are often working on 'grey' contracts, where payslip manipulation prevents workers from renewing their permits, pushing them into irregular status and jeopardising their legal standing.

In Spain, the GECCO scheme, designed to meet seasonal labour needs, allows for international recruitment but often leads to worker exploitation through temporary contracts and restrictive visas. In addition, the legal link between migrant workers' residence status in Spain and their employment situation severely undermines their access to effective grievance mechanisms. Migrant workers are forced to rely on their employers for crucial aspects of their lives, including their residence status, creating a constant fear of losing their jobs if they displease their employers.

When the situation of migrant workers who participated in this research is assessed against the ILO's eleven indicators of forced labour, it is clear that many are highly vulnerable to modern forms of slavery. By supporting and evaluating the effectiveness of grievance mechanisms in the lower tiers of the fresh produce sector in Italy and Spain, where most migrant workers are employed, UK companies can better manage the risks of forced labour.

The effectiveness of such grievance mechanisms can be enhanced through engagement and knowledge-sharing with civil society organisations in the workers' countries of origin and transit, such as the recommended prevention network, to ensure that workers' rights are well understood, potential risks are known in advance, and methods for resolving issues are clearly communicated.



"It is clear that many of these workers are highly vulnerable to modern forms of slavery."

Recommendations

The research findings outlined in this report underscore the insufficiency of current grievance mechanisms in addressing the specific needs of workers, particularly migrant workers, across five regions in Italy and Spain. This section provides sets of recommendations for three distinct groups, offering practical guidelines to enhance the accessibility and effectiveness of these mechanisms.



Going forward, how can businesses, producers, and stakeholders improve grievance mechanisms for migrant workers in Europe?

Recommendations for UK and European Businesses

Recommendations for producers and employers in countries of production

Recommendations for pre-departure prevention network stakeholders

Recommendations for UK and European Businesses:

- Assess gaps in grievance mechanisms along the supply chain, and work on every level, and with relevant partners, to strengthen their availability and effectiveness against [UN Guiding Principles on Business and Human Rights criteria](#).¹⁷ Particular attention should be paid to the need for mechanisms at the operational level to be based on engagement and dialogue.
- Review grievance mechanisms through contextualised risk assessments. Workers' perspectives and expectations must be central to understanding whether a grievance mechanism is working or not. Workers must be at the centre of the design and implementation of mechanisms, as they are the ones who best understand their conditions and have the strongest interest in ensuring that their rights are respected.
- Reach out to producers in countries of production to assess their needs and offer support on training on grievance mechanisms and effective handling of workers' complaints.
- Ensure that the presence of grievance mechanisms does not become a tick-box exercise for legal and/or audit purposes by actively monitoring producer commitment, mechanism availability, use, and impact.
- Ascertain that supply chain grievance mechanisms implemented or supported by lead buyers do not undermine the need for grievance mechanisms at producer-level based on meaningful engagement, representation, and dialogue.

- Commit to supporting supply chain actors to investigate and resolve issues as relevant and to enable sectoral efforts to overcome and respond to systemic risks including developing effective channels and escalation procedures for grievances that cannot be resolved by individual employers.
- Review business purchasing practices in relation to this context to increase understanding of the link between practices and identified work conditions in Italy and Spain.

Recommendations for producers and employers in countries of production:

- Ensure that time and capacity are set aside to familiarise the company with the objectives, establishment and effectiveness of grievance mechanisms using available operational grievance mechanism toolkits.¹⁸
- Assess the use and effectiveness of existing grievance channels including focusing on workers' knowledge, understanding, trust and access to available channels.
- Ensure all those who interact with or oversee the grievance mechanism process are adequately trained on the process, expectations, and safeguarding requirements.
- Ensure workers and their representatives have a genuine opportunity to shape the design of grievance mechanisms and tailor them to workers' needs including by customising channels to accommodate language needs, diverse literacy levels, ensuring anonymity and privacy, providing alternative communication methods, and

addressing power dynamics between workers and management.

- Enforce a zero-tolerance approach to retaliation or reprisals and build trust to ensure that workers do not fear reporting issues.
- Collaborate with trade unions and civil society organisations to design comprehensive training programmes focusing on workers' rights, contract comprehension, and grievance mechanism processes; including accessing support where they live, delivered in languages that workers understand.
- Clearly and regularly communicate the grievance mechanism process to relevant stakeholders, ensuring it is transparent and timely, and monitor and demonstrate effective and efficient resolution of issues to build trust in the mechanism.
- Actively monitor grievance data to assess trends and recurring issues and address these as part of ongoing efforts to improve working conditions.
- Establish ways for workers to more easily document and evidence their working hours to tackle "black" and "grey" undeclared work contracts and prevent workers on such contracts from falling into irregular migrant status.
- Address challenges faced by migrant women by improving their representation in management roles and trade unions to create safer and more supportive work environments and address the specific challenges experienced by migrant women workers.

To pre-departure prevention network stakeholders:

- Support the establishment of a transnational network of civil society organisations in countries of origin and transit countries to exchange and disseminate accurate information about the reality of irregular migration to North Africa and Europe.
- Extend the network to include civil society actors in Spain and Italy, which represent the destination for most irregular migrants. European civil society organisations can provide reliable information about the reality of work in the agriculture sector to both aspiring migrants and UK businesses concerned about modern slavery in their agricultural supply chains.
- Invest in local organisations in countries of origin and transit countries that have lived experience of migration (by e.g. being led by returning migrants) and that have direct access to people likely to migrate.
- Engage trade unions locally, nationally, and globally to share knowledge about better representing migrant workers and coordinate activities. Collaborate specifically with trade unions from departure and transit countries.
- Raise awareness among migrant workers about trade unions and other service channels provided by civil society organisations, starting in countries of origin to target groups likely to migrate. Support unions and organisations to reach migrants in destination countries.

Endnotes

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⁴In the early research phase, it was established that migrants from Tunisia, Cote d’Ivoire and Guinea were among the most frequent nationalities arriving to Italy in 2023 while Moroccans are the largest migrant group in Spain. Nationals of Senegal continue to favor Spain as destination country and the number of migrants from the country has increased over the years using the Western Mediterranean Route crossing the Atlantic to the Canary Islands. Please see *International Organization for Migration (IOM), Sep 13 2023. DTM West and Central Africa – Irregular Migration Routes to Europe (January – June 2023). IOM, West and Central Africa. For ongoing updated statistics of migration flow to Europe, please visit Europe Arrivals | Displacement Tracking Matrix (iom.int)*

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⁹European Labour Authority, Factsheet on Undeclared Work – Italy (2017). Available from: <https://www.ela.europa.eu/en/media/2251>.

¹⁰Giovannetti, Monia “Le condizioni abitative dei migrant che lavorano nel settore agro-alimentare”, Prima Indagine Nazionale (InCas 2022), p.18. Available from: <https://www.lavoro.gov.it/stampa-e-media/Comunicati/>

[Documents/Rapporto-Le-condizioni-abitative-dei-migranti-settore-agroalimentare.pdf](#).

¹¹All the workers interviewed in Puglia were migrant workers, whereas most of the workers in Sicily were Italian. There were two main reasons for this: firstly, the season had not yet started in the selected areas of Sicily at the time of the research, making it more difficult to reach migrant workers at the work sites, as they tend to be employed at peak times. In Puglia, on the other hand, the research team was unable to find any Italian workers doing the same type of work as migrants. Therefore, the findings from two different groups allowed the research to identify differences in working conditions and experiences that can be associated with migration status.

¹²Reuters, “Fatal crashes reveal plight of Italy’s African labourers” (13 August 2018). Available from: <https://www.reuters.com/article/europe-migrants-italy-crash-idINKBNIKY13R/> [accessed on 21 December 2023].

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¹⁷OHCHR, OHCHR Accountability and Remedy Project: Meeting the UNGPs’ Effectiveness Criteria. Summary of ARPIII Guidance (2021) Available from: <https://www.ohchr.org/sites/default/files/2022-01/arp-note-meeting-effectiveness-criteria.pdf> [Accessed on 21 Dec 2023].

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